

**No. 24-30177**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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PHILLIP CALLAIS; LLOYD PRICE; BRUCE ODELL; ELIZABETH ERSOFF;  
ALBERT CAISSIE; DANIEL WEIR; JOYCE LACOUR; CANDY CARROLL PEAVY;  
TANYA WHITNEY; MIKE JOHNSON; GROVER JOSEPH REES; AND ROLFE  
MCCOLLISTER,

PLAINTIFFS - APPELLEES

v.

NANCY LANDRY, IN HER OFFICIAL CAPACITY AS SECRETARY OF STATE OF  
LOUISIANA,

DEFENDANT - APPELLEE

STATE OF LOUISIANA, BY AND THROUGH ATTORNEY GENERAL ELIZABETH B.  
MURRILL,

INTERVENOR - APPELLEE

v.

PRESS ROBINSON; EDGAR CAGE; DOROTHY NAIRNE; EDWIN RENE SOULE;  
ALICE WASHINGTON; CLEE EARNEST LOWE; DAVANTE LEWIS; MARTH  
DAVIS; AMBROSE SIMMS; EDWARD GALMON, SR.; CIARA HART; NORRIS  
HENDERSON; TRAMELLE HOWARD; AND ROSS WILLIAMS,

MOVANT - APPELLANTS

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**ON APPEAL FROM**  
UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA  
CASE. No. 3:22-cv-00122

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**JOINT NOTICE REGARDING APPELLEE BRIEF**

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Nancy Landry, in her official  
capacity as Secretary of State of  
Louisiana*

## **CERTIFICATE OF INTERESTED PERSONS**

A certificate of interested persons is not required here because, under the fourth sentence of Fifth Circuit Rule 28.2.1, Appellees—as “governmental” parties—need not furnish a certificate of interested persons.

Defendant-Appellees, Nancy Landry, in her official capacity as the Secretary of State for the State of Louisiana, and the State of Louisiana, by and through Attorney General Elizabeth Murrill (“State Appellees”), hereby file this Notice that no Appellee Briefs will be filed on behalf of State Appellees. State Appellees respond to Movant-Appellants’ brief as follows:

State Appellees take no position as to Movant-Appellants’ requested relief of intervention. However, if the Court were inclined to reverse the district court’s order denying intervention, such intervention should be allowed prospectively only without vacating or otherwise disturbing the prior proceedings in the district court.

First, there is no indication that the prior proceedings would have ended differently had Appellants participated. Second, the finality that exists now was hard-fought and important. Specifically, the Supreme Court’s stay of the district court’s injunction brought crucial finality with respect to the 2024 Louisiana congressional districts—for both the people of Louisiana and the Louisiana Secretary of State, who must oversee and ensure a timely and orderly election. Third, the Supreme Court will soon review the prior proceedings in the district court, underscoring the need

to leave them undisturbed. And finally, only the Supreme Court has jurisdiction to review the three-judge district court’s injunction, *see* 28 U.S.C. § 1253; *id.* § 1291 (divesting the courts of appeals of jurisdiction “where a direct review may be had in the Supreme Court”), which confirms that this Court cannot—and should not—unsettle the prior proceedings in the district court.

Date: July 2, 2024

Respectfully submitted,

/s/ Phillip J. Strach

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## CERTIFICATE OF SERVICE

I hereby certified that on July 2, 2024, a true and correct copy of the foregoing was filed via the Court's CM/ECF system and served via electronic filing upon all counsel of record in this case.

Dated: July 2, 2024

/s/ Phillip J. Strach

Phillip J. Strach