

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 12 2025

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

GAVIN NEWSOM, Governor of California,
In his official capacity as Governor of the
State of California and STATE OF
CALIFORNIA,

Plaintiffs - Appellees,

v.

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

Defendants - Appellants.

No. 25-7781

D.C. No.

3:25-cv-04870-CRB

Northern District of California,
San Francisco

ORDER

Before: BENNETT, MILLER, and SUNG, Circuit Judges.

The court has received the government’s emergency motion for stay pending appeal. Dkt. No. 11. The request for an administrative stay is GRANTED in part and DENIED in part.

The following portion of the district court’s December 10, 2025 order is temporarily stayed pending further order: “Defendants are DIRECTED to return control of the California National Guard to Governor Newsom.” In all other respects, the requested administrative stay is denied.

The court’s administrative stay “is only intended to preserve the status quo until the substantive motion for a stay pending appeal can be considered on the

merits, and does not constitute in any way a decision as to the merits” of the appeal.

See Doe #1 v. Trump, 944 F.3d 1222, 1223 (9th Cir. 2019).