

Opinion in Chambers

GENERAL COUNCIL ON FINANCE & ADMINISTRATION, UNITED METHODIST CHURCH *v.* CALIFORNIA SUPERIOR COURT, SAN DIEGO COUNTY (BARR *ET AL.*, REAL PARTIES IN INTEREST)

ON APPLICATION FOR STAY

No. A-200. Decided August 24, 1978

Application to stay, pending consideration of a petition for certiorari, California Superior Court proceedings in which applicant is a defendant is granted temporarily, pending receipt and consideration of a response to the application, notwithstanding inexcusable delay in filing the application.

MR. JUSTICE REHNQUIST, Circuit Justice.

Applicant requests that proceedings in the Superior Court of the State of California for the County of San Diego in which it is a defendant be stayed as to it pending consideration by this Court of its petition for a writ of certiorari to review the judgment of that court filed March 20, 1978. I have decided to grant a temporary stay of the proceedings against applicant pending receipt and my consideration of a response to the application.

Applicant has, in my opinion, inexcusably delayed the filing of its application for a stay. The Supreme Court of the State of California denied applicant's petition for hearing on its request for a writ of mandate on July 27, 1978. On August 3, 1978, the Superior Court granted applicant 30 days from July 27, 1978, until August 28, in which to plead, but denied any additional stay of the proceedings. Applicant did not seek any further stay of the proceedings from either the California Court of Appeal or the California Supreme Court. Nevertheless, it did not file its application for a stay in this Court until August 22, nearly three weeks after the Superior Court's order and only six days before it was required to plead.

