United States Court of Appeals for the Fifth Circuit

United States Court of Appeals
Fifth Circuit
FILED
September 26, 2024
Lyle W. Cayce
Clerk

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UNPUBLISHED ORDER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:[*]

This case is before us on remand from the Supreme Court, which vacated and remanded our judgment. *Biden v. Feds for Med. Freedom*, 144 S. Ct. 480, 480–81 (2023). Accordingly, consistent with the Supreme Court's opinion, we REMAND this case to the district court and direct it to VACATE as moot its order granting a preliminary injunction. The Clerk is directed to issue the mandate forthwith.

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