

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 21-12243-D

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STATE OF FLORIDA,

Plaintiff - Appellee,

versus

SECRETARY, DEPARTMENT OF HEALTH AND HUMAN SERVICES,  
HEALTH AND HUMAN SERVICES,  
DIRECTOR OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION,  
CENTER FOR DISEASE CONTROL AND PREVENTION,  
UNITED STATES OF AMERICA,

Defendants - Appellants.

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Appeal from the United States District Court  
for the Middle District of Florida

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Before: WILSON, JILL PRYOR, and BRANCH, Circuit Judges.

BY THE COURT:

Before the Court is Appellants' "Time-Sensitive Motion for Stay Pending Appeal and Administrative Stay." The motion is GRANTED, as Appellants have made the requisite showing. *See Nken v. Holder*, 556 U.S. 418, 434 (2009). One judge dissents; opinions will follow.

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

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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July 17, 2021

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Appeal Number: 21-12243-D  
Case Style: State of Florida v. Secretary, Department of Health and Human Services, et al  
District Court Docket No: 8:21-cv-00839-SDM-AAS

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The following action has been taken in the referenced case:

The requesting party must file a written status report, indicating whether the abatement should continue, on the 15th day of each month, commencing next month. If such reports are not filed in a timely manner, the case will be reinstated to the active docket.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Scott O'Neal, D/db  
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MOT-2 Notice of Court Action