

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 29 2019

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

ROY FISHER; et al.,

Plaintiffs-Appellees,

UNITED STATES OF AMERICA,

Intervenor-Plaintiff-
Appellee,

v.

TUCSON UNIFIED SCHOOL DISTRICT,

Defendant-Appellant.

No. 18-16926

D.C. Nos. 4:74-cv-00090-DCB
4:74-cv-00204-DCB

District of Arizona,
Tucson

ORDER

ROY FISHER; et al.,

Plaintiffs,

UNITED STATES OF AMERICA,

Intervenor-Plaintiff,

and

MARIA MENDOZA, Individually and on
behalf of Stephen Mendoza,

Plaintiff-Appellant,

v.

TUCSON UNIFIED SCHOOL DISTRICT,

No. 18-16982

D.C. No. 4:74-cv-00090-DCB

Defendant-Appellee.

ROY FISHER; et al.,

Plaintiffs-Appellants,

and

MARIA MENDOZA, Individually and on behalf of Stephen Mendoza; EDWARD A. CONTRERAS,

Plaintiffs,

UNITED STATES OF AMERICA,

Intervenor-Plaintiff,

v.

TUCSON UNIFIED SCHOOL DISTRICT,

Defendant-Appellee.

No. 18-16983

D.C. No. 4:74-cv-00090-DCB

Before: SCHROEDER, CANBY, and CHRISTEN, Circuit Judges.

Appellees' motion to dismiss appeal No. 18-16926 for lack of jurisdiction is granted. *See* 28 U.S.C. § 1292(a)(1) (providing for jurisdiction over appeals from interlocutory orders “granting, continuing, modifying, refusing or dissolving injunctions, or refusing to dissolve or modify injunctions”); *Carson v. American Brands, Inc.*, 450 U.S. 79, 84-86 (1981) (setting forth test to determine whether court has jurisdiction under § 1292(a)(1) over appeal challenging interlocutory

order involving consent decree).

The opening briefs in appeals Nos. 18-16982 and 18-16983 are due September 6, 2019; the answering briefs are due October 4, 2019; and the optional reply briefs are due within 21 days after service of the answering briefs.

Appeal No. 18-16926 is **DISMISSED**.