

United States Court of Appeals
for the Fifth Circuit

No. 23-30445

STATE OF MISSOURI; STATE OF LOUISIANA; AARON KHERIATY;
MARTIN KULLDORFF; JIM HOFT; JAYANTA BHATTACHARYA;
JILL HINES,

Plaintiffs—Appellees,

versus

JOSEPH R. BIDEN, JR.; VIVEK H. MURTHY; XAVIER BECERRA;
DEPARTMENT OF HEALTH & HUMAN SERVICES; ANTHONY
FAUCI; ET AL.,

Defendants—Appellants.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 3:22-CV-1213

UNPUBLISHED ORDER

Before CLEMENT, ELROD, and WILLETT, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that the court order entered on September 25,
2023, is withdrawn.

IT IS FURTHER ORDERED that the mandate issued forthwith, on September 11, 2023, is recalled.

IT IS FURTHER ORDERED that the Appellants are directed to file a response to the petition for rehearing by September 28, 2023, at 12:00 p.m.

IT IS FURTHER ORDERED that the preliminary injunction issued on July 4, 2023, by the United States District Court for the Western District of Louisiana will remain STAYED pending resolution of Appellees' petition for panel rehearing.