

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 27 2023

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

TRACY CAEKAERT; CAMILLIA
MAPLEY,

Plaintiffs-Appellees,

v.

PHILIP BRUMLEY,

Defendant-Appellant,

and

WATCHTOWER BIBLE AND TRACT
SOCIETY OF NEW YORK; et al.,

Defendants.

No. 23-35329

D.C. No. 1:20-cv-00052-SPW
District of Montana, Billings

ORDER

Before: TALLMAN, N.R. SMITH, and COLLINS, Circuit Judges.

The motion to dismiss this appeal for lack of jurisdiction and request for sanctions (Docket Entry No. 4) is denied without prejudice to renewing the arguments in the answering brief. *See Nat'l Indus. v. Republic Nat'l Life Ins. Co.*, 677 F.2d 1258, 1262 (9th Cir. 1982) (merits panel may consider appellate jurisdiction despite earlier denial of motion to dismiss).

The briefing schedule established previously remains in effect.