

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

State of Texas; Texas Health and Human
Services Commission (HSSC),

Plaintiffs-Appellees,

v.

Xavier Becerra, in his official capacity as
Secretary of the United States Department of
Health and Human Services; United States
Department of Health and Human Services;
Chiquita Brooks-Lasure, in her official capacity
as Administrator of the Centers for Medicare &
Medicaid Services; Meena Seshamani, in her
official capacity as Deputy Administrator and
Director of Center for Medicare; Daniel Tsai, in
his official capacity as Deputy Administrator
and Director of Medicaid and CHIP Services;
The Centers for Medicare and Medicaid
Services; Joseph R. Biden, in his official capacity
as President of the United States of America;
United States of America,

Defendants-Appellants.

No. 22-10049

UNOPPOSED MOTION TO DISMISS APPEAL VOLUNTARILY

Pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure,
the federal government respectfully moves to dismiss this appeal voluntarily,

with all parties to bear their own costs. Plaintiffs' counsel has authorized us to state that this motion is unopposed.

Respectfully submitted,

s/ Alisa B. Klein

ALISA B. KLEIN

*Attorneys, Appellate Staff
Civil Division, Room 7235
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530
(202) 514-1597*

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CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 43 words. This motion also complies with the typeface and type-style requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(5)-(6) because it was prepared using Microsoft Word 2016 in Century Expd BT 14-point font, a proportionally spaced typeface.

s/ Alisa B. Klein

Alisa B. Klein

CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2022, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the Fifth Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

s/ Alisa B. Klein

Alisa B. Klein