

No. 25-807

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

STATES OF WASHINGTON, ARIZONA, ILLINOIS, and OREGON,

Plaintiffs-Appellees,

CHERLY NORALES CASTILLO and ALICIA CHAVARRIA LOPEZ, on behalf
of themselves as individuals and others similarly situated,

Plaintiffs-Appellees,

v.

DONALD TRUMP, in his official capacity as
President of the United States, et al.,

Defendants-Appellants.

On Appeal from the U.S. District Court for the Western District of Washington
Case No. 2:25-cv-00127-JCC
The Honorable John C. Coughenour

**PLAINTIFF STATES' REPLY IN SUPPORT OF MOTION FOR LIMITED
REMAND AND TO HOLD APPEAL IN ABEYANCE**

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The Plaintiff States are not seeking “to delay matters in this Court” or in the district court. Resp. at 1 (Dkt. 147.1 at 1). The Plaintiff States have no interest in delay—just the opposite, particularly in light of the government’s public representations that it may begin implementing the Executive Order on July 27, 2025. See Mot. at 3 (Dkt. 146.1 at 4).

Nor do the Plaintiff States urge “a presumption of universal relief” that the government must defeat. Resp. at 2. Rather, the Plaintiff States’ modest request is that the district court should have the first opportunity to address the government’s contention that the relief *the district court entered* is inconsistent with the U.S. Supreme Court’s *CASA* decision. Those proceedings would appropriately, and almost certainly, include presentation of evidence that is now highly pertinent in light of the government’s narrower relief proposal—raised for the first time on appeal—and the recent clarifications of the legal standard in *CASA*.

A limited remand on that discrete issue—for what will necessarily be an expedited and definite period of time—will hardly be “unnecessary and duplicative.” Resp. at 1. Instead, that limited remand will ensure that this Court resolves this appeal based on an updated record that was developed in light of the current legal standard under *CASA*, and with the benefit of district court findings and conclusions expressly made in light of that decision and record.

Accordingly, the Plaintiff States respectfully ask this Court to order a limited remand for the district court to conduct further proceedings in light of *CASA*, and hold the pending appeal before this Court in abeyance until those proceedings conclude.

RESPECTFULLY SUBMITTED this 7th day of July, 2025.

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CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2025, I electronically filed the foregoing brief with the Clerk of the Court by using the Appellate Case Management System. I further certify that the participants in the case are ACMS users and that service will be accomplished by using the ACMS system.

DATED this 7th day of July, 2025.

s/ Joshua D. Bendor
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