

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

STATE OF TEXAS, STATE OF)	
LOUISIANA)	
)	
v.)	No. 6:21-cv-00016
)	
UNITED STATES OF AMERICA, <i>et al.</i>)	
)	
Defendants.)	
)	

DEFENDANTS’ REPLY TO PLAINTIFFS’ OPPOSITION TO A STAY

The States’ opposition to Defendants’ stay request has two significant omissions. First, the States do not engage with the Supreme Court’s analysis in *Aleman Gonzalez*, No. 20-322, 596 U.S. -- (2022), and instead rely on authority that predates that decision. *Aleman Gonzalez* is an intervening decision that postdates this Court’s judgment. The Court should at least stay its Order until it has a chance to analyze *Aleman Gonzalez* and the forthcoming MPP decision. Second, the States do not mention the declaration of Daniel Bible that Defendants submitted yesterday. This omission demonstrates that Plaintiffs have no material response to Defendants’ showing that balancing of the equities here strongly favors a stay.

Defendants ask this Court to grant a stay or, in the alternative, extend the administrative stay for consideration of the stay motion, including the Bible declaration and the Supreme Court’s decisions in *Aleman Gonzalez* and MPP. Should this Court deny both today, Defendants ask that this Court, at the least, continue the administrative stay through June 21, 2022, to give more time for the appellate process.

Dated: June 14, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

BRIGHAM J. BOWEN
Assistant Branch Director

/s/ Adam D. Kirschner

ADAM D. KIRSCHNER

Attorney-in-charge

IL Bar. No. 6286601

Senior Trial Counsel

BRIAN C. ROSEN-SHAUD

ME Bar No. 006018

MICHAEL F. KNAPP

CA Bar No. 314104

KUNTAL CHOLERA

DC Bar No. 1031523

Trial Attorneys

United States Department of Justice

Civil Division, Federal Programs Branch

Tel: (202) 353-9265

Fax: (202) 616-8460

Email: Adam.Kirschner@usdoj.gov

Brian.C.Rosen-Shaud@usdoj.gov

Michael.F.Knapp@usdoj.gov

Kuntal.Cholera@usdoj.gov

Mailing Address:

Post Office Box 883

Washington, D.C. 20044

Courier Address

1100 L Street NW, Room 11020

Washington, D.C. 20005

EREZ REUVENI

CA Bar No. 264124

Assistant Director

U.S. Department of Justice

Civil Division, Office of Immigration Litigation

P.O. Box 868, Ben Franklin Station

Washington, D.C. 20044

202-307-4293 (telephone)
Email: Erez.R.Reuveni@usdoj.gov

Counsel for Defendants

DANIEL DAVID HU
Assistant United States Attorney
Chief, Civil Division
State Bar No. 10131415
S.D. I.D. 7959
Southern District of Texas
1000 Louisiana, Suite 2300 Houston, TX 77002
Tel: (713) 567-9000
Fax: (713) 718-3300
Daniel.Hu@usdoj.gov

Local Counsel

CERTIFICATE OF COMPLIANCE

I certify that the total number of words in this motion, exclusive of the matters designated for omission, is 176, as counted by Microsoft Word.

/s/ Adam D. Kirschner
ADAM D. KIRSCHNER

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on June 14, 2022.

/s/ Adam D. Kirschner
ADAM D. KIRSCHNER