

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-1049**September Term, 2025****DOD-03/03/2026 Order****Filed On: May 21, 2026**

Anthropic PBC,

Petitioner

v.

United States Department of War and Peter
B. Hegseth, in his official capacity as
Secretary of War,

Respondents

BEFORE: Henderson, Katsas, and Rao, Circuit Judges**ORDER**

It is **ORDERED**, on the court's own motion, that the parties file supplemental briefs addressing the effect, if any, of Anthropic's April 17 letter on this court's jurisdiction. While not otherwise limited, the parties should discuss the incurably premature doctrine and its relevance where the relevant judicial review provision lacks an explicit finality requirement. See, e.g., Nat'l Ass'n of Immigr. Judges, Int'l Fed'n of Pro. & Tech. Eng'rs Jud. Council 2 v. FLRA, 77 F.4th 1132 (D.C. Cir. 2023); American Rivers v. FERC, 895 F.3d 32 (D.C. Cir. 2018). The government is directed to discuss the status of Anthropic's letter in its brief.

The supplemental briefs, not to exceed 2,500 words, are due by 4:00 p.m. on May 28, 2026. In addition to filing electronically, the parties are directed to hand-deliver the paper copies of their submissions to the court by the time and date due.

Per Curiam**FOR THE COURT:**

Clifton B. Cislak, Clerk

BY: /s/

Selena R. Gancasz
Deputy Clerk