United States Court of Appeals
For the First Circuit

No. 26-2132

COALITION FOR OPEN DEMOCRACY,

Plaintiff - Appellee,

v.

DAVID M. SCANLAN, in the official capacity as New Hampshire Secretary of State; JOHN FORMELLA, in the official capacity as New Hampshire Attorney General,

Defendants - Appellants.

Before

Gelpí, Aframe, and Dunlap,
Circuit Judges.

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ORDER OF COURT

Entered: October 14, 2026

Appellants have filed a "Renewed Emergency Motion to Stay Preliminary Injunction Pending Appeal," through which they request a stay of the district court's October 5, 2026, Preliminary Injunction Order. The motion is denied, as appellants have failed to demonstrate that stay relief is in order. See generally Nken v. Holder, 556 U.S. 418, 433-34 (2009) (describing traditional stay/injunction factors and noting that burden to demonstrate entitlement to relief rests with moving party).

We note that an amicus filing in support of appellants' position has been tendered. We construe that filing to include a request for leave to file. We grant leave to file and have considered the amicus filing only insofar as it concerns legal issues and positions raised by the parties. See New York v. Trump, 133 F.4th 51, 56 n.2 (1st Cir. 2025) (citing Ryan v. U.S. Immigr. & Customs Enf't, 974 F.3d 9, 33 n.10 (1st Cir. 2020)).

DUNLAP, Circuit Judge, would have granted the stay.

By the Court:

Anastasia Dubrovsky, Clerk

cc:
John C. Bonifaz
Ben T. Clements
Michael Steven Gardener
Henry Clay Quillen
Courtney M. Hostetler
Courtney Patrice Herndon
Benjamin David Horton
Yeilee Woo
Sherwet Witherington
Hannah Edge
Bryan L. Sells
Matthew T. Broadhead
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