

No. 20-11270

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

◆

STEVEN MARSHALL,
in his official capacity as Attorney General of the State of Alabama, et al.,
Defendants-Appellants,

v.

YASHICA ROBINSON, et al.,
Plaintiffs-Appellees.

◆

On Appeal from the United States District Court
for the Middle District of Alabama
Case No. 2:19-cv-00365-MHT-JTA

**APPELLANTS' WITHDRAWAL OF THEIR EMERGENCY MOTION
TO STAY AND NOTICE OF INTENT TO DISMISS THEIR APPEAL**

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April 4, 2020

APPELLANTS' WITHDRAWAL OF THEIR EMERGENCY MOTION TO STAY AND NOTICE OF INTENT TO DISMISS THEIR APPEAL

On March 30, 2020, the district court entered a temporary restraining order that prohibited the State Defendants from enforcing part of a public health order designed to address the threat of COVID-19. *See* Doc. 83. Due to the emergency nature of the case, on April 2, the State filed a notice of appeal as to the TRO. Doc. 94. On April 3, the district court partially stayed its TRO and indicated it would be willing to vacate the TRO and enter more tailored relief if this Court were to remand this appeal. Doc. 111 at 15. On April 4, this Court ordered Appellants to inform the Court “whether they intend to proceed with their emergency motion and this appeal.”

In light of the district court’s April 3 stay order (Doc. 111), the district court’s stated intent to vacate the TRO that is the subject of this appeal, and the upcoming preliminary injunction hearing before the district court, Appellants hereby withdraw their emergency motion for a stay of the TRO (Doc. 83).

Appellants also intend to dismiss this appeal. Shortly after this filing, Appellants and Appellees will file a joint motion to dismiss this appeal pursuant to Federal Rule of Appellate Procedure 42(b).

Respectfully submitted,

Steve Marshall

Alabama Attorney General

/s/ Edmund G. LaCour Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2020, I filed the foregoing petition using the Court's CM/ECF system, which will serve all counsel of record.

/s/ Edmund G. LaCour Jr.

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*Counsel for Appellants Steve Marshall and
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