

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 14 2017

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

In re: RODRIGO ZERMENO-GOMEZ; et
al.,

RODRIGO ZERMENO-GOMEZ; et al.,

Petitioners,

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA,
PHOENIX,

Respondent,

UNITED STATES OF AMERICA,

Real Party in Interest.

No. 17-71867

D.C. Nos.

2:17-mj-09200-ESW-1

2:17-cr-00803-DLR-1

2:15-cr-00280-SMM-1

District of Arizona,
Phoenix

ORDER

Before: GOODWIN, KOZINSKI, and BERZON, Circuit Judges.

The motion to proceed in forma pauperis (Docket Entry No. 3) is granted.

The Clerk shall amend the docket to reflect this status.

Petitioners' "Emergency Motion for Injunction Pending Resolution of the
Petition for Mandamus Under FRAP 8 and Circuit Rule 27-3" (Docket Entry No.
2) is granted. *See Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7 (2008).

Pending further order of the court, respondent United States District Court for the

District of Arizona is ordered to comply with this court's decision in *United States v. Sanchez-Gomez*, 859 F.3d 649 (9th Cir. 2017) (en banc).

This petition for a writ of mandamus raises issues that warrant an answer. *See* Fed. R. App. P. 21(b). Accordingly, within 7 days after the date of this order, the real party in interest shall file an answer.

The district court, within 7 days after the date of this order, may address the petition if it so desires. The district court may elect to file an answer with this court or to issue an order and serve a copy on this court. Petitioner may file a reply within 5 days after service of the answer(s).

The Clerk shall serve this order on the district court and Chief Judge Raner C. Collins.