

FILED

UNITED STATES COURT OF APPEALS

MAR 07 2008

FOR THE NINTH CIRCUIT

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

RUSSELL ALLEN NORDYKE; et al.,

Plaintiffs - Appellants,

v.

MARY V. KING; et al.,

Defendants - Appellees.

No. 07-15763

D.C. No. CV-99-04389-MJJ  
Northern District of California,  
San Francisco

ORDER

The court is in receipt of appellants' document entitled, "motion for stay, declaration of counsel, request for judicial notice" and appellees opposition thereto.

To the extent appellants are requesting that this court take judicial notice of the Supreme Court's grant of certiorari in *District of Columbia v. Heller*, the motions are denied without prejudice to submission of a Federal Rule of Appellate Procedure 28(j) letter.

Appellants' Federal Rule of Appellate Procedure 28(j) letter is due 7 days after the date of this order.

Appellants' motion for stay of appellate proceedings is denied without prejudice to a motion for leave to file a supplemental brief upon the Supreme

07-15763

Court's decision in *District of Columbia v. Heller*. Any motion for leave to file a supplemental brief and related filings shall be referred to the merits panel for resolution.

For the Court:

MOLLY C. DWYER  
Acting Clerk of the Court

Lorela Bragado-Sevillena  
Deputy Clerk  
Ninth Circuit Rule 27-7/Advisory Note  
to Rule 27 and Ninth Circuit Rule 27-10

pro 2.25.08