



**U.S. Department of Justice**  
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May 27, 2022

Lyle W. Cayce  
Clerk of Court  
U.S. Court of Appeals for the 5th Circuit  
600 S. Maestri Place  
New Orleans, LA 70130

RE: *State of Louisiana v. Becerra*, No. 21-30734

Dear Mr. Cayce:

Oral argument in this case is scheduled for June 6, 2022. We write to update the panel on developments in related litigation. As the Court is aware, the Supreme Court stayed the preliminary injunction in this case and the preliminary injunction issued by the District Court for the Eastern District of Missouri. *See Biden v. Missouri*, 142 S. Ct. 647 (2022). “Based on the Supreme Court’s opinion,” the Eighth Circuit issued a per curiam order vacating the preliminary injunction and remanding to the district court for a determination of the merits of the plaintiffs’ claim for permanent injunctive relief. *Missouri v. Biden*, No. 21-3725 (8th Cir. Apr. 11, 2022). On May 12, the *Missouri* plaintiffs filed a petition for a writ of certiorari seeking review of the Eighth Circuit’s order. *See Missouri v. Biden*, No. 21-1463 (S. Ct.). The district court in that case has stayed proceedings pending the disposition of the cert. petition. *See Missouri v. Biden*, No. 21-1329 (E.D. Mo. May 27, 2022).

Sincerely,

*s/ Alisa B. Klein*

Alisa B. Klein  
Counsel for Appellants

### **CERTIFICATE OF COMPLIANCE**

This letter complies with the type-volume limit of Federal Rule of Appellate Procedure 28(j) because the body of the letter contains 165 words.

*s/ Alisa B. Klein*  
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Alisa B. Klein

### **CERTIFICATE OF SERVICE**

I hereby certify that on May 27, 2022, I electronically filed the foregoing letter 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*  
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Alisa B. Klein