

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

21 NOV 12 PM 1:34

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY CC  
DEPUTY CLERK

E.T., BY AND THROUGH HER §  
PARENTS AND NEXT FRIENDS; D.D., §  
BY AND THROUGH HER PARENTS §  
AND NEXT FRIENDS; J.R., BY AND §  
THROUGH HER PARENTS AND NEXT §  
FRIENDS; H.M, BY AND THROUGH §  
HER PARENTS AND NEXT FRIENDS; §  
E.S., BY AND THROUGH HER §  
PARENTS AND NEXT FRIENDS; §  
M.P, BY AND THROUGH HER §  
PARENTS AND NEXT FRIENDS; S.P., §  
BY AND THROUGH HER PARENTS §  
AND NEXT FRIENDS; AND §  
A.M., BY AND THROUGH HER §  
PARENTS AND NEXT FRIENDS, §  
PLAINTIFFS, §

CAUSE NO. 1:21-CV-717-LY

V. §

MIKE MORATH, IN HIS OFFICIAL §  
CAPACITY AS THE COMMISSIONER §  
OF THE TEXAS EDUCATION §  
AGENCY; THE TEXAS EDUCATION §  
AGENCY; AND ATTORNEY GENERAL §  
KENNETH PAXTON, IN HIS OFFICIAL §  
CAPACITY AS ATTORNEY GENERAL §  
OF TEXAS, §  
DEFENDANTS. §

**ORDER**

Before the court in the above styled and numbered action is Defendant Kenneth Paxton, in his official capacity as Attorney General of Texas's ("Attorney General Paxton") Motion for Stay Pending Appeal filed November 11, 2021 (Doc. #85). The motion was filed on Veterans Day, a federal holiday, and therefore, the court became aware of the filing today. The motion requests that the court stay the Permanent Injunction rendered on November 10, 2021, during the pendency of

Attorney General Paxton's appeal of the injunction to the United States Court of Appeals for the Fifth Circuit, and that the court render a ruling on the motion by close of business today.

Having reviewed the motion, the court finds that a response to the motion would be helpful before the court rules on the request for a stay and that Plaintiffs should be afforded adequate time to file a response. Therefore,

**IT IS ORDERED** that Plaintiffs may file a response to the Motion for Stay Pending Appeal filed November 11, 2021 (Doc. #85) **on or before Tuesday, November 16, 2021, at 5:00 p.m. Austin, Texas time.**

SIGNED this 12th day of November, 2021.

  
\_\_\_\_\_  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE