United States Court of Appeals for the Fifth Circuit

No. 22-40043

FEDS FOR MEDICAL FREEDOM; LOCAL 918, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES; HIGHLAND ENGINEERING, INCORPORATED; RAYMOND A. BEEBE, JR.; JOHN ARMBRUST; ET AL.,

Plaintiffs—Appellees,

versus

JOSEPH R. BIDEN, JR., *in his official capacity as President of the United States*; THE UNITED STATES OF AMERICA; PETE BUTTIGIEG, *in his official capacity as Secretary of Transportation*; DEPARTMENT OF TRANSPORTATION; JANET YELLEN, *in her official capacity as Secretary of Treasury*; ET AL.,

Defendants—Appellants.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 3:21-CV-356

UNPUBLISHED ORDER

Before RICHMAN, *Chief Judge*, and JONES, SMITH, BARKSDALE, STEWART, DENNIS, ELROD, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, WILLETT, HO, DUNCAN, ENGELHARDT, OLDHAM, and WILSON, *Circuit Judges*.

PER CURIAM:[*]

IT IS ORDERED that Appellees' opposed motion for an order clarifying the effect of the Supreme Court's vacatur of this court's en banc judgment dated March 23, 2023, is DENIED.

[*] Judges DOUGLAS and RAMIREZ joined the court after this case was submitted to the court en banc and did not participate in this decision.