FILED
JAN 29 2024
CLERK, U.S. DISTRICT
WESTERN DISTRICT
BY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

THE STATE OF TEXAS,	§	
Plaintiff,	§	
	§	
v.	§	
	§	**Civil Action No. DR-23-CV-00055-AM**
U.S. DEPARTMENT OF HOMELAND SECURITY, ALEJANDRO MAYORKAS, in his official capacity as Secretary of the U.S. Department of Homeland Security, U.S. CUSTOMS & BORDER PROTECTION, U.S. BORDER PATROL, TROY A. MILLER, in his official capacity as Acting Commissioner for U.S. Customs & Border Protection, JASON OWENS, in his official capacity as Chief of U.S. Border Patrol, and JUAN BERNAL, in his official capacity as Acting Chief Patrol Agent, Del Rio Sector U.S. Border Patrol,	§	
Defendants.	§	

ORDER

It is **ORDERED** that consistent with the Fifth Circuit Court of Appeals' order dated January 26, 2024, the Court hold an in-person evidentiary hearing to develop the factual record in this matter;

It is **FURTHER ORDERED** that this hearing be held on March 4, 2024 and March 5, 2024, and that the hearing on each day start at 9 a.m.; and

It is **FURTHER ORDERED** that by February 15, 2024, the parties e-file a brief of no more than 10 pages that identifies the factual issues for which the Fifth Circuit Court of Appeals requests factual findings.

SIGNED and ENTERED on this 29th day of January 2024.

ALIA MOSES
Chief United States District Judge