

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

January 17, 2025

---

No. 23-40653

---

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, *Senior Official  
Performing the Duties of the Commissioner, U.S. Customs and Border  
Protection*; PATRICK J. LECHLEITNER, *Senior Official Performing the  
Duties of the Director of U.S. Immigrations and Customs Enforcement*; UR M.  
JADDOU, *Director of U.S. Citizenship and Immigration Services*; JASON D.  
OWENS, *Chief of the U.S. Border Patrol*,

*Defendants—Appellants,*

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

*Intervenor Defendants—Appellants,*

STATE OF NEW JERSEY

*Intervenor—Appellant.*

---

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

---

Before SMITH, CLEMENT, and HIGGINSON, *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 REVERSED IN PART, and the cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

The judgment or mandate of this court shall issue 7 days after the time to file a petition for rehearing expires, or 7 days after entry of an order denying a timely petition for panel rehearing, petition for rehearing en banc, or motion for stay of mandate, whichever is later. See Fed. R. App. P. 41(b). The court may shorten or extend the time by order. See 5th Cir. R. 41 I.O.P.