

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 19 2020

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

STATE OF WASHINGTON; et al.,

Plaintiffs-Appellees,

v.

DEFENSE DISTRIBUTED,

Defendant-Appellant.

and

US DEPARTMENT OF STATE; et al.,

Defendants,

SECOND AMENDMENT FOUNDATION,
INC.; CONN WILLIAMSON,

Defendants,

No. 20-35030

D.C. No. 2:18-cv-01115-RSL
Western District of Washington,
Seattle

ORDER

STATE OF WASHINGTON; et al.,

Plaintiffs-Appellees,

v.

US DEPARTMENT OF STATE; et al.,

Defendants,

and

No. 20-35064

D.C. No. 2:18-cv-01115-RSL

SECOND AMENDMENT FOUNDATION;
CONN WILLIAMSON,

Defendants-Appellants.

The court sua sponte consolidates these appeals. Appeal Nos. 20-35030 and 20-35064 are consolidated.

The court has reviewed the briefing in support of and in opposition to appellees' motion to dismiss. A review of these filings and the underlying record suggests that this court may lack jurisdiction over these appeals because appellants may lack standing to bring/prosecute these appeals. *See Lujan v. Def. of Wildlife*, 504 U.S. 555, 560-61 (1992) (stating criteria for standing); *see also In re First Capital Holdings Corp. Fin. Prod. Sec. Litig.*, 33 F.3d 29, 30 (9th Cir. 1994) (noting that the same standing criteria that apply in the district court apply in the court of appeals).

Within 21 days after the date of this order, appellants shall file a response showing cause why these appeals should not be dismissed for lack of standing. Appellees may file a response within 10 days after service of appellants' memorandum.

If appellants do not comply with this order, the Clerk shall dismiss these appeals pursuant to Ninth Circuit Rule 42-1.

The motion to dismiss will be addressed by separate order.

Briefing remains stayed pending further order of the court.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Lance C. Cidre
Deputy Clerk
Ninth Circuit Rule 27-7