

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 18 2023

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

REBECCA ROE, by and through her
parents and next friends, et al.

Plaintiffs - Appellants,

v.

DEBBIE CRITCHFIELD, in her official
capacity as Idaho State Superintendent of
Public Instruction, et al.

Defendants - Appellees.

No. 23-2807

D.C. No. 1:23-cv-00315-DCN
District of Idaho, Boise

ORDER

The appeal filed October 16, 2023, is a preliminary injunction appeal.

Accordingly, Ninth Circuit Rule 3-3 shall apply.

The mediation questionnaire is due three days after the date of this order.

If they have not already done so, within 7 calendar days after the filing date of this order, the parties must make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal.

The opening brief and excerpts of record are due no later than November 13, 2023. The answering brief is due December 11, 2023, or 28 days after service of the opening brief, whichever is earlier. The optional reply brief is due within 21 days after service of the answering brief. *See* 9th Cir. R. 3-3(b).

No streamlined extensions of time will be approved. *See* 9th Cir. R. 31-2.2(a)(3). Any request for an extension of time to file a brief must be made by written motion under Ninth Circuit Rule 31-2.2(b).

Failure to file the opening brief timely will result in the automatic dismissal of this appeal by the Clerk for failure to prosecute. *See* 9th Cir. R. 42-1.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT