

United States Court of Appeals

FIFTH CIRCUIT
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CLERK

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August 25, 2026

Mr. Jorge Benjamin Aguinaga
Louisiana Department of Justice
1885 N. 3rd Street
Baton Rouge, LA 70802

No. 25-30568 Do No Harm v. Landry
USDC No. 5:24-CV-16

Dear Mr. Aguinaga,

The case has been removed from abeyance and briefing will now resume. Appellee's brief is due within 30 days from the date of this letter, see Fed. R. App. P. 31(a)(1). 5th Cir. R. 31 and the Internal Operating Procedures following rules 27 and 31 state that except in the most extraordinary circumstances, the maximum extension for filing briefs is 30 days in criminal cases and 40 days in civil cases.

Electronic Record on Appeal (EROA): We permit you to download all or part of the electronic record on appeal (EROA) after this is approved by the U.S. District Court. You will receive a notice when access to the EROA is available. Counsel must be approved for electronic filing and be listed as an attorney of record in the case before access will be granted. Instructions for accessing and downloading the EROA are available on our site at www.ca5.uscourts.gov/electronic-case-filing/electronic-case-filing/ecf-information-page/special-instructions.

Please note that sealed documents, except for the presentence investigation report in criminal appeals, will not be included in the EROA. You must file a motion in our court for access to sealed documents, which will be provided by the district court only upon the filing and granting of a motion by our court.

Brief Template: The clerk's office provides brief templates and a tool to check briefs for potential deficiencies before docketing. To access these resources, log in to CM/ECF and select 'Brief Template' (Counsel Only) or 'PDF Check Document' from the Utilities menu or the "Attorney Toolbox".

Record Excerpts: 5th Cir. R. 30.1.7(c) provides that the electronic PDF version of the record excerpts should contain pages representing the "tabs" identified in the index of the document. However, we remind attorneys that the actual paper copies of record excerpts filed with the court must contain actual physical tabs

that extend beyond the edge of the document, to facilitate easy identification and review of tabbed documents.

Reminder Regarding Sealed Documents: Our court presumes the public has a right to court records, and request to seal pleadings, record excerpts, or other documents must be justified with particularity. Simply stating that the originating court sealed the matter is insufficient. Counsel is responsible for justifying a request to file under seal, as well as for notifying the court when sealing is no longer necessary. An unopposed motion to seal does not relieve counsel of the obligation to justify the motion.

Signing Pleadings: While our rules do not directly regulate the process by which a party or an attorney produces the filing—such as writing it personally with no assistance, delegating part of its preparation to another, or using generative artificial intelligence, the signature is an attestation that the signer has reviewed the filing and is responsible for the accuracy of its contents.

Reply Brief: Cases are generally not submitted to the court until all briefs are filed, except in criminal appeals. Reply briefs must be filed within the 21-day period specified in Fed. R. App. P. 31(a)(1). Please refer to 5th Cir. R. 31.1 to determine if electronic copies of the reply brief are required, and for guidance on format

Sincerely,

LYLE W. CAYCE, Clerk



By:
Roeshawn Johnson, Deputy Clerk
504-310-7998

Enclosure(s)

cc w/encl:

Mr. James Stuart Baehr
Ms. Laura D'Agostino
Mr. Zachary Faircloth
Mr. Carey Thompson Jones
Mr. Caleb Randall Trotter

Case No. 25-30568

Do No Harm, a nonprofit corporation incorporated in the State of
Virginia,

Plaintiff - Appellant

v.

Jeff Landry, in his official capacity as the Governor for the
State of Louisiana as successor in office to Governor John Bel
Edwards,

Defendant - Appellee