

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

October 29, 2012

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

FREE SPEECH,

Plaintiff-Appellant,

v.

FEDERAL ELECTION COMMISSION,

Defendant-Appellee.

No. 12-8078
(D.C. No. 2:12-CV-00127-SWS)
(D. Wyo.)

THE CAMPAIGN LEGAL CENTER;
DEMOCRACY 21,

Amici Curiae.

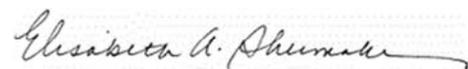
ORDER

Before **BRISCOE** and **HOLMES**, Circuit Judges.

This matter is before the court on Plaintiff-Appellant Free Speech’s emergency motion for an injunction pending appeal. To obtain an injunction pending appeal, a movant must demonstrate (1) a likelihood of success on the merits; (2) a likelihood that the movant will suffer irreparable harm in the absence of preliminary relief; (3) the absence of harm to the opposing party if the injunction is granted; and (4) that the injunction is in the public interest. *See* 10th Cir. R. 8.1; *Homans v. City of Albuquerque*, 264 F.3d 1240, 1243 (10th Cir. 2001) (per curiam). Free Speech fails

to satisfy the standard for an injunction pending appeal. Accordingly, the motion is DENIED.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", written over a light blue dotted grid background.

ELISABETH A. SHUMAKER, Clerk