

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

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July 03, 2024

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No. 23-50224 Little v. Llano County  
USDC No. 1:22-CV-424

Dear Counsel,

Enclosed is the court's order filed this date directing this case be reheard en banc with oral argument.

Under Fifth Circuit Local Rule 41.3 this order vacates the previous opinion and judgment of this court and stays the mandate.

Appellants will have until August 2, 2024, to file an en banc brief and the Appellees' en banc brief is due on September 3, 2024. You will be requested to furnish 22 paper copies of your en banc brief after the electronic filing is reviewed and processed. The color of the cover on your en banc brief will be the same as the color of the cover on your merits brief (blue for the appellant and red for the appellee). The case will be heard sometime during the week of September 23, 2024. Counsel for the parties will receive adequate notice as to the exact date and time for the presentation of the oral argument.

We request that the parties forward 22 copies of their previously filed merits briefs, reply briefs, and record excerpts, for the use of the en banc court. As you did previously, we request that all copies be spirally bound. These additional copies are due in the Clerk's Office by July 17, 2024. Please contact me if you have any questions.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in cursive script, appearing to read "Peter Conners".

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

cc:

Mr. Thomas F. Allen Jr.  
Mr. Robert Corn-Revere  
Mr. Marc Aaron Fuller  
Mr. Ryan W Goellner  
Mr. JT Morris  
Mr. Kevin T. Shook

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

July 3, 2024

Lyle W. Cayce  
Clerk

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No. 23-50224

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LEILA GREEN LITTLE; JEANNE PURYEAR; KATHY KENNEDY;  
REBECCA JONES; RICHARD DAY; CYNTHIA WARING; DIANE  
MOSTER,

*Plaintiffs—Appellees,*

*versus*

LLANO COUNTY; RON CUNNINGHAM, *in his official capacity as Llano County Judge*; JERRY DON MOSS, *in his official capacity as Llano County Commissioner*; PETER JONES, *in his official capacity as Llano County Commissioner*; MIKE SANDOVAL, *in his official capacity as Llano County Commissioner*; LINDA RASCHKE, *in her official capacity as Llano County Commissioner*; AMBER MILUM, *in her official capacity as Llano County Library System Director*; BONNIE WALLACE, *in her official capacity as Llano County Library Board Member*; ROCHELLE WELLS, *in her official capacity as Llano County Library Board Member*; RHODA SCHNEIDER, *in her official capacity as Llano County Library Board Member*; GAY BASKIN, *in her official capacity as Llano County Library Board Member,*

*Defendants—Appellants.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:22-CV-424

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ON PETITION FOR REHEARING EN BANC

(Opinion June 6, 2024, 5 CIR., 2024, 103 F.4th 1140 )

Before RICHMAN, *Chief Judge*, and JONES, SMITH, STEWART, ELROD, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, WILLETT, HO, DUNCAN, ENGELHARDT, OLDHAM, WILSON, DOUGLAS, and RAMIREZ, *Circuit Judges*.

PER CURIAM:

A member of the court having requested a poll on the petition for rehearing en banc, and a majority of the circuit judges in regular active service and not disqualified having voted in favor,

IT IS ORDERED that this cause shall be reheard by the court en banc with oral argument on a date hereafter to be fixed. The Clerk will specify a briefing schedule for the filing of supplemental briefs. Pursuant to 5th Circuit Rule 41.3, the panel opinion in this case dated June 6, 2024, is VACATED.