

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 04-1037

September Term, 2003

Filed On: May 27, 2004 [824427]

American Library Association, et al.,
Petitioners

v.

Federal Communications Commission and United
States of America,
Respondents

National Cable & Telecommunications Association, et
al.,
Intervenors

BEFORE: Edwards, Sentelle, and Randolph, Circuit Judges

ORDER

Upon consideration of the motion to hold in abeyance, the opposition thereto, and the reply; and the motion to defer filing of the record and the response thereto, it is

ORDERED that the motion to hold in abeyance be denied. The Federal Communications Commission has not demonstrated that deferring the court's consideration of the petition is warranted. See Teledesic LLC v. FCC, 275 F.3d 75, 82-83 (D.C. Cir. 2001); MCI Telecomms. Corp. v. FCC, 143 F.3d 606, 608 (D.C. Cir. 1998) (per curiam). It is

FURTHER ORDERED that the motion to defer filing the record be granted in part. Respondents are directed to file a certified index within ten days of the date of this order.

Per Curiam