

**U.S. District Court
Western District of Tennessee (Jackson)
CIVIL DOCKET FOR CASE #: 1:17-cv-01040-STA-egb**

Tennessee et al v. United States Department of State et al
Assigned to: Chief Judge S. Thomas Anderson
Referred to: Magistrate Judge Edward G. Bryant
Case in other court: 18-05478
Cause: 28:1331 Fed. Question

Date Filed: 03/13/2017
Date Terminated: 03/19/2018
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff**State Of Tennessee**

represented by **Richard Thompson**
THOMAS MORE LAW CENTER
24 Frank Lloyd Wright Drive
Ann Arbor, MI 48106
734-827-2001
Email: rthompson@thomasmore.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brennan Tyler Brooks
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TERMINATED: 08/24/2018

Jay Robert Combs
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TERMINATED: 10/02/2017

Kate Margaret Oliveri
THOMAS MORE LAW CENTER
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Ann Arbor, MI 48106
734-827-2001
Email: kmoroliveri@gmail.com
TERMINATED: 03/28/2019

Plaintiff**General Assembly, State of Tennessee**

represented by **Richard Thompson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brennan Tyler Brooks
(See above for address)
TERMINATED: 08/24/2018

Jay Robert Combs
(See above for address)
TERMINATED: 10/02/2017

Kate Margaret Oliveri

(See above for address)
TERMINATED: 03/28/2019

Plaintiff

Senator John Stevens

represented by **Richard Thompson**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brennan Tyler Brooks
(See above for address)
TERMINATED: 08/24/2018

Jay Robert Combs
(See above for address)
TERMINATED: 10/02/2017

Kate Margaret Oliveri
(See above for address)
TERMINATED: 03/28/2019

Plaintiff

Representative Terri Lynn Weaver

represented by **Richard Thompson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brennan Tyler Brooks
(See above for address)
TERMINATED: 08/24/2018

Jay Robert Combs
(See above for address)
TERMINATED: 10/02/2017

Kate Margaret Oliveri
(See above for address)
TERMINATED: 03/28/2019

V.

Defendant

United States Department of State

represented by **James Jordan Gilligan**
U.S. DEPARTMENT OF JUSTICE
20 Massachusetts Avenue, N.W.
Room 6102
Washington, DC 20530
202-514-3358
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LEAD ATTORNEY
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Stuart Justin Robinson
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Federal Programs Branch
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ATTORNEY TO BE NOTICED

Defendant

Rex Tillerson

represented by **James Jordan Gilligan**
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ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Bureau Of Population, Refugees, and Migration

represented by **James Jordan Gilligan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Simon Henshaw

represented by **James Jordan Gilligan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

United States Department of Health and Human Services

represented by **James Jordan Gilligan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Thomas E. Price

represented by **James Jordan Gilligan**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Office of Refugee Resettlement

represented by **James Jordan Gilligan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Ken Tota

represented by

James Jordan Gilligan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

**Tennessee Immigrant and Refugee
Rights Coalition**

represented by **Thomas Hauser Castelli**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF TENNESSEE
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cody H. Wofsy
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PROJECT
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Omar Cassim Jadwat
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Intervenor Defendant

Bridge Refugees Services, Inc.

represented by **Thomas Hauser Castelli**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cody H. Wofsy
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Omar Cassim Jadwat
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor Defendant

