

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

No: 23-2411

State of West Virginia, et al.

Appellees

v.

U.S. Environmental Protection Agency, et al.

Appellants

Chickaloon Village Traditional Council, et al.

Appeal from U.S. District Court for the District of North Dakota - Eastern
(3:23-cv-00032-DLH)

ORDER

The motion to hold case in abeyance pending publication of the new final rule regarding the definition of “waters of the United States” in the Federal Register, is granted.

Appellants shall file a status report by September 15, 2023.

July 17, 2023

Order Entered Under Rule 27A(a):
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans