

**United States District Court
Western District of Texas
Del Rio Division**

THE STATE OF TEXAS,

Plaintiff,

v.

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 THE U.S. BORDER PATROL; AND JUAN BERNAL, IN HIS OFFICIAL CAPACITY AS ACTING CHIEF PATROL AGENT, DEL RIO SECTOR U.S. BORDER PATROL,

Defendants.

No. 2:23-CV-00055-AM

PLAINTIFF'S NOTICE OF APPEAL

Plaintiff the State of Texas appeals this Court's Order entered on November 29, 2023, to the United States Court of Appeals for the Fifth Circuit. *See* Memorandum Opinion and Order, ECF No. 57. That Order denied the State of Texas's motion for a preliminary injunction. *See id.*; *see also* Pl.'s Mot. for Prelim. Inj. or Stay of Agency Action, ECF No. 3. The order denying a preliminary injunction is immediately appealable. *See* 28 U.S.C. § 1292(a)(1).

Date: November 30, 2023

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Respectfully submitted,

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CERTIFICATE OF SERVICE

On November 30, 2023, this document was filed electronically through the Court's CM/ECF system, which automatically serves all counsel of record.

/s/ Ryan D. Walters
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