

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

STATE OF FLORIDA,

Plaintiff,

v.

No. 3:21-cv-2722-MCR-HTC

DEPARTMENT OF HEALTH AND
HUMAN SERVICES, et al.,

Defendants.

NOTICE OF DISMISSAL

Given the United States Supreme Court’s decision in *Biden v. Missouri*, 142 S. Ct. 647 (2022), the State of Florida notices the dismissal of this action under Federal Rule of Civil Procedure 41(a)(1)(A)(i). Dismissal is warranted because defendants have not yet “serve[d] either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of February, 2022, a true and correct copy of the foregoing was filed with the Court's CM/ECF system, which will provide service to all parties.

/s/ David M. Costello
Assistant Solicitor General