

FILED

UNITED STATES COURT OF APPEALS

APR 23 2014

FOR THE NINTH CIRCUIT

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

DOROTHY MCKAY; DIANA
KILGORE; PHILLIP WILLMS; FRED
KOGEN; DAVID WEISS; THE CRPA
FOUNDATION,

Plaintiffs - Appellants,

v.

SHERIFF SANDRA HUTCHENS,
individually and in her official capacity as
Sheriff of Orange County, California;
ORANGE COUNTY SHERIFF
CORONER DEPARTMENT,

Defendants - Appellees.

No. 12-57049

D.C. No. 8:12-cv-01458-JVS-JPR
Central District of California,
Santa Ana

ORDER

Before: PREGERSON, WARDLAW, and TALLMAN, Circuit Judges.

Appellants' Motion for Relief from Stay and Request for Issuance of
Memorandum Opinion is DENIED.

Judge Tallman would grant the motion because, in light of *Peruta v. Cnty. of San Diego*, 742 F.3d 1144 (9th Cir. 2014), Plaintiffs-Appellants satisfy the factors articulated in *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7 (2008), and are entitled to a preliminary injunction.