**Nashville Intentional Center for
Empowerment**

represented by **Thomas Hauser Castelli**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cody H. Wofsy
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Omar Cassim Jadwat
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/13/2017	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0651-2507136), filed by All Plaintiffs. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons)(Oliveri, Kate) (Entered: 03/13/2017)
03/13/2017	<u>2</u>	Summons Issued as to All Defendants. The filer has been notified electronically that the summons has been issued, and the new docket entry reflects this. Upon notification of the new docket entry, the filer is to print the issued summons in order to effect service. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons) (mbm) (Entered: 03/13/2017)
03/13/2017	3	NOTICE OF CASE TRACKING ASSIGNMENT PURSUANT TO LOCAL RULE 16.2: Pursuant to Local Rule 16.2, this case has been assigned to the Standard track. http://www.tnwd.uscourts.gov/pdf/content/LocalRules.pdf (mbm) (Entered: 03/13/2017)
03/13/2017	4	NOTICE TO COMPLY WITH PLAN FOR ALTERNATE DISPUTE RESOLUTION (ADR): Pursuant to Section to 2.1 of the ADR Plan, all civil cases filed on or after Sept. 1, 2014, shall be referred automatically for ADR. For compliance requirements, refer to the ADR Plan at: http://www.tnwd.uscourts.gov/pdf/content/ADRPlan.pdf (mbm) (Entered: 03/13/2017)
03/13/2017	5	NOTICE OF RIGHT TO CONSENT TO THE EXERCISE OF CIVIL JURISDICTION BY A MAGISTRATE JUDGE Pursuant to 28 U.S.C. 636(c), Fed.R.Civ.P.73, and Local Rule 72.1, this Court has designated the Magistrate Judges of this District to conduct trials and otherwise dispose of any civil case that is filed in this Court. Your decision to consent, or not consent, to the referral of your case to a United States Magistrate Judge for trial and entry of a final judgment must be entirely voluntary. The judge or magistrate judge to whom the case has been assigned will not be informed of your decision unless all parties agree that the case may be referred to a magistrate judge for these specific purposes. A less than unanimous decision will not be communicated by this office to either the judge or magistrate judge. The consent form is available on the courts website at https://www.tnwd.uscourts.gov/forms-and-applications.php (mbm) (Entered: 03/13/2017)
03/13/2017	6	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>1</u> Complaint, filed by General Assembly, State of Tennessee, John Stevens, Terri Lynn Weaver, State Of Tennessee has been filed. For future reference, please note Electronic signatures do not match login. Please refer to the ECF User Manual and ECF Policies and Procedures . Filer is not required to resubmit document. (mbm) (Entered: 03/13/2017)
03/13/2017	<u>7</u>	NOTICE of Appearance by Kate Margaret Oliveri on behalf of All Plaintiffs (Oliveri, Kate) (Entered: 03/13/2017)
03/13/2017	<u>8</u>	NOTICE of Appearance by Brennan Tyler Brooks on behalf of All Plaintiffs (Brooks, Brennan) (Entered: 03/13/2017)

