

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

STATE OF FLORIDA, by and through  
Attorney General Pam Bondi, et al.;

Plaintiffs,

v.

Case No.: 3:10-cv-91-RV/EMT

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES, et al.,

Defendants.

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**ORDER**

Pursuant to the Eleventh Circuit’s order, filed February 24, 2011 (doc. 159), the Clerk is hereby directed to file the notice of appeal previously submitted by non-party Robert Smith and forward same to the Court of Appeals, after the filing fee is paid.

DONE and ORDERED this 28<sup>th</sup> day of February, 2011.

*/s/ Roger Vinson* \_\_\_\_\_

ROGER VINSON  
Senior United States District Judge