

**United States District Court  
Western District of Texas  
Austin Division**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

GREG ABBOTT, in his capacity as Governor  
of the State of Texas, and THE STATE OF  
TEXAS,

*Defendants.*

No. 1:23-cv-00853-DAE

**DEFENDANTS' NOTICE OF APPEAL**

Defendants Greg Abbott, in his capacity as Governor of the State of Texas, and the State of Texas appeal this Court's Order entered on September 6, 2023, to the United States Court of Appeals for the Fifth Circuit. *See* Order Granting Plaintiff's Motion for Preliminary Injunction, ECF No. 50. That Order granted the United States' motion for preliminary injunction. *See* Order Granting Plaintiff's Motion for Preliminary Injunction, ECF No. 50; *see also* Pl. U.S.' Opposed Mot. for Prelim. Inj., ECF No. 5. The order granting a preliminary injunction is immediately appealable. *See* 28 U.S.C. § 1292(a)(1).

Date: September 6, 2023

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**Counsel for Defendants**

#### **CERTIFICATE OF SERVICE**

On September 6, 2023, this document was filed electronically through the Court's CM/ECF system, which automatically serves all counsel of record.

/s/ Ari Cuenin  
ARI CUENIN