

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

STATE OF TEXAS, *et al.*,

Plaintiffs-Appellees,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants-Appellants.

No. 16-11534

**DEFENDANTS-APPELLANTS' NOTICE OF WITHDRAWAL OF  
MOTION FOR PARTIAL STAY PENDING APPEAL  
AND JOINT MOTION TO CANCEL ORAL ARGUMENT**

Defendants-appellants' motion for partial stay pending appeal is currently scheduled for oral argument before this Court on February 14, 2017.

Defendants-appellants hereby withdraw their pending November 23, 2016 motion for partial stay pending appeal. The parties jointly move to remove from the Court's calendar the February 14, 2017 oral argument currently scheduled for that motion. The parties are currently considering how best to proceed in this appeal.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 10, 2017, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the Fifth Circuit by using the appellate CM/ECF system. I certify that all participants in this case are registered CM/ECF users, and that service will be accomplished by the appellate CM/ECF system.

/s/ Jeffrey E. Sandberg  
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