

No. 18-10545

**In the United States Court of Appeals
for the Fifth Circuit**

TEXAS, ET AL.,

Plaintiffs-Appellees / Cross-Appellants,

v.

UNITED STATES, ET AL.,

Defendants-Appellants / Cross-Appellees.

JOINT STATUS REPORT

1. By order dated June 15, 2018, this Court granted the parties' joint motion to hold this appeal in abeyance pending the entry of final judgment in the district court and directed the parties to submit status reports at 30-day intervals.

2. On August 21, 2018, the district court entered an order granting in part, and denying in part, Plaintiffs-Appellees / Cross-Appellants' motion for reconsideration. The August 21, 2018 order was not a final judgment, but stated that "[t]he Court will issue a separate final judgment order pursuant to Federal Rule of Civil Procedure 58."

3. On August 24, 2018, Defendants-Appellants / Cross-Appellees filed a motion to stay issuance of final judgment. Plaintiffs-Appellees / Cross-Appellants filed a response on September 7, 2018, and Defendants-Appellants / Cross-Appellees replied on September 21, 2018.

4. On October 19, 2018, Plaintiffs-Appellees / Cross-Appellants filed a notice of appeal of the district court's August 21, 2018 order. This Court docketed that appeal under the same case number as the instant appeal.

5. On July 30, 2019, the district court entered a final judgment, set a schedule for briefing Defendants' motion to stay execution of the final judgment pending appeal, and temporarily stayed execution of the final judgment pending completion of the briefing. That motion was fully briefed on September 17, 2019 and is awaiting resolution.

9. Defendants filed a notice of appeal of the district court's final judgment on September 26, 2019. On September 27, 2019, Plaintiff States filed a cross-appeal shortly. This Court docketed that appeal and cross-appeal under the same case number as the instant appeal.

10. The parties respectfully request that the Court remove this case from abeyance and enter a briefing schedule.

11. Counsel for the federal government has authorized Plaintiffs-Appellees / Cross-Appellants to state that this status report is filed on behalf of all parties.

Date: October 4, 2019

Respectfully submitted.

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CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2019, a true and correct copy of the foregoing document was served via the Court’s ECF system to all counsel of record.

/s/ Lanora C. Pettit
LANORA C. PETTIT

CERTIFICATE OF COMPLIANCE

I certify that this document complies with Federal Rules of Appellate Procedure 32(g) because it contains fewer than 5,200 words and was prepared in Microsoft Word using 14-point Equity typeface.

/s/ Lanora C. Pettit
LANORA C. PETTIT