UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

PHILLIP CALLAIS ET AL	**CASE NO. 3:24-CV-00122-DCJ-CES-RRS**
VERSUS	**THREE-JUDGE COURT**
NANCY LANDRY	

ORDER

The present matter before the Court is The State of Louisiana's and The Secretary of State's Joint Motion for Stay Pending Appeal [Doc. 222]. Movants ask the Court to stay its April 30, 2024 Injunction and Reasons for Judgment [Doc. 198] which enjoins Louisiana's enacted congressional map, SB8, pending appellate proceedings in the United States Supreme Court. Rule 62(d) of the Federal Rules of Civil Procedure provides that:

> While an appeal is pending from an interlocutory order or final judgment that grants, continues, modifies, refuses, dissolves, or refuses to dissolve or modify an injunction, the court may suspend, modify, restore, or grant an injunction on terms for bond or other terms that secure the opposing party's rights.

The rule, however, goes on to state that:

> If the judgment appealed from is rendered by a statutory three-judge district court, the order must be made either:
> (1) by that court sitting in open session; or
> (2) by the assent of all its judges, as evidenced by their signatures.

Having polled the three members of the panel, all of the members of the panel do not assent to a stay of the court's judgment pending appeal. Accordingly,

IT IS ORDERED THAT The State of Louisiana's and The Secretary of State's Joint Motion for Stay Pending Appeal [Doc. 222] is DENIED.

THUS, DONE AND SIGNED in chambers on this 9th day of May, 2024.

DAVID C. JOSEPH
UNITED STATES DISTRICT COURT