

order in its entirety on an expedited basis -- the government sought only a partial stay of the portions of that order that caused the most serious and immediate harm to the United States and the public by "enjoin[ing] the government's use of the classified documents and requir[ing] the government to submit the classified documents to the special master for review." App. A at 29. The court of appeals granted that modest relief, holding that "the United States is substantially likely to succeed in showing that the district court abused its discretion in exercising jurisdiction over [applicant's] motion as it concerns the classified documents" and that all of the equitable factors favored a partial stay. Id. at 22; see id. at 15-29.

In this Court, applicant does not challenge the stay insofar as it reinstates the government's authority to use the documents bearing classification markings in its ongoing criminal investigation. Applicant instead seeks to partially vacate the stay to the extent it precludes dissemination and review of those documents in the special-master proceedings. Applicant is not entitled to that relief for multiple independent reasons.

Most notably, applicant has not even attempted to explain how he is irreparably injured by the court of appeals' partial stay, which simply prevents disclosure of the documents bearing classification markings in the special-master review during the pendency of the government's expedited appeal. Applicant's inability to