

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Christian Robert Komor,  
Plaintiff,  
v.  
United States of America, et al.,  
Defendants.

No. CV-19-00293-TUC-RCC  
**ORDER**

Pending before the Court is Defendants’ Motion for Stay Pending the Ninth Circuit’s Decision in *Juuliana v. United States* (Doc. 28), Motion to Stay Deadlines Pending Ruling on Motion to Stay Case (Doc. 29), and Unopposed Motion for Extension of Time to Respond to Complaint (Doc. 32). Plaintiff has not timely responded to the motions. *See* LRCiv 7.2(i) (failure to respond to a motion may be construed as consent to the granting of such motion).

***Motion to Stay***

Plaintiff has not opposed a stay of this matter pending the resolution of litigation in *Juuliana v. United States*, No. 6:15-CV-01517-AA (D. Or. 2015). The Court interprets this failure as consent to granting the motion. Furthermore—if after the conclusion of litigation in the Oregon case. Therefore, the Court finds that staying this case and granting an extension of time to respond to the Complaint is appropriate.

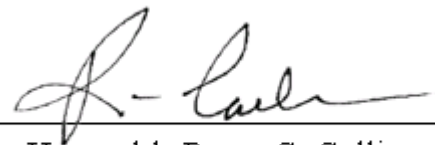
Accordingly, **IT IS ORDERED:**

1. Defendants’ Motion for Stay Pending the Ninth Circuit’s Decision in *Juuliana v.*

1 *United States* is **GRANTED**. (Doc. 28.) This case shall be **STAYED** pending the  
2 District Court's resolution of *Juliana v. United States*, No. 6:15-CV-01517-AA  
3 (D. Or. 2015).

- 4 2. The Clerk of Court shall **ADMINISTRATIVELY CLOSE** this matter and the  
5 case shall remain closed until further Order of the Court.
- 6 3. If Plaintiff wishes to continue litigating this matter after resolution of *Juliana v.*  
7 *United States*, No. 6:15-CV-01517-AA (D. Or. 2015), **he must request that the**  
8 **stay be lifted within thirty days of the final order disposing of the case.** If an  
9 appeal is filed, any request to lift the stay must be filed within thirty days of  
10 completion of the appellate process. Failure to submit a timely motion to lift the  
11 stay may result in a denial and a dismissal of this action in its entirety
- 12 4. Defendants' Motion to Stay Deadlines Pending Ruling on Motion to Stay Case  
13 (Doc. 29) and Unopposed Motion for Extension of Time to Respond to Complaint  
14 (Doc. 32) are **GRANTED**. The deadline to respond to the Complaint is extended  
15 pending lifting of the stay.
- 16 5. If Plaintiff requests a lift of the stay **AND** the Court reopens this matter, any party  
17 shall have: (1) fourteen days from the date of the Order lifting the stay to file a  
18 response to the Motion to Intervene, and (2) thirty days from the date of the Order  
19 lifting the stay to file a motion to dismiss or to answer the Complaint.

20 Dated this 26th day of August, 2019.

21  
22  
23 

24 \_\_\_\_\_  
25 Honorable Raner C. Collins  
26 Senior United States District Judge  
27  
28