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April 14, 2023

By ECF

Molly C. Dwyer
Clerk of Court
U.S. Court of Appeals for the Ninth Circuit
P.O. Box 193939
San Francisco, CA 94119
(415) 355-8020

Re: *State of Arizona v. U.S. Department of Homeland Security*, No.
21-16118

Dear Ms. Dwyer:

We write in response to the Court's order of March 24, 2023, requiring appellees to file a response or a notice of non-opposition to appellants' petition for rehearing. Appellees do not oppose the request for *Munsingwear* vacatur, *see* Dkt. No. 48, at 2-3, and take no position on the question whether that request satisfies the standard for panel rehearing.

Sincerely,

/s/ Michael Shih

MICHAEL SHIH

SEAN JANDA

Attorneys

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