

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-5234

September Term, 2022

1:22-cv-01004-RJL

Filed On: October 12, 2022

Jaskirat Singh, et al.,

Appellants

Sukhbir Singh Toor,

Appellee

v.

David H. Berger, in his official capacity as the
Commandant of the Marine Corps, et al.,

Appellees

BEFORE: Millett, Rao, and Childs, Circuit Judges

ORDER

Upon consideration of appellants' emergency motion for injunction pending appeal or, in the alternative, to expedite appeal, and the motion of Aleph Institute to participate as amicus curiae and its lodged brief, it is

ORDERED that the motion to participate as amicus curiae is denied without prejudice to renewal of the motion to appear as amicus curiae in support of the appellants' merits brief on the date designated below. It is

FURTHER ORDERED that the motion to expedite the appeal be granted. The emergency motion for an injunction pending appeal is denied because appellants, who requested expedition in the alternative, have not demonstrated that injunctive relief is warranted given the highly expedited schedule for this appeal. It is

FURTHER ORDERED, on the court's own motion, that the following briefing schedule will apply in this case:

Brief for Appellants	October 28, 2022
Joint Appendix	October 28, 2022
Brief(s) for Amicus Curiae in support of Appellants	October 28, 2022

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-5234

September Term, 2022

Brief for Appellees	November 14, 2022
Brief(s) for Amicus Curiae, if any, in support of Appellees	November 14, 2022
Reply Brief for Appellants	November 23, 2022

Appellants' brief, the joint appendix, appellees' brief, and any amicus briefs are due by 5 P.M. on the date due. Appellants' reply brief is due by noon on the date due.

While not otherwise limited, the parties are directed to address in their briefs the following questions:

(1) What is the appropriate standard to obtain a preliminary injunction that would effectively grant full relief on the merits of a claim, and has that standard been met here?

(2) What religious and medical accommodations, if any, are granted to Marines entering the Marine Corps' Officer Candidates School?

(3) When will the Government's statutory authority to further extend the plaintiffs-appellants' eligibility for the Delayed Entry Program expire?

(4) How long would it likely take, if an injunction were issued, for these three plaintiffs actually to begin basic training?

It is **FURTHER ORDERED** that oral argument be scheduled before this panel at 9:30 a.m. on Tuesday, November 29, 2022.

In addition to electronic filing, the parties are directed to hand deliver copies of their submissions to the court by the time and date due.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk