

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 2, 2024

Lyle W. Cayce
Clerk

No. 23-40582

HONORABLE TERRY PETTEWAY; HONORABLE DERRICK ROSE;
HONORABLE PENNY POPE,

Plaintiffs—Appellees,

versus

GALVESTON COUNTY, TEXAS; MARK HENRY, *in his official capacity
as Galveston County Judge*; DWIGHT D. SULLIVAN, *in his official capacity
as Galveston County Clerk,*

Defendants—Appellants,

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

GALVESTON COUNTY, TEXAS; GALVESTON COUNTY
COMMISSIONERS COURT; MARK HENRY, *in his official capacity as
Galveston County Judge,*

Defendants—Appellants,

DICKINSON BAY AREA BRANCH NAACP; GALVESTON BRANCH

NAACP; MAINLAND BRANCH NAACP; GALVESTON LULAC
COUNCIL 151; EDNA COURVILLE; JOE A. COMPIAN; LEON
PHILLIPS,

Plaintiffs—Appellees,

versus

GALVESTON COUNTY, TEXAS; MARK HENRY, *in his official capacity
as Galveston County Judge*; DWIGHT D. SULLIVAN, *in his official capacity
as Galveston County Clerk,*

Defendants—Appellants.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 3:22-CV-57
USDC No. 3:22-CV-93
USDC No. 3:22-CV-117

ORDER:

Rule 29.4 of The Rules and Internal Operating Procedures for the Fifth Circuit Court of Appeals provides that “[a]fter a panel opinion is issued, amicus curiae status will not be permitted if the allowance would result in the disqualification of any member of the panel or of the en banc court.” The brief that the State of Texas has moved to file as amicus curiae would result in the disqualification of a member of the en banc court. Accordingly,

IT IS ORDERED that the motion of amicus curiae, The State of Texas, to file a brief in support of the Appellant’s supplemental en banc brief

is DENIED.

/s/ Priscilla Richman

PRISCILLA RICHMAN
United States Circuit Judge

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

February 02, 2024

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 23-40582 Petteway v. Galveston County
USDC No. 3:22-CV-57
USDC No. 3:22-CV-93
USDC No. 3:22-CV-117

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

Christina Rachal

By: _____
Christina C. Rachal, Deputy Clerk
504-310-7651

Mr. Neil G. Baron
Ms. Pooja Chaudhuri
Ms. Sarah Xiyi Chen
Ms. Alexandra Copper
Mr. Matthew Nicholas Drecun
Mr. Chad Wilson Dunn
Mr. Jordan Raschke Elton
Mr. Mark P. Gaber
Mr. Bruce I. Gear
Mr. Kyle Douglas Hawkins
Mr. Daniel David Hu
Ms. Hilary Harris Klein
Ms. Simone Tyler Leeper
Mr. Richard Mancino
Ms. Mimi Murray Digby Marziani
Mr. Hani Mirza
Mr. Aaron E Nathan
Mr. Joseph M. Nixon
Mr. T. Russell Nobile
Mr. Nathan Ochsner
Ms. Angela K. Olalde
Ms. Lanora Christine Pettit
Mr. Paul A. Ready
Ms. Bernadette Reyes
Ms. Valencia Richardson
Mr. Nicolas Riley
Mr. Joseph R. Russo Jr.

Mr. Nickolas A. Spencer
Ms. Adrienne Spoto