

FILED

JAN 28 2010

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MUHAMMAD SHABAZZ
FARRAKHAN, aka Ernest S. Walker; AL-
KAREEM SHADEED; MARCUS X.
PRICE; RAMON BARRIENTES;
TIMOTHY SCHAAF; CLIFTON
BRICENO,

Plaintiffs - Appellants,

v.

CHRISTINE O. GREGOIRE; SAM
REED; HAROLD W. CLARKE; STATE
OF WASHINGTON,

Defendants - Appellees.

No. 06-35669

DC No. CV 96-0076 RHW
ED Wash.

ORDER

Before: REINHARDT, TASHIMA, and McKEOWN, Circuit Judges.

The motion of defendants-appellees to stay issuance of the mandate is granted, and issuance of the mandate is stayed pending defendants-appellees' filing of a petition for a writ of certiorari in the Supreme Court. The stay shall be in accordance with the terms of and for the period specified in Fed. R. App. P. 41(d)(2).

The termination of this stay shall not override any stay of mandate in connection with proceedings for rehearing en banc, and vice versa.

Plaintiffs-appellants' motion to stay the filing of (extend the time for filing) any motion for costs and attorney's fees pending a final decision on defendants-appellees' petition for a writ of certiorari in the Supreme Court is granted. The 14-day period specified in Ninth Cir. R. 39-1.6 shall not commence to run until the decision of the Supreme Court becomes final.