

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

September 19, 2025

Ms. Karen S. Mitchell
Northern District of Texas, Amarillo
United States District Court
205 E. 5th Street
Room F-13240
Amarillo, TX 79101

No. 25-10700 American Health Care Association v. Kennedy
USDC No. 2:24-CV-114
USDC No. 2:24-CV-171

Dear Ms. Mitchell,

Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Peter A. Conners, Deputy Clerk
504-310-7685

cc w/encl:

Mr. Joseph DeMott
Mr. Gavin Joe Gadberry
Ms. Erin Murphy
Ms. Laura Myron
Mr. Daniel Ortner
Mr. C. Harker Rhodes IV
Mr. Thomas C. Riney
Mr. Andrew J. Rising
Mr. Johnathan Stone
Mr. Bradley Timms

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 19, 2025

Lyle W. Cayce
Clerk

No. 25-10700

AMERICAN HEALTH CARE ASSOCIATION; LEADINGAGE; TEXAS
HEALTH CARE ASSOCIATION; ARBROOK PLAZA; BOOKER
HOSPITAL DISTRICT; HARBOR LAKES NURSING AND
REHABILITATION CENTER,

Plaintiffs—Appellees,

versus

ROBERT F. KENNEDY, JR., *Secretary, U.S. Department of Health and
Human Services*; UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES; MEHMET OZ, *Administrator of THE CENTERS
FOR MEDICARE and MEDICAID SERVICES*; CENTERS FOR
MEDICARE AND MEDICAID SERVICES,

Defendants—Appellants,

STATE OF TEXAS,

Plaintiff—Appellee,

versus

U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES;
ROBERT F. KENNEDY, JR., *in his official capacity as Secretary of the U. S.
Department of Health and Human Services*; CENTERS FOR MEDICARE
AND MEDICAID SERVICES; MEHMET OZ, *in his official capacity as
Administrator of THE CENTERS FOR MEDICARE and MEDICAID*

No. 25-10700

SERVICES,

Defendants Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:24-CV-114
USDC No. 2:24-CV-171

CLERK'S OFFICE:

Under FED. R. APP. P.42(B), the appeal is dismissed as of
September 19, 2025, pursuant to appellants' motion.

LYLE W. CAYCE
Clerk of the United States Court
of Appeals for the Fifth Circuit



By: _____
Peter A. Conners, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

AMERICAN HEALTH CARE
ASSOCIATION, et al.,

Plaintiffs-Appellees,

v.

ROBERT F. KENNEDY, JR., et al.,

Defendants-Appellants.

No. 25-10700

**MOTION TO VOLUNTARILY DISMISS APPEAL UNDER FEDERAL
RULE OF APPELLATE PROCEDURE 42(b)**

Pursuant to Federal Rule of Appellate Procedure 42(b), the defendants-appellants hereby respectfully move to voluntarily dismiss their appeal with all parties to bear their own costs on appeal.

Respectfully submitted,

MICHAEL S. RAAB

/s/ Laura E. Myron

LAURA E. MYRON

(202) 514-4819

Attorneys, Appellate Staff

Civil Division

U.S. Department of Justice

950 Pennsylvania Ave., N.W.

Washington, D.C. 20530

SEPTEMBER 2025

CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 42 words. This motion also complies with the typeface and type-style requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(5)-(6) because it was prepared using Microsoft Word 2016 in Garamond 14-point font, a proportionally spaced typeface.

/s/ Laura E. Myron
Laura E. Myron

CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2025, I filed and served the foregoing motion with the Clerk of the Court by using the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

/s/ *Laura E. Myron*
Laura E. Myron