

United States Court of Appeals
for the Fifth Circuit

United States Courts
Southern District of Texas
FILED

November 28, 2022

Nathan Ochsner, Clerk of Court

No. 21-40680

United States Court of Appeals
Fifth Circuit

FILED

October 5, 2022

Lyle W. Cayce
Clerk

STATE OF TEXAS; STATE OF ALABAMA; STATE OF ARKANSAS;
STATE OF LOUISIANA; STATE OF NEBRASKA; STATE OF SOUTH
CAROLINA; STATE OF WEST VIRGINIA; STATE OF KANSAS;
STATE OF MISSISSIPPI,

Plaintiffs—Appellees,

versus

UNITED STATES OF AMERICA; ALEJANDRO MAYORKAS, *Secretary,*
U.S. Department of Homeland Security; TROY MILLER, *Acting*
Commissioner, U.S. Customs and Border Protection; TAE D. JOHNSON,
Acting Director of U.S. Immigration and Customs Enforcement; UR M.
JADDOU, *Director of U.S. Citizenship and Immigration Services,*

Defendants—Appellants,

ELIZABETH DIAZ; JOSE MAGANA-SALGADO; KARINA RUIZ DE
DIAZ; JIN PARK; DENISE ROMERO; ANGEL SILVA; MOSES
KAMAU CHEGE; HYU-WON JEON; BLANCA GONZALEZ; MARIA
ROCHA; MARIA DIAZ; ELLY MARISOL ESTRADA; DARWIN
VELASQUEZ; OSCAR ALVAREZ; LUIS A. RAFAEL; Nanci J.
PALACIOS GODINEZ; JUNG WOO KIM; CARLOS AGUILAR
GONZALEZ; STATE OF NEW JERSEY,

Intervenor Defendants—Appellants.

No. 21-40680

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:18-CV-68

Before RICHMAN, *Chief Judge*, and HO and ENGELHARDT, *Circuit Judges*.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED IN PART and REMANDED to the District Court, rather than DHS for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that appellants pay to appellees the costs on appeal to be taxed by the Clerk of this Court.



Certified as a true copy and issued
as the mandate on Nov 28, 2022

Attest:

Jyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

November 28, 2022

Mr. Nathan Ochsner
Southern District of Texas, Brownsville
United States District Court
600 E. Harrison Street
Room 1158
Brownsville, TX 78520

No. 21-40680 State of Texas v. USA
USDC No. 1:18-CV-68

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

Dantrell Johnson

By:
Dantrell L. Johnson, Deputy Clerk
504-310-7689

cc:

Ms. Cynthia Barmore
Mr. Brian Boynton
Mr. Mark A. Cianci
Mr. David Cohen
Mr. Matt A. Crapo
Mr. Nicholas S. Crown
Mr. Michael Dundas
Mr. Jeremy M. Feigenbaum
Mr. Carlos Moctezuma Garcia
Mr. Douglas Harry Hallward-Driemeier
Mr. Peter Karanjia
Mr. Joshua Koppel
Ms. Mary B. McCord
Mr. Anton Metlitsky
Mr. William Jeffrey Olson
Ms. Melissa Nicole Patterson
Ms. Nina Perales
Mr. Adam Pierson
Mr. Andrew John Pincus
Mr. Emerson A. Siegle

Mr. Judd Edward Stone, II
Mr. William Thomas Thompson
Mr. Daniel Volchok
Mr. James J. Walker
Mr. Benjamin D. Wilson
Ms. Grace Zhou