United States Court of Appeals for the Fifth Circuit

No. 21-50949

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

STATE OF TEXAS,

Defendant—Appellant,

ERICK GRAHAM; JEFF TULEY; MISTIE SHARP,

Intervenor Defendants—Appellants.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:21-CV-796

Before STEWART, HAYNES, and HO, *Circuit Judges*.

PER CURIAM:

The emergency motions to stay the preliminary injunction pending appeal are granted for the reasons stated in *Whole Woman's Health v. Jackson*, 13 F.4th 434 (5th Cir. 2021), and *Whole Woman's Health v. Jackson*, 141 S. Ct. 2494 (2021). Judge Stewart dissents. The appeal is expedited. The Clerk will schedule this case for oral argument before the same panel that will hear the appeal in *Whole Woman's Health v. Jackson*, No. 21-50792.