

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Parents Involved in Community Schools v. Seattle School District No.

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426 F.3d 1162 (9th Cir. 2005) · No. CV-00-01205-BJR · Decided August 22, 2007

SUMMARY

The United States Court of Appeals for the Ninth Circuit issued an order vacating its previous opinion in *Parents Involved in Community Schools v. Seattle School District No. 1*. The case was remanded from the United States Supreme Court, which had previously decided the case. The Ninth Circuit's order directs the district court to conduct further proceedings in light of the Supreme Court's decision. The case involves a challenge to the Seattle school district's use of racial tiebreakers in assigning students to schools.

OPINION

PER CURIAM.

FOR PUBLICATION UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
PARENTS INVOLVED IN COMMUNITY SCHOOLS, a Washington nonprofit corporation,
Plaintiff-Counter-Defendant- Appellant, v. SEATTLE SCHOOL DISTRICT, NO. 1, a political
subdivision of the State of Washington; JOSEPH OLCHEFSKE, No. 01-35450 in his official
capacity as superintendent; BARBARA SCHAAD- D.C.

No. CV-00-01205-BJR LAMPHERE, in her official capacity as President of the Board of
Western District Directors of Seattle Public of Washington, Schools; DONALD NEILSON, in his
Seattle official capacity as Vice President ORDER of the Board of Directors of Seattle Public
Schools; STEVEN BROWN; JAN KUMASAKA; MICHAEL PRESTON; NANCY WALDMAN,
in their official capacities as members of the board of Directors, Defendants-Counter-Claimants-
Appellees. On Remand from the United States Supreme Court Filed August 22, 2007 10199
10200 PARENTS v. SEATTLE SCHOOL DIST.

Before: Mary M. Schroeder, Chief Circuit Judge, Harry Pregerson, Alex Kozinski, Andrew J.
Kleinfeld, Michael Daly Hawkins, William A. Fletcher, Raymond C. Fisher, Richard C. Tallman,
Johnnie B. Rawlinson, Consuelo M. Callahan and Carlos T. Bea, Circuit Judges. ORDER This
case was remanded to us from the United States Supreme Court. See *Parents Involved in
Community Schools v. Seattle School District No. 1*, 127 S. Ct.

2738 (2007). In light of the Supreme Court's decision, we VACATE our opin- ion in *Parents
Involved in Community Schools v. Seattle School Dist. No. 1*, 426 F.3d 1162 (9th Cir. 2005) (en

banc), and REMAND to the district court for further proceedings. PRINTED FOR ADMINISTRATIVE OFFICE—U.S. COURTS BY THOMSON/WEST—SAN FRANCISCO The summary, which does not constitute a part of the opinion of the court, is copyrighted © 2007 Thomson/West.