

**FILED**

UNITED STATES COURT OF APPEALS

FEB 18 2020

FOR THE NINTH CIRCUIT

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

CITY AND COUNTY OF SAN  
FRANCISCO; COUNTY OF SANTA  
CLARA,

Plaintiffs-Appellees,

v.

UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICES, a federal  
agency; U.S. DEPARTMENT OF  
HOMELAND SECURITY, a federal  
agency; KEVIN K. MCALEENAN, in his  
official capacity as Acting Secretary of the  
United States Department of Homeland  
Security; KENNETH T. CUCCINELLI, in  
his official capacity as Acting Director of  
United States Citizenship and Immigration  
Services,

Defendants-Appellants.

No. 19-17213

D.C. No. 4:19-cv-04717-PJH  
Northern District of California,  
Oakland

ORDER

STATE OF CALIFORNIA; DISTRICT  
OF COLUMBIA; STATE OF MAINE;  
COMMONWEALTH OF  
PENNSYLVANIA; STATE OF  
OREGON,

Plaintiffs-Appellees,

v.

No. 19-17214

D.C. No. 4:19-cv-04975-PJH  
Northern District of California,  
Oakland

U.S. DEPARTMENT OF HOMELAND SECURITY, a federal agency; UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, a federal agency; KEVIN K. MCALEENAN, in his official capacity as Acting Secretary of the United States Department of Homeland Security; KENNETH T. CUCCINELLI, in his official capacity as Acting Director of United States Citizenship and Immigration Services,

Defendants-Appellants.

STATE OF WASHINGTON;  
COMMONWEALTH OF VIRGINIA;  
STATE OF COLORADO; STATE OF DELAWARE; STATE OF ILLINOIS;  
STATE OF MARYLAND;  
COMMONWEALTH OF MASSACHUSETTS; DANA NESSEL, Attorney General on behalf of the People of Michigan; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF RHODE ISLAND; STATE OF HAWAII,

Plaintiffs-Appellees,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, a federal agency; KEVIN K. MCALEENAN, in his official capacity as

No. 19-35914

D.C. No. 4:19-cv-05210-RMP  
Eastern District of Washington,  
Richland

Acting Secretary of the United States  
Department of Homeland Security;  
UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICES, a federal  
agency; KENNETH T. CUCCINELLI, in  
his official capacity as Acting Director of  
United States Citizenship and Immigration  
Services,  
  
Defendants-Appellants.

Before: BYBEE, IKUTA, and OWENS, Circuit Judges

The panel judges have voted to deny the appellees' motions for reconsideration. Judge Bybee would recommend denial of the motions for reconsideration en banc. Judge Ikuta would vote to deny the motions. Judge Owens would vote to grant the motions.

The full court has been advised of the motions for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

Appellees' motions for rehearing and petition for rehearing en banc, filed December 19, 2019, are DENIED.