03/15/2017	<u>9</u>	NOTICE of Appearance by Richard Thompson on behalf of All Plaintiffs (Thompson, Richard) (Entered: 03/15/2017)
03/24/2017	<u>10</u>	ADMIN ORDER 2017-11 - ORDER REASSIGNING CASE. Case reassigned to Chief Judge S. Thomas Anderson for all further proceedings. Chief Judge J. Daniel Breen no longer assigned to case. Signed by Judge J. Daniel Breen on 3/24/2017. (Breen, J.) (Entered: 03/24/2017)
05/02/2017	<u>11</u>	AFFIDAVIT of Service for Summons and Complaint served on Bureau of Population, Refugees and Migration on 4/6/2017, filed by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. (Oliveri, Kate) (Entered: 05/02/2017)
05/02/2017	<u>12</u>	AFFIDAVIT of Service for Summons and Complaint served on Ken Tota on 3/20/17, filed by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. (Oliveri, Kate) (Entered: 05/02/2017)
05/02/2017	<u>13</u>	AFFIDAVIT of Service for Summons and Complaint served on Office of Refugee Resettlement on 3/20/17, filed by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. (Oliveri, Kate) (Entered: 05/02/2017)
05/02/2017	<u>14</u>	AFFIDAVIT of Service for Summons and Complaint served on Rex Tillerson on 3/22/17, filed by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. (Oliveri, Kate) (Entered: 05/02/2017)
05/02/2017	<u>15</u>	AFFIDAVIT of Service for Summons and Complaint served on Simon Henshaw on 4/6/17, filed by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. (Oliveri, Kate) (Entered: 05/02/2017)
05/02/2017	<u>16</u>	AFFIDAVIT of Service for Summons and Complaint served on Thomas E. Price on 3/23/17, filed by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. (Oliveri, Kate) (Entered: 05/02/2017)
05/02/2017	<u>17</u>	AFFIDAVIT of Service for Summons and Complaint served on US Department of Health and Human Services on 3/23/17, filed by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. (Oliveri, Kate) (Entered: 05/02/2017)
05/02/2017	<u>18</u>	AFFIDAVIT of Service for Summons and Complaint served on US Department of State on 3/22/17, filed by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. (Oliveri, Kate) (Entered: 05/02/2017)
05/04/2017	<u>19</u>	NOTICE of Appearance by James Jordan Gilligan on behalf of All Defendants (Gilligan, James) (Entered: 05/04/2017)
05/04/2017	<u>20</u>	NOTICE of Appearance by Stuart Justin Robinson on behalf of All Defendants (Robinson, Stuart) (Entered: 05/04/2017)
05/08/2017	<u>21</u>	Consent MOTION to Extend Deadline <i>to File Motion to Dismiss the Complaint (proposed order submitted)</i> , MOTION for Leave to File Excess Pages (<i>proposed order submitted</i>) by All Defendants. (Gilligan, James) (Entered: 05/08/2017)
05/11/2017	<u>22</u>	RESPONSE in Opposition re <u>21</u> Consent MOTION to Extend Deadline <i>to File Motion to Dismiss the Complaint (proposed order submitted)</i> MOTION for Leave to File Excess Pages (<i>proposed order submitted</i>) filed by All Plaintiffs. (Oliveri, Kate) (Entered: 05/11/2017)
05/15/2017	<u>23</u>	ORDER GRANTING DEFENDANTS MOTION FOR EXTENSION OF TIME. Signed by Chief Judge S. Thomas Anderson on 5/15/17. (Anderson, S.) (Entered: 05/15/2017)
06/01/2017	<u>24</u>	MOTION to Dismiss for Lack of Jurisdiction , MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by All Defendants. (Attachments: # <u>1</u> Memorandum of Facts and Law in Support of Defendants' Motion to Dismiss, # <u>2</u> Affidavit (Declaration of Sarah deLone), # <u>3</u> Affidavit (Declaration of James Gilligan))(Gilligan, James) (Entered: 06/01/2017)

