

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 23-1157****September Term, 2023****EPA-88FR36654****Filed On: September 25, 2023**

State of Utah, by and through its Governor,  
Spencer J. Cox, and its Attorney General,  
Sean D. Reyes,

Petitioner

v.

Environmental Protection Agency and  
Michael S. Regan, Administrator, U.S. EPA,

Respondents

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City of New York, et al.,  
Intervenors  
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Consolidated with 23-1181, 23-1183,  
23-1190, 23-1191, 23-1193, 23-1195,  
23-1199, 23-1200, 23-1201, 23-1202,  
23-1203, 23-1205, 23-1206, 23-1207,  
23-1208, 23-1209, 23-1211

**BEFORE:** Pillard, Walker\*, and Childs, Circuit Judges

**ORDER**

Upon consideration of the motions for stay in Nos. 23-1181, 23-1183, 23-1190, 23-1191, 23-1193, 23-1195, 23-1199, 23-1202, and 23-1205, the oppositions thereto, the replies, and the amicus briefs, it is

**ORDERED** that the motions for stay be denied. Petitioners have not satisfied the stringent requirements for a stay pending court review. See *Nken v. Holder*, 556

\* Judge Walker would stay the federal implementation plan in question.

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U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2021).

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Tatiana Magruder  
Deputy Clerk