

**United States Court of Appeals**  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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NEW ORLEANS, LA 70130

November 30, 2017

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing  
or Rehearing En Banc

No. 17-30768 City of Walker, et al v. State of Louisiana,  
et al  
USDC No. 3:17-CV-55

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Enclosed is a copy of the court's decision. The court has entered judgment under FED R. APP. P. 36. (However, the opinion may yet contain typographical or printing errors which are subject to correction.)

FED R. APP. P. 39 through 41, and 5TH Cir. R.s 35, 39, and 41 govern costs, rehearings, and mandates. **5TH Cir. R.s 35 and 40 require you to attach to your petition for panel rehearing or rehearing en banc an unmarked copy of the court's opinion or order.** Please read carefully the Internal Operating Procedures (IOP's) following FED R. APP. P. 40 and 5TH CIR. R. 35 for a discussion of when a rehearing may be appropriate, the legal standards applied and sanctions which may be imposed if you make a nonmeritorious petition for rehearing en banc.

Direct Criminal Appeals. 5TH CIR. R. 41 provides that a motion for a stay of mandate under FED R. APP. P. 41 will not be granted simply upon request. The petition must set forth good cause for a stay or clearly demonstrate that a substantial question will be presented to the Supreme Court. Otherwise, this court may deny the motion and issue the mandate immediately.

Pro Se Cases. If you were unsuccessful in the district court and/or on appeal, and are considering filing a petition for certiorari in the United States Supreme Court, you do not need to file a motion for stay of mandate under FED R. APP. P. 41. The issuance of the mandate does not affect the time, or your right, to file with the Supreme Court.

Court Appointed Counsel. Court appointed counsel is responsible for filing petition(s) for rehearing(s) (panel and/or en banc) and writ(s) of certiorari to the U.S. Supreme Court, unless relieved of your obligation by court order. If it is your intention to file a motion to withdraw as counsel, you should notify your client promptly, **and advise them of the time limits for filing for rehearing and certiorari.** Additionally, you MUST confirm that this information was given to your client, within the body of your motion to withdraw as counsel.

The judgment entered provides that defendants-appellants pay to appellees the costs on appeal.

Sincerely,

LYLE W. CAYCE, Clerk

*Erica Benoit*

By: \_\_\_\_\_  
Erica A. Benoit, Deputy Clerk

Enclosure(s)

Mr. John Thomas Andrishok  
Mr. Brad M. Barback  
Mr. Keith Joseph Bergeron  
Mr. David Joseph Bourgeois  
Mr. Joseph M. Bruno  
Mr. William Glenn Burns  
Mr. Albert Dale Clary  
Ms. Ashley Gremillion Coker  
Mr. Charles Bruce Colvin  
Mrs. Martha Y. Curtis  
Mr. Thomas William Darling  
Mr. Joshua Simon Force  
Mr. Murphy J. Foster III  
Mr. James M. Garner  
Mr. Joseph G. Glass  
Mr. Gregory G. Gremillion  
Mr. Timothy William Hassinger  
Mr. Steven Bernard Loeb  
Mr. Lawrence E. Marino  
Mr. Adrian G. Nadeau  
Mr. Joshua Michael Palmintier  
Mr. Michael Robert Carson Riess  
Mr. Brian Schaps  
Mr. Thomas R. Temple  
Mr. Mitchell A. Toups  
Mr. Philip George Watson  
Mr. Andrew D. Weinstock  
Mr. John Neale deGravelles