06/02/2017	<u>25</u>	MOTION to Intervene (<i>Proposed Order Submitted</i>) by Tennessee Immigrant and Refugee Rights Coalition, Bridge Refugees Services, Inc., Nashville Intentional Center for Empowerment. (Attachments: # <u>1</u> Memorandum in Support of Motion to Intervene, # <u>2</u> Affidavit Declaration of Stephanie Teatro, # <u>3</u> Affidavit Declaration of Susan Speraw, # <u>4</u> Affidavit Declaration of Gatluak Thach, # <u>5</u> Exhibit Proposed Motion to Dismiss, # <u>6</u> Exhibit Proposed Memorandum in Support of Motion to Dismiss, # <u>7</u> Exhibit SJR 0467, # <u>8</u> Exhibit Legislative Excerpts and Website, # <u>9</u> Exhibit Governor Statement, # <u>10</u> Exhibit Attorney General Letter)(Castelli, Thomas) (Entered: 06/02/2017)
06/05/2017	<u>26</u>	MOTION for Leave to Appear Pro Hac Vice (<i>Proposed order submitted</i>) (Filing fee \$ 150 receipt number 0651-2559543) by Bridge Refugees Services, Inc., Nashville Intentional Center for Empowerment, Tennessee Immigrant and Refugee Rights Coalition. (Attachments: # <u>1</u> Supplement Certificate of Good Standing – NDCA, # <u>2</u> Supplement Certificate of Good Standing – CA Supreme Court)(Wofsy, Cody) (Entered: 06/05/2017)
06/05/2017	<u>27</u>	MOTION for Leave to Appear Pro Hac Vice (<i>Proposed order submitted</i>) (Filing fee \$ 150 receipt number 0651-2559605) by Bridge Refugees Services, Inc., Nashville Intentional Center for Empowerment, Tennessee Immigrant and Refugee Rights Coalition. (Attachments: # <u>1</u> Supplement Certificate of Good Standing – EDNY, # <u>2</u> Supplement Certificate of Good Standing – SCNY)(Jadwat, Omar) (Entered: 06/05/2017)
06/06/2017	<u>28</u>	ORDER GRANTING OMAR C. JADWAT'S MOTION TO APPEAR PRO HAC VICE <u>27</u> . Signed by Chief Judge S. Thomas Anderson on 6/6/17. (Anderson, S.) (Entered: 06/06/2017)
06/06/2017	<u>29</u>	ORDER GRANTING CODY H. WOFSY'S MOTION TO APPEAR PRO HAC VICE <u>26</u> . Signed by Chief Judge S. Thomas Anderson on 6/6/17. (Anderson, S.) (Entered: 06/06/2017)
06/12/2017	<u>30</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>25</u> MOTION to Intervene (<i>Proposed Order Submitted</i>) by All Defendants. (Robinson, Stuart) (Entered: 06/12/2017)
06/13/2017	<u>31</u>	ORDER Granting <u>30</u> Motion for Extension of Time. Responses due by 6/23/2017. Signed by Chief Judge S. Thomas Anderson on 6/13/17. (Anderson, S.) (Entered: 06/13/2017)
06/15/2017	<u>32</u>	NOTICE of Appearance by Jay Robert Combs on behalf of All Plaintiffs (Combs, Jay) (Entered: 06/15/2017)
06/16/2017	<u>33</u>	RESPONSE in Opposition re <u>25</u> MOTION to Intervene (<i>Proposed Order Submitted</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit)(Combs, Jay) (Entered: 06/16/2017)
06/22/2017	<u>34</u>	MOTION for Extension of Time to File , MOTION for Extension of Time to File Response/Reply by All Plaintiffs. (Oliveri, Kate) (Entered: 06/22/2017)
06/22/2017	<u>35</u>	ORDER GRANTING MOTION FOR EXTENSION OF TIME. Signed by Chief Judge S. Thomas Anderson on 6/22/17. (Anderson, S. Thomas) (Entered: 06/22/2017)
06/23/2017	<u>36</u>	RESPONSE in Opposition re <u>25</u> MOTION to Intervene (<i>Proposed Order Submitted</i>) filed by All Defendants. (Attachments: # <u>1</u> Exhibit A)(Robinson, Stuart) (Entered: 06/23/2017)
06/23/2017	<u>37</u>	MOTION for Leave to File <i>Reply</i> (<i>Proposed Order Submitted</i>) by Bridge Refugees Services, Inc., Nashville Intentional Center for Empowerment, Tennessee Immigrant and Refugee Rights Coalition. (Attachments: # <u>1</u> Intervenor-Defendants' Reply)(Wofsy, Cody) (Entered: 06/23/2017)
07/14/2017	<u>38</u>	RESPONSE in Opposition re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit)(Oliveri, Kate) (Entered: 07/14/2017)
08/18/2017	<u>39</u>	REPLY to Response to Motion re <u>38</u> Response in Opposition to Motion, (<i>Reply Memorandum in Support of Defendants' Motion To Dismiss</i>) filed by All Defendants. (Gilligan, James) (Entered: 08/18/2017)

