

FILED

UNITED STATES COURT OF APPEALS

MAR 01 2013

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

PACIFIC RIVERS COUNCIL; et al.,

Plaintiffs - Appellees,

v.

EDWARD W. SHEPARD, State Director,
Oregon/Washington Bureau of Land
Management, in his official capacity; et al.,

Defendants,

and

RON HAILICKA EQUIPMENT, INC., an
Oregon corporation and OREGON WEST
LUMBER SALES, INC., an Oregon
corporation,

Intervenor-Defendants -
Appellants.

No. 12-35570

D.C. No. 3:11-cv-00442-HU
District of Oregon,
Portland

ORDER

Before: GOODWIN, WARDLAW, and MURGUIA, Circuit Judges.

Appellees' motion to dismiss this appeal for lack of jurisdiction is granted.

See Summers v. Earth Island Inst., 555 U.S. 488 (2009) (standing exists only where injury in fact is concrete and particularized, and the threat is actual and imminent, not conjectural or hypothetical); *Ohio Forestry Ass'n, Inc. v. Sierra*

Club, 523 U.S. 726 (1998) (finding a challenge to a land and resource management plan developed by the U.S. Forest Service was not ripe for judicial review because, *inter alia*, no decision had been made that created a certain and imminent harm).

DISMISSED.