

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

WENDY GISH; PATRICK SCALES;
JAMES DEAN MOFFATT; BRENDA
WOOD,

Plaintiffs-Appellants,

v.

GAVIN NEWSOM, in his official capacity as the Governor of California; XAVIER BECERRA, in his official capacity as the Attorney General of California; ERIN GUSTAFSON, in her official capacity as the San Bernardino County Acting Public Health Officer; JOHN MCMAHON, in his official capacity as the San Bernardino County Sheriff; ROBERT LOVINGGOOD; JANICE RUTHERFORD; DAWN ROWE; CURT HAGMAN; and JOSIE GONZALES, in their official capacities as San Bernardino County Supervisors; CAMERON KAISER, in his official capacity as the Riverside County Public Health Officer; GEORGE JOHNSON, in his official capacity as the Riverside County Executive Officer and Director of Emergency Services; CHAD BIANCO, in his official capacity as a Riverside

Nos. 20-55445
20-56324

D.C. No.
5:20-cv-00755-
JGB-KK

ORDER

County Sheriff; KEVIN JEFFRIES;
KAREN SPIEGEL; CHUCK
WASHINGTON; V. MANUEL PEREZ;
and JEFF HEWITT, in their official
capacities as Riverside County
Supervisors; COUNTY OF SAN
BERNARDINO,

Defendants-Appellees.

On Remand from the Supreme Court of the United States

Filed February 17, 2021

Before: Kim McLane Wardlaw and Richard R. Clifton,
Circuit Judges, and Timothy Hillman,* District Judge.

Order

ORDER

Pursuant to the order of the United States Supreme Court dated February 8, 2021, the case is remanded to the district court for further proceedings consistent with *South Bay United Pentecostal Church v. Newsom*, 592 U.S. ____ (2021).

The motion to voluntarily dismiss the appeal in Case No. 20-55445 pursuant to Federal Rule of Appellate Procedure 42(b) is granted. The four motions to take judicial

* The Honorable Timothy Hillman, United States District Judge for the District of Massachusetts, sitting by designation.

notice in Case No. 20-55445 and the two motions to take judicial notice in Case No. 20-56324 are dismissed as moot.

IT IS SO ORDERED.