

FILED

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

DEC 18 2025

FOR THE NINTH CIRCUIT

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

LOS ANGELES PRESS CLUB; et al.,

Plaintiffs - Appellees,

v.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security and
UNITED STATES DEPARTMENT OF
HOMELAND SECURITY,

Defendants - Appellants.

No. 25-5975

D.C. No.

2:25-cv-05563-HDV-E

Central District of California,
Los Angeles

ORDER

Before: GOULD, NGUYEN, and BENNETT, Circuit Judges.

Defendants' motion to stay the Central District of California's September 10, 2025 preliminary injunction (Dkt. No. 8) is GRANTED in part, and DENIED in part.

We GRANT the motion as to injunctive provisions that by their terms apply to protesters who are not parties to this litigation. *Trump v. CASA, Inc.*, 606 U.S. 831 (2025). We stay the following provisions only to the extent that they apply to protesters who are not parties to this litigation: "Using crowd control weapons (including kinetic impact projectiles ('KIP's), chemical irritants, batons, and flash-bang grenades) on . . . protesters who are not themselves posing a threat of imminent harm to a law enforcement officer or another person;" "[f]iring kinetic impact

projectiles or flash-bang grenades at identified targets, if doing so could foreseeably result in injury to . . . protesters who are not posing a threat of imminent harm to a law enforcement officer or another person;” “[u]sing any crowd control weapon without giving at least two separate warnings in a manner and at a sound level where it can be heard by the targeted individuals, unless the threat is so serious and imminent that a warning is infeasible;” and “[f]iring tear gas canisters or flash-bang grenades so as to strike any person, or firing KIPs or other crowd control weapons at the head, neck, groin, back, or other sensitive areas, unless that person poses an immediate threat of death or serious bodily injury.”

We otherwise DENY the motion to stay, without prejudice as to how we may rule after oral argument on the preliminary injunction appeal on January 5, 2026. We also DENY Plaintiffs’-Appellees’ Motion to Strike Defendants-Appellants’ Motion for Stay (Dkt. No. 9) as moot.