

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 7, 2020

**Christopher M. Wolpert
Clerk of Court**

HIGH COUNTRY CONSERVATION
ADVOCATES; WILDEARTH
GUARDIANS; CENTER FOR
BIOLOGICAL DIVERSITY; SIERRA
CLUB; WILDERNESS WORKSHOP,

Plaintiffs - Appellants,

v.

UNITED STATES FOREST SERVICE;
UNITED STATES DEPARTMENT OF
AGRICULTURE; DANIEL JIRON, in his
official capacity as Acting Under Secretary
of Agriculture for Natural Resources and
Environment, U.S. Department of
Agriculture; SCOTT ARMENTROUT, in
his official capacity as Supervisor of the
Grand Mesa Uncompahgre, and Gunnison
National Forests; UNITED STATES
DEPARTMENT OF INTERIOR;
BUREAU OF LAND MANAGEMENT;
KATHERINE MACGREGOR, in her
official capacity as Deputy Assistant
Secretary, Land and Minerals
Management, U.S. Department of Interior,

Defendants - Appellees,

and

MOUNTAIN COAL COMPANY, LLC,

Defendant Intervenor - Appellee.

No. 20-1358
(D.C. No. 1:17-CV-03025-PAB)
(D. Colo.)

ORDER

Before **BRISCOE, LUCERO**, and **KELLY**, Circuit Judges.

Plaintiffs appealed an order entered by the district court on October 2, 2020, denying their Motion to Enforce Remedy. They also filed an Emergency Motion for Injunction Pending Appeal. The court requires responses from both the U.S. Forest Service and Mountain Coal Company. The responses must be filed by 9:00 a.m. (MDT) on Tuesday, October 13, 2020. Any reply by plaintiffs must be filed by 5:00 p.m. (MDT) on Wednesday, October 14, 2020.

To facilitate consideration of the emergency motion and responses, we enter a temporary injunction enjoining Mountain Coal Company from bulldozing additional drilling pads, drilling methane ventilation boreholes, and engaging in further surface disturbance in preparation for coal mining in the Sunset Roadless Area. The temporary injunction will be in effect until further order of the court.

Entered for the Court

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk