

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 25-2416

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Priya Saxena

Plaintiff - Appellee

v.

Kristi Noem, in her official capacity as Secretary of Homeland Security; Department of  
Homeland Security; Todd M. Lyons, in his official capacity as Acting Director of U.S.  
Immigration and Customs Enforcement

Defendants - Appellants

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Appeal from U.S. District Court for the District of South Dakota - Western  
(5:25-cv-05035-KES)

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**JUDGMENT**

Before BENTON, SHEPHERD, and KELLY, Circuit Judges.

The government's motion for extension of time to file brief is denied. The government's motion to voluntarily dismiss the appeal pursuant to Federal Rule of Appellate Procedure 42(b) is granted, with each party to bear its own fees and costs, except that Saxena's claim of entitlement to attorney's fees is preserved for future decision by the appropriate court. The mandate shall issue forthwith.

October 31, 2025

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Susan E. Bindler