FILED
United States Court of Appeals
Tenth Circuit

March 21, 2019

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

W. CLARK APOSHIAN,

Plaintiff - Appellant,

v.

WILLIAM BARR, Attorney General of the United States; UNITED STATES DEPARTMENT OF JUSTICE; THOMAS E. BRANDON, Acting Director Bureau of Alcohol Tobacco Firearms and Explosives; BUREAU OF ALCOHOL TOBACCO FIREARMS AND EXPLOSIVES,

Defendants - Appellees.

No. 19-4036
(D.C. No. 2:19-CV-00037-JNP-BCW)
(D. Utah)

ORDER

Before **MATHESON** and **CARSON**, Circuit Judges.

This matter comes before the court on the Emergency Motion for Injunction Pending Appeal filed by appellant, Clark Aposhian. Mr. Aposhian seeks to enjoin appellees during the pendency of this appeal from enforcing against him Final Rule, *Bump-Stock-Type Devices*, 83 Fed. Reg. 66514 (Dec. 26, 2018), which goes into effect March 26, 2019. Solely for the purpose of giving the court adequate time to properly consider the motion, the court will temporarily enjoin appellees from enforcing the Final Rule only as to Mr. Aposhian during the time required to adequately consider and rule on the pending motion. To further assist the court in its review, appellees are directed to file

a response to the motion on or before March 29, 2019. Mr. Aposhian may file a reply within seven days of service of appellees' response. Appellees are temporarily enjoined from enforcing the Final Rule against Mr. Aposhian until further order of the court.

Entered for the Court

Elisabeth A. Shumaker

ELISABETH A. SHUMAKER, Clerk