Hnited States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-1220

September Term, 2021

TSA-EA 1546-21-01B TSA-SD 1542-21-01B TSA-SD 1544-21-02B TSA-SD 1582/84-21-01B

Filed On: November 10, 2021

Lucas Wall, et al.,

Petitioners

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Transportation Security Administration,

Respondent

BEFORE: Millett, Wilkins, and Jackson, Circuit Judges

<u>O R D E R</u>

Upon consideration of the emergency motion for stay or injunction pending court review and the supplement thereto, the response thereto, and the reply, it is

ORDERED that the motion for stay or injunction be denied. Petitioners have not satisfied the stringent requirements for a stay or injunction pending court review. <u>See</u> <u>Nken v. Holder</u>, 556 U.S. 418, 434 (2009); <u>D.C. Circuit Handbook of Practice and Internal</u> <u>Procedures</u> 33 (2021). Because petitioners' arguments center on the alleged impact of the mask mandate on their individual disabilities, petitioners have not demonstrated any basis for enjoining the challenged agency action in its entirety. To the extent they seek individualized relief from the mask mandate, petitioners have wholly failed to demonstrate irreparable harm. For example, the directive provides an exemption for those whose disability prevents them from safely wearing a mask, yet petitioners have made no showing that they exhausted this readily available exemption procedure.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Amanda Himes Deputy Clerk