

ENTERED

August 11, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

The STATE OF TEXAS; the STATE §
OF ALABAMA; the STATE OF ALASKA; §
the STATE OF ARKANSAS; the STATE §
OF FLORIDA; the STATE OF IDAHO; §
the STATE OF IOWA; the STATE OF §
KANSAS; the COMMONWEALTH OF §
KENTUCKY; the STATE OF §
LOUISIANA; the STATE OF §
MISSISSIPPI; the STATE OF MISSOURI; §
the STATE OF MONTANA; the STATE §
OF NEBRASKA; the STATE OF OHIO; §
the STATE OF OKLAHOMA; the STATE §
OF SOUTH CAROLINA; the STATE OF §
TENNESSEE; the STATE OF UTAH; the §
STATE OF WEST VIRGINIA; and the §
STATE OF WYOMING, §

Plaintiffs, §

v. §

Civil Action No. 6:23-CV-00007

UNITED STATES DEPARTMENT OF §
HOMELAND SECURITY; ALEJANDRO §
MAYORKAS, Secretary of the United §
States Department of Homeland Security, §
in his official capacity; U.S. §
CITIZENSHIP AND IMMIGRATION §
SERVICES; UR JADDOU, Director of §
U.S. Citizenship and Immigration §
Services, in her official capacity; U.S. §
CUSTOMS & BORDER PROTECTION; §
TROY MILLER, Acting Commissioner §
of U.S. Customs & Border Protection, §
in his official capacity; U.S. §
IMMIGRATION & CUSTOMS §
ENFORCEMENT; and TAE JOHNSON, §
Acting Director of U.S. Immigration & §
Customs Enforcement, in his official §
capacity, §

Defendants. §

ORDER AND FINAL JUDGEMENT

On March 8, 2024, this Court issued its Memorandum Opinion and Order after the trial of this case. (Dkt. No. 305). *Texas v. U. S. Dept. of Homeland Security*, 722 F. Supp. 3d 688 (S. D. Tex. 2024). On the same date, the Court entered Final Judgment, (Dkt. No. 306), dismissing the Plaintiff States' claims without prejudice. On May 28, 2024, this Court issued its Memorandum Opinion and Order denying reconsideration. (Dkt. No. 315).

The Plaintiff States timely appealed to the United States Court of Appeals for the Fifth Circuit. (Case No. 24-40160). On May 2, 2025, the Plaintiff States filed a motion to dismiss their appeal as moot because of the 2025 rescission by the United States Department of Homeland Security of the "CHNV Program" challenged in this case. *See Termination of Parole Processes for Cubans, Haitians, Nicaraguans, and Venezuelans*, 90 Fed. Reg. 13,611 (Mar. 25, 2025). The Plaintiff States also moved that the case be remanded to the District Court with instructions to dismiss this case as moot and to vacate the orders and final judgment appealed from, in accordance with *United States v. Munsingwear, Inc.*, 340 U. S. 36, 39 (1950). Intervenor-Defendants opposed Plaintiff States' motions.

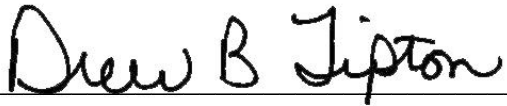
The Fifth Circuit Court of Appeals on June 9, 2025, issued an Unpublished Order in Case No. 40160. (Dkt. No. 301); 2025 U. S. App. LEXIS 14150, 2025 WL 1661954 (Jun. 9, 2025). The Court of Appeals granted the Plaintiff States' motion to dismiss the appeal as moot and to vacate this Court's opinions and final judgment and ordered that the case be remanded to this Court with instructions to dismiss this case as moot. The mandate was issued on August 1, 2025. (Dkt. 305).

Accordingly, **IT IS ORDERED** that this Court's Memorandum Opinion, (Dkt. No. 305), Final Judgment, (Dkt. No. 306), and Memorandum Opinion and Order denying reconsideration, (Dkt. No. 315), are hereby **VACATED**; and

IT IS FURTHER ORDERED that the Plaintiff States' claims in this case are hereby **DISMISSED WITHOUT PREJUDICE** as moot.

This is a **FINAL JUDGMENT**.

Signed on August 8, 2025.



DREW B. TIPTON
UNITED STATES DISTRICT JUDGE