08/28/2017	<u>40</u>	REPLY to Response to Motion re <u>39</u> Reply to Response to Motion filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit)(Oliveri, Kate) (Entered: 08/28/2017)
10/02/2017	<u>41</u>	MOTION to Withdraw as Attorney , <i>Jay R. Combs</i> by General Assembly, State of Tennessee. (Combs, Jay) (Entered: 10/02/2017)
10/02/2017	<u>42</u>	ORDER GRANTING <u>41</u> MOTION TO WITHDRAW AS ATTORNEY. Signed by Chief Judge S. Thomas Anderson on 10/2/2017. (mbm) (Entered: 10/03/2017)
11/22/2017	<u>43</u>	ORDER DENYING INTERVENOR-DEFENDANTS' MOTION FOR LEAVE TO FILE A REPLY TO PLAINTIFFS' OPPOSITION TO MOTION TO INTERVENE <u>37</u> . Signed by Chief Judge S. Thomas Anderson on 11/22/17. (skc) (Entered: 11/22/2017)
11/22/2017	<u>44</u>	NOTICE by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM -- <i>FILING OF SUPPLEMENTAL AUTHORITY</i> (Attachments: # <u>1</u> Exhibit - County of Santa Clara v. Donald J. Trump et al., Case Nos. 17-cv-00574-WHO & 17-cv-00485-WHO (N.D. Cal. Nov. 20, 2017))(Brooks, Brennan) (Entered: 11/22/2017)
03/19/2018	<u>45</u>	ORDER GRANTING DEFENDANTS <u>24</u> MOTION TO DISMISS AND DENYING <u>25</u> MOTION TO INTERVENE AS MOOT. Signed by Chief Judge S. Thomas Anderson on 3/19/18. (mbm) (Entered: 03/19/2018)
03/19/2018	<u>46</u>	JUDGMENT. Signed by Chief Judge S. Thomas Anderson on 3/19/2018. (mbb) (Entered: 03/19/2018)
05/10/2018	<u>47</u>	NOTICE OF APPEAL as to <u>46</u> Judgment, <u>45</u> Order, Terminate Motions by General Assembly, State of Tennessee, John Stevens, State Of Tennessee, Terri Lynn Weaver. Filing fee \$ 505, receipt number ATNWDC-2788435. (Brooks, Brennan) (Entered: 05/10/2018)
05/11/2018	<u>48</u>	USCA Case Number 18-5478 for <u>47</u> Notice of Appeal filed by General Assembly, State of Tennessee, John Stevens, Terri Lynn Weaver, State Of Tennessee. Amy E. Gigliotti, Case Manager. (skc) (Entered: 05/11/2018)
08/23/2018	<u>49</u>	Consent MOTION to Withdraw as Attorney <i>proposed order submitted</i> by All Plaintiffs. (Brooks, Brennan) (Entered: 08/23/2018)
08/24/2018	<u>50</u>	ORDER GRANTING <u>49</u> MOTION OF ATTORNEY B. TYLER BROOKS TO WITHDRAW AS COUNSEL FOR PLAINTIFFS. Signed by Chief Judge S. Thomas Anderson on 8/24/18. (mbm) (Entered: 08/24/2018)
03/28/2019	<u>51</u>	Consent MOTION to Withdraw as Attorney <i>proposed order submitted</i> by All Plaintiffs. (Oliveri, Kate) (Entered: 03/28/2019)
03/28/2019	<u>52</u>	ORDER GRANTING <u>51</u> MOTION OF ATTORNEY KATE OLIVERI TO WITHDRAW AS COUNSEL FOR PLAINTIFFS. Signed by Chief Judge S. Thomas Anderson on 3/28/19. (mbm) (Entered: 03/28/2019)
07/24/2019	<u>53</u>	ORDER of USCA as to <u>47</u> Notice of Appeal. Mandate to issue. (skc) (Entered: 07/24/2019)
10/24/2019	<u>54</u>	MANDATE of USCA as to <u>47</u> Notice of Appeal. (cdi) (Entered: 10/24/2019)