

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Lee v. Trump

No. 21-cv-00400 (APM) (D.D.C. June 4, 2026) · No. 21-cv-00400 (APM) · Decided June 4, 2026

SUMMARY

The United States District Court for the District of Columbia addresses motions by Donald J. Trump and the United States to stay consolidated proceedings pending interlocutory appeals concerning official-acts immunity and Westfall Act substitution. The court stays all proceedings in Lee and several other consolidated cases, while permitting Smith to proceed except that discovery remains stayed as to President Trump. The court denies a complete stay in Smith and denies the United States’ motion to stay proceedings there.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Amit P. Mehta
JURISDICTION	United States District Court for the District of Columbia
DECIDED	June 4, 2026
DOCKET	21-cv-00400 (APM)
DISPOSITION	other
PROCEDURAL POSTURE	After the court largely denied President Trump's motion for summary judgment on official-acts immunity and rejected the United States' request to substitute itself under the Westfall Act, President Trump and the United States appealed and moved to stay the consolidated proceedings pending appellate review.
STANDARD OF REVIEW	A stay pending appeal is assessed under four factors: likelihood of success on the merits, irreparable harm absent a stay, substantial injury to others, and the public interest. The court also applied the jurisdictional rule that an appeal divests the district court of control over aspects of the case involved in the appeal.
PRECEDENTIAL VALUE	Published district court memorandum opinion; persuasive authority within the jurisdiction but not binding precedent on the D.C. Circuit or other courts.
PARTIES	Donald J. Trump, United States v. Barbara J. Lee et al.

TOPICS

appellate procedure

interlocutory appeal

discovery dispute

civil procedure

standing

PRACTICE AREAS

civil procedure

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QUESTIONS PRESENTED

1. Whether President Trump's interlocutory appeal concerning official-acts immunity required a stay of all proceedings in each consolidated case.
2. Whether the appeal required a complete stay of Smith, or only a stay of discovery as to President Trump.
3. Whether the narrower scope of Lee made its proceedings sufficiently intertwined with the immunity appeal to require a complete stay.
4. Whether the United States could seek a stay despite not being a current party after its Westfall Act substitution request was rejected.
5. Whether the discretionary four-factor test supported a complete stay of Smith.

HOLDINGS

1. Consolidated cases retain their separate identities and substantial rights, so the consequences of an interlocutory appeal must be determined case by case rather than for the consolidated matters as a whole.
2. When President Trump is the sole defendant and has an immediate interlocutory appeal from an immunity ruling, all proceedings must be stayed pending appellate review.
3. The interlocutory immunity appeal requires that discovery remain stayed as to President Trump in Smith, but it does not require a stay of proceedings involving the other defendants and third parties.
4. The proceedings in Lee must be stayed in their entirety pending appellate review.
5. The United States may seek ancillary relief to preserve its claimed party status despite not presently being a party, but its motion for a stay in Smith is denied.

KEY QUOTATIONS

“retain[] [their] separate character” and “do not lose their separate identity because of consolidation.” (2)

“the filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.” (5)

“the immunity from suit that President Trump invokes is thus case specific.” (5)

“There are readily segregable portions that can move forward without subjecting President Trump to the burdens of suit.” (6)

FACTUAL BACKGROUND

The consolidated cases arise from alleged conduct surrounding January 6, 2021, including alleged conspiracies involving President Trump and other defendants. President Trump appealed the district court's immunity rulings, while the United States appealed rejection of its Westfall Act substitution request. Discovery had proceeded differently across the cases, with discovery as to President Trump previously stayed in Smith while discovery involving other defendants and third parties continued.

PROCEDURAL HISTORY

The D.C. Circuit previously affirmed denial of President Trump's motions to dismiss based on official-acts immunity and remanded for further immunity-related proceedings. The district court consolidated eight related cases for common legal and factual issues, but held that consolidation did not eliminate their separate identities or alter the parties' substantial rights. The court granted a complete stay in all cases except Smith, where it stayed discovery as to President Trump but permitted other proceedings and discovery to continue.

DISPOSITION

other

CASES CITED

- *Blassingame v. Trump*, 87 F.4th 1, 29-30 (D.C. Cir. 2023)
- *Hall v. Hall*, 584 U.S. 59, 76-77 (2018)
- *Bank Markazi v. Peterson*, 578 U.S. 212, 233 (2016)
- *Mitchell v. Forsyth*, 472 U.S. 511, 526 (1985)
- *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982)
- *Harlow v. Fitzgerald*, 457 U.S. 800, 818 (1982)
- *Behrens v. Pelletier*, 516 U.S. 299, 309-11 (1996)
- *United States v. Trump*, 706 F. Supp. 3d 91, 93-94 (D.D.C. 2023)
- *Coinbase, Inc. v. Bielski*, 599 U.S. 736, 740-41 (2023)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 684-86 (2009)
- *Nken v. Holder*, 556 U.S. 418, 434 (2009)
- *Washington Metro. Area Transit Comm'n v. Holiday Tours, Inc.*, 559 F.2d 841, 842-43 (D.C. Cir. 1977)
- *Population Inst. v. McPherson*, 797 F.2d 1062, 1078 (D.C. Cir. 1986)
- *Crawford-El v. Britton*, 523 U.S. 574, 593 n.14 (1998)
- *Clinton v. Jones*, 520 U.S. 681, 702 (1997)
- *Thompson v. Trump*, 590 F. Supp. 3d 46, 68, 101-07, 118, 125-26 (D.D.C. 2022)
- *Am. Airways Charters, Inc. v. Regan*, 746 F.2d 865, 873 n.14 (D.C. Cir. 1984)
- *Lee v. Trump*, No. 21-cv-400, 2026 WL 880161, at *1 (D.D.C. Mar. 31, 2026)
- *White v. Mapco Gas Prods., Inc.*, 116 F.R.D. 498, 500-01 (E.D. Ark. 1987)
- *Cribb v. BR Mountain Homes, LLC*, No. 17-cv-61, 2017 WL 10574071, at *2 (N.D. Ga. Aug. 3, 2017)

