

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 21-1890

The Religious Sisters of Mercy, et al.

Appellees

State of North Dakota

v.

Xavier Becerra, Secretary of the United States Department of Human Services, et al.

Appellants

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Appeal from U.S. District Court for the District of North Dakota - Eastern  
(3:16-cv-00386-PDW)  
(3:16-cv-00432-PDW)

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**ORDER**

The panel petitions for rehearing have been considered, and they are hereby denied.

Appellee Catholic Benefits Association's motion for leave to file a reply in support of its petition for rehearing or rehearing en banc is denied. The petitions for rehearing en banc are also denied.

Judge Erickson did not participate in the consideration or decision of this matter.

March 21, 2023

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans