

Despite Lifting of Stay-at-Home Orders, California Church Heads to Supreme Court

For the second time, Liberty Counsel filed an injunction pending appeal at the U.S. Supreme Court on behalf of Harvest Rock Church and Harvest International Ministry against Gov. Gavin Newsom's worship restrictions.

The 9th Circuit Court of Appeals granted the injunction pending appeal for Newsom's "Blueprint" Tiers 2-4 but denied it for Tier 1 and the Regional Stay-at-Home Order. Tiers 2-3 placed a 100- and 200- person cap on all houses of worship despite the size of the building. Tier 1 bans all worship on houses of worship. The three-judge 9th Circuit panel for Harvest Rock Church said it was bound to follow the recent panel decision in South Bay United Pentecostal Church v. Newsom, which was released on Jan. 22.

Last December, the 9th Circuit Court of Appeals ruled in favor of Calvary Chapel Dayton Valley and Calvary Chapel Lone Mountain in their lawsuits against Nevada Gov. Steve Sisolak's unconstitutional 50-person worship bans. As a result, there is now a conflict of decisions among the 9th Circuit.

On July 13, Newsom banned all indoor worship, and on Aug. 28 the "Blueprint" continued to ban all worship in Tier 1, which covered most of the state. Then on Dec. 3, Newsom issued a "temporary" Regional Stay-at-Home Order that continues to ban all worship for 99.9% of California residents. Today, Newsom lifted the Regional Stay-at-Home Order, but the "Blueprint" that bans worship for more than 99% of the state is still in effect.

Liberty Counsel founder and chairman, Mat Staver, said, "We have returned to the U.S. Supreme Court because the 9th

Circuit Court of Appeals did not follow the high court's roadmap. It is unconstitutional to ban all worship for nearly seven months. And it makes no sense to strike down a ban on 100 and 200 people in Tiers 2-3 but uphold a total ban in Tier 1." {eo}

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