

United States Court of Appeals
for the Fifth Circuit

No. 23-40671

STATE OF TEXAS; STATE OF MISSISSIPPI; STATE OF
LOUISIANA,

Plaintiffs—Appellees,

versus

PRESIDENT DONALD J. TRUMP, *in his official capacity as President of the
United States*; DEPARTMENT OF LABOR; LORI CHAVEZ-DE REMER,
*Secretary, U.S. Department of Labor, in her official capacity as United States
Secretary of Labor*; JESSICA LOOMAN, *in her official capacity as
Administrator of the United States Department of Labor, Wage & Hour
Division,*

Defendants—Appellants.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 6:22-CV-4

ON PETITION FOR REHEARING EN BANC

Before CLEMENT, GRAVES, and RAMIREZ, *Circuit Judges.*

PER CURIAM:

Treating the petition for rehearing en banc as a petition for panel
rehearing (5TH CIR. R.40 I.O.P.), the petition for panel rehearing is

DENIED. Because no member of the panel or judge in regular active service requested that the court be polled on rehearing en banc (FED. R. APP. P.40 and 5TH CIR. R.40), the petition for rehearing en banc is DENIED.