



U.S. Department of Justice

Office of the Solicitor General

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Washington, D.C. 20530

June 27, 2018

The Honorable Scott S. Harris  
Clerk  
Supreme Court of the United States  
Washington, D.C. 20543

Re: Jefferson B. Sessions III, Attorney General v. City of Chicago  
No. 17A1379

Dear Mr. Harris:

The government respectfully withdraws the stay application that it filed in this case on June 18, 2018, because the court of appeals has now granted the relief sought in that application. As the government explained in its stay application, it had previously sought the same partial stay from the court of appeals, but after granting partial rehearing en banc the court of appeals indicated that it would defer ruling on the government's stay motion until this Court issued its decision in *Trump v. Hawaii*, No. 17-965. Stay Appl. 10, 15-16. Yesterday, following this Court's decision in *Hawaii*, the court of appeals issued the attached order staying the preliminary injunction "as to geographic areas in the United States beyond the City of Chicago pending the disposition of the case by the en banc court." Because the relief requested from this Court in the stay application is no longer necessary, the government respectfully withdraws the application.

Sincerely,

/s/ Noel J. Francisco

Noel J. Francisco  
Solicitor General

cc: Counsel of Record

Jefferson B. Sessions III, Attorney General  
City of Chicago, No. 17A1379

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# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

June 26, 2018

*By the Court:*

No. 17-2991

CITY OF CHICAGO,  
*Plaintiff-Appellee,*

Appeal from the United States District Court  
for the Northern District of Illinois,  
Eastern Division.

*v.*

No. 1:17-cv-05720

JEFFERSON B. SESSIONS III,  
Attorney General of the United States,  
*Defendant-Appellant.*

Harry D. Leinenweber,  
*Judge.*

## ORDER

The Attorney General has asked this court to review en banc the nationwide aspect of the injunction that was issued by the district court, and affirmed by the panel of this court, in the case of *Chicago v. Sessions*, No. 17-2991. He has not challenged the propriety of the injunction insofar as it applies to Chicago, nor has he challenged the panel's decision that the district court properly enjoined, as likely unconstitutional, the imposition of the notice and access conditions on the Byrne JAG Grant for Chicago. A majority of the judges in regular active service voted to grant the limited rehearing en banc on the narrow issue presented by the Attorney General: whether the preliminary injunction issued by the district court was properly applied beyond the City of Chicago to encompass jurisdictions nationwide.

Along with the request for that limited rehearing en banc, the Attorney General asked this court to stay the preliminary injunction insofar as it extended beyond the City of Chicago. A majority of the judges participating in the en banc rehearing of this case have voted to grant the stay requested by the Attorney General. The preliminary injunction issued by the district court will remain in effect as to the imposition of the conditions on the City of Chicago, but it is hereby STAYED as to geographic areas in the United States beyond the City of Chicago pending the disposition of the case by the en banc court.