

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**STATE OF TENNESSEE, et
al.**

PLAINTIFFS

v.

CAUSE NO. 1:24cv161-LG-BWR

**ROBERT F. KENNEDY, JR.,
in his official capacity as
Secretary of the United
States Department of Health
and Human Services, et al.**

DEFENDANTS

ORDER SUBSTITUTING PARTIES

This matter is before the Court sua sponte pursuant to Fed. R. Civ. P. 25(d). Xavier Becerra, Melanie Fontes Rainer, and Chiquita Brooks-LaSure are not proper parties to this lawsuit because they no longer serve in the official positions for which they have been sued.

When a public officer who is sued in his official capacity ceases to hold office while a lawsuit is pending, the officer's successor is automatically substituted as a party. Fed. R. Civ. P. 25(d). Therefore, Robert F. Kennedy, Jr., who now serves Secretary of the United States Department of Health and Human Services, is substituted for Xavier Becerra. Anthony Archeval, who currently serves as Acting Director of the Office for Civil Rights of the United States Department of Health and Human Services, is substituted for Melanie Fontes Rainer. Finally, Stephanie Carlton, who serves as Acting Administrator for the Centers for Medicare and Medicaid Services, is substituted for Chiquita Brooks-LaSure.

IT IS THEREFORE ORDERED AND ADJUDGED that Robert F. Kennedy, Jr., in his official capacity as Acting Secretary of the United States Department of Health and Human Services is **SUBSTITUTED** for Xavier Becerra.

IT IS FURTHER ORDERED AND ADJUDGED that Anthony Archeval in his official capacity as Acting Director of the Office for Civil Rights of the United States Department of Health and Human Services is **SUBSTITUTED** for Melanie Fontes Rainer.

IT IS FURTHER ORDERED AND ADJUDGED that Stephanie Carlton in her official capacity as Acting Administrator for the Centers for Medicare and Medicaid Services is **SUBSTITUTED** for Chiquita Brooks-LaSure.

SO ORDERED AND ADJUDGED this the 13th day of February, 2025.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE