

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

August 26, 2024

Lyle W. Cayce
Clerk

No. 23-30445

STATE OF MISSOURI; STATE OF LOUISIANA; AARON KHERIATY;
MARTIN KULLDORFF; JIM HOFT; JAYANTA BHATTACHARYA;
JILL HINES,

Plaintiffs—Appellees,

versus

JOSEPH R. BIDEN, JR.; VIVEK H. MURTHY; XAVIER BECERRA;
DEPARTMENT OF HEALTH & HUMAN SERVICES; ANTHONY
FAUCI; ET AL.,

Defendants—Appellants.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 3:22-CV-1213

ON REMAND FROM
THE SUPREME COURT OF THE UNITED STATES

Before CLEMENT, ELROD, and WILLETT, *Circuit Judges.*

PER CURIAM:

This case is before us on remand from the Supreme Court, which reversed our judgment and held that none of the Plaintiffs has standing to seek a preliminary injunction. *Murthy v. Missouri*, 144 S. Ct. 1972, 1981, 1997

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(2024). Accordingly, we VACATE the judgment of the district court and the preliminary injunction in their entirety and REMAND for further proceedings consistent with the Supreme Court's opinion. The Clerk is directed to issue the mandate forthwith.