

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 8 2020

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SOUTH BAY UNITED PENTECOSTAL
CHURCH, a California nonprofit
corporation; BISHOP ARTHUR HODGES
III, an individual,

Plaintiffs-Appellants,

v.

GAVIN NEWSOM, in his official capacity
as the Governor of California; et al.,

Defendants-Appellees.

No. 20-55533

D.C. No.

3:20-cv-00865-BAS-AHG

Southern District of California,
San Diego

ORDER

Before: WARDLAW and CLIFTON, Circuit Judges, and HILLMAN,* District
Judge.

In light of the Supreme Court's orders in *Harvest Rock Church, Inc. v. Newsom*, No. 20A94, 592 U.S. ____ (Dec. 3, 2020) and *Roman Catholic Diocese of Brooklyn v. Cuomo*, No. 20A87, 592 U.S. ____ (Nov. 25, 2020), we vacate the district court's October 15, 2020 order denying the motion for injunctive relief filed by South Bay United Pentecostal Church (South Bay), and remand to the district court for further consideration of this matter.

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

South Bay's emergency motion for an injunction pending appeal (ECF No. 96) is denied without prejudice.

IT IS SO ORDERED.