

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-1157**September Term, 2023****EPA-88FR36654****Filed On:** September 25, 2023

State of Utah, by and through its Governor,
Spencer J. Cox, and its Attorney General,
Sean D. Reyes,

Petitioner

v.

Environmental Protection Agency and
Michael S. Regan, Administrator, U.S. EPA,

Respondents

City of New York, et al.,
Intervenors

Consolidated with 23-1181, 23-1183,
23-1190, 23-1191, 23-1193, 23-1195,
23-1199, 23-1200, 23-1201, 23-1202,
23-1203, 23-1205, 23-1206, 23-1207,
23-1208, 23-1209, 23-1211

BEFORE: Pillard, Walker*, and Childs, Circuit Judges

ORDER

Upon consideration of the motions for stay in Nos. 23-1181, 23-1183, 23-1190, 23-1191, 23-1193, 23-1195, 23-1199, 23-1202, and 23-1205, the oppositions thereto, the replies, and the amicus briefs, it is

ORDERED that the motions for stay be denied. Petitioners have not satisfied the stringent requirements for a stay pending court review. See Nken v. Holder, 556

* Judge Walker would stay the federal implementation plan in question.

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-1157

September Term, 2023

U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2021).

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Tatiana Magruder
Deputy Clerk