

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

NOV 18 2024

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

ADAM RICHARDS, an individual; et al.,

Plaintiffs - Appellants,

v.

GAVIN NEWSOM, in his official capacity  
as Governor of the State of California; et al.,

Defendants - Appellees.

No. 24-6940

D.C. No.

8:23-cv-02413-JVS-KES

Central District of California,

Santa Ana

ORDER

“[A] plaintiff, who has been given leave to amend, may not file a notice of appeal simply because he does not choose to file an amended complaint. A further district court determination must be obtained.” *WMX Techs., Inc. v. Miller*, 104 F.3d 1133, 1136 (9th Cir. 1997); *see also* 28 U.S.C. § 1291. This court may therefore lack jurisdiction over this appeal.

Within 21 days, appellants must either file a statement explaining why the appeal should not be dismissed for lack of jurisdiction or move for voluntary dismissal of the appeal. If appellants do not comply with this order, the court will dismiss this appeal. *See* Ninth Circuit Rule 42-1. If appellants file a statement, a response may be filed within 10 days.

Briefing is stayed.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT