

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

October 06, 2023

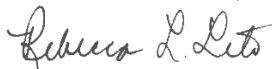
MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 23-40306 State of TX v. EPA
USDC No. 3:23-CV-17

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Rebecca L. Leto, Deputy Clerk
504-310-7703

Ms. Jessica Amber Ahmed
Mr. David M.S. Dewhirst
Mr. Elliot Warren Higgins
Ms. Arielle Mourrain Jeffries
Mr. Brett E. Legner
Mr. Henry Carl Myers
Mr. Nathan Ochsner
Mr. Brian C. Toth
Mr. Joshua N. Turner

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 6, 2023

Lyle W. Cayce
Clerk

No. 23-40306

STATE OF TEXAS; TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; RAILROAD COMMISSION OF TEXAS; TEXAS DEPARTMENT OF AGRICULTURE; TEXAS GENERAL LAND OFFICE; TEXAS DEPARTMENT OF TRANSPORTATION; AMERICAN FARM BUREAU FEDERATION; AMERICAN PETROLEUM INSTITUTE; AMERICAN ROAD AND TRANSPORTATION BUILDERS ASSOCIATION; ASSOCIATED GENERAL CONTRACTORS OF AMERICA; LEADING BUILDERS OF AMERICA; MATAGORDA COUNTY FARM BUREAU; NATIONAL ASSOCIATION OF HOME BUILDERS; NATIONAL ASSOCIATION OF REALTORS; NATIONAL CATTLEMENS BEEF ASSOCIATION; NATIONAL CORN GROWERS ASSOCIATION; NATIONAL MINING ASSOCIATION; NATIONAL MULTIFAMILY HOUSING COUNCIL; NATIONAL PORK PRODUCERS COUNCIL; NATIONAL STONE, SAND, and GRAVEL ASSOCIATION; PUBLIC LANDS COUNCIL; TEXAS FARM BUREAU; UNITED STATES POULTRY AND EGG ASSOCIATION; NATIONAL APARTMENT ASSOCIATION; STATE OF IDAHO,

Plaintiffs—Appellees,

versus

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; MICHAEL S. REGAN, *in his official capacity as the Administrator of* THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; UNITED STATES ARMY CORPS OF ENGINEERS; LIEUTENANT GENERAL SCOTT A. SPELLMON, *in his official capacity as Chief of Engineers and Commanding General, United States Army Corps of Engineers;* MICHAEL L. CONNOR, *in his official capacity as Assistant Secretary of the Army (Civil Works),*

No. 23-40306

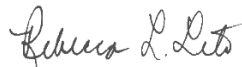
Defendants—Appellants.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 3:23-CV-17

CLERK'S OFFICE:

Under FED. R. APP. P. 42(B), the appeal is dismissed as of October 06, 2023, pursuant to appellants' motion.

LYLE W. CAYCE
Clerk of the United States Court
of Appeals for the Fifth Circuit



By: _____
Rebecca L. Leto, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT