NOT FOR PUBLICATION

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SAMANTHA ALARIO; HEATHER DIROCCO; CARLY ANN GODDARD; ALICE HELD; DALE STOUT; TIKTOK, INC., Plaintiffs - Appellees, v. AUSTIN KNUDSEN, in his official capacity as Attorney General of the State of Montana, Defendant - Appellant.	No. 24-34 D.C. No. 9:23-cv-00056-DWM ORDER*

Appeal from the United States District Court
for the District of Montana
Donald W. Molloy, District Judge, Presiding

Submitted September 1, 2026**
San Francisco, California

Before: BYBEE and BRESS, Circuit Judges, and SILVER, District Judge.***

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* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

*** The Honorable Roslyn O. Silver, United States District Judge for the District of Arizona, sitting by designation.

Appellant's unopposed motion to dismiss this appeal as moot, Dkt. 88, is granted. *See Guam Soc'y of Obstetricians & Gynecologists v. Moylan*, 166 F.4th 798, 802 (9th Cir. 2026) (explaining that "a case is moot when the challenged statute is repealed, expires, or is amended to remove the challenged language" (quoting *Rocky Mountain Farmers Union v. Corey*, 913 F.3d 940, 949 (9th Cir. 2019))).

Appellant's opposed motion to vacate the district court's preliminary injunction order, Dkt. 88, is granted. *See United States v. Munsingwear, Inc.*, 340 U.S. 36, 39–40 (1950); *Donovan v. Vance*, 70 F.4th 1167, 1173 (9th Cir. 2023) (observing that "mootness by happenstance provides sufficient reason to vacate" (quoting *U.S. Bancorp Mortg. Co. v. Bonner Mall P'ship*, 513 U.S. 18, 25 n.3 (1994))); *id.* ("[V]acatur is generally automatic in the Ninth Circuit when a case becomes moot on appeal." (quoting *NASD Disp. Resol., Inc. v. Jud. Council of State of Cal.*, 488 F.3d 1065, 1068 (9th Cir. 2007))).

We dismiss the appeal and vacate the district court's preliminary injunction order, D. Ct. Dkt. 113.

APPEAL DISMISSED.