

1 **MARK BRNOVICH**
2 **ATTORNEY GENERAL**
(Firm State Bar No. 14000)

AUSTIN KNUDSEN
MONTANA ATTORNEY GENERAL

3 Joseph A. Kanefield (No. 15838)
4 Brunn (Beau) W. Roysden III (No. 28698)
5 Drew C. Ensign (No. 25463)
6 Anthony R. Napolitano (No. 34586)
7 Robert Makar (No. 33579)
2005 N. Central Ave
8 Phoenix, AZ 85004-1592
9 Phone: (602) 542-8958
Joe.Kanefield@azag.gov
Beau.Roysden@azag.gov
Drew.Ensign@azag.gov
Anthony.Napolitano@azag.gov
Robert.Makar@azag.gov

David M. Dewhirst*
Solicitor General
215 N Sanders St.
Helena, MT 59601
Phone: (406) 444-4145
David.Dewhirst@mt.gov

**pro hac vice granted*

Attorneys for Plaintiff State of Montana

10 *Attorneys for Plaintiffs State of Arizona and*
11 *Mark Brnovich in his official capacity*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF ARIZONA**

14 State of Arizona; State of Montana; and
15 Mark Brnovich, in his official capacity as
16 Attorney General of Arizona,

No. 2:21-cv-00186-SRB

NOTICE OF APPEAL

17 Plaintiffs,

18 v.

19 United States Department of Homeland
20 Security; United States of America;
21 Alejandro Mayorkas, in his official
22 capacity as Secretary of Homeland
23 Security; Troy Miller, in his official
24 capacity as Acting Commissioner of
25 United States Customs and Border
26 Protection; Tae Johnson, in his official
27 capacity as Acting Director of United
28 States Immigration and Customs
Enforcement; and Tracy Renaud, in her
official capacity as Acting Director of U.S.
Citizenship and Immigration Services,

Defendants.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

NOTICE OF APPEAL

Plaintiffs the State of Arizona, the State of Montana, and Mark Brnovich, in his official capacity as Attorney General of Arizona, hereby appeal to the United States Court of Appeals for the Ninth Circuit from the order entered in this action on June 30, 2021 (Doc. 91), which denied Plaintiffs' request for a preliminary injunction, as well as all orders culminating in that order.

RESPECTFULLY SUBMITTED this 30th day of June, 2021.

MARK BRNOVICH
ATTORNEY GENERAL

By /s/ Drew C. Ensign

Joseph A. Kanefield (No. 15838)

Brunn W. Roysden III (No. 28698)

Drew C. Ensign (No. 25463)

Anthony R. Napolitano (No. 34586)

Robert J. Makar (No. 33579)

Assistant Attorneys General

*Attorneys for Plaintiffs Arizona and Arizona
Attorney General Mark Brnovich*

AUSTIN KNUDSEN
ATTORNEY GENERAL OF MONTANA

/s/ David M.S. Dewhirst (with permission)

David M.S. Dewhirst*

Solicitor General

**Pro hac vice granted*

Attorneys for Plaintiff State of Montana

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of June, 2021, I caused the foregoing document to be electronically transmitted to the Clerk’s Office using the CM/ECF System for Filing, which will send notice of such filing to all registered CM/ECF users.

s/ Drew C. Ensign
Drew C. Ensign

*Attorney for Plaintiffs Arizona and Arizona
Attorney General Mark Brnovich*