

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IN THE MATTER OF:
CIVIL PROCEEDINGS INVOLVING THE
UNITED STATES DURING FEDERAL
LAPSE IN APPROPRIATIONS

19-MC-00004-03
18-MC-00035-04

**ORDER EXTENDING STAY OF
CIVIL CASES INVOLVING THE UNITED STATES**

The United States Attorney for the District of New Mexico has moved this Court for an order extending the Temporary Administrative Order (18-MC-00004, Doc. 55) entered on December 27, 2018, staying all civil cases involving the United States based on the lapse of appropriations to the Department of Justice. Finding good cause to grant the motion, the Court orders as follows:

1. That the Temporary Administrative Order staying all civil cases involving the United States is extended for the duration of the lapse in appropriations to the Department of Justice.
2. This Order shall not affect civil forfeiture cases or proceedings relating to the collection of outstanding judgment debts because those matters are handled by Assistant United States Attorneys in the Criminal Division of the United States Attorney's Office.
3. This Order shall not affect Social Security disability appeals to the United States District Court. The current stay imposed on those matters shall be lifted and the cases shall proceed with all deadlines extended commensurate with the time the cases were stayed, from December 22, 2018, through entry of this order, or as otherwise directed by the judge presiding over those matters.

4. This Order does not alter, vacate, or stay any obligation of individuals to pay amounts previously lawfully determined to be owed to the United States or to an agency or office of the United States.

5. This Order does not prohibit, in any manner, the ability of parties to file claims or commence actions against the United States. However, the cases or matters commenced while there is a lapse in appropriations will be immediately stayed, as set forth above in paragraph one. All deadlines, response dates, due dates or cut-off dates in such cases will be extended for a period of time commensurate with the time schedule set forth in paragraph one.

6. This Order does not apply to motions for temporary restraining orders and injunctive relief. This Order also does not apply to cases pending in the United States Bankruptcy Court for the District of New Mexico. This Order does, however, apply to all bankruptcy cases where the reference has been withdrawn.

7. Further, any party may seek from the presiding judge an exception to this Order on the basis of an exigency or other sound reason, and the presiding judge may grant, with or without a motion, any relief from the order or exception it deems appropriate in a particular case.

8. The United States Attorney shall notify the Court when appropriations are restored to the Department of Justice, and the Court shall enter additional instructions and guidance at that time.

9. This Administrative Order is subject to modification or amendment should circumstances so warrant.

10. The United States Attorney's Office shall file a notice in all civil cases affected

by this Order and shall attach to that notice a copy of this Order.

IT IS SO ORDERED this 15th day of January, 2019.

FOR THE COURT:

A handwritten signature in black ink, appearing to read 'William P. Johnson', written over a horizontal line.

WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE

Notices[1:19-mc-00004 Administrative Orders](#)**U.S. District Court****District of New Mexico - Version 6.2.1****Notice of Electronic Filing**

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Case Name: Administrative Orders

Case Number: [1:19-mc-00004](#)

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Docket Text:

ORDER EXTENDING STAY OF CIVIL CASES INVOLVING THE UNITED STATES: In the Matter of Civil Proceedings Involving the United States During Federal Lapse in Appropriations. (kmk)

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