

**No. 23-12958**

---

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

\_\_\_\_\_  
The State of Georgia,

*Plaintiff-Appellee,*

v.

Mark R. Meadows,

*Defendant-Appellant.*

---

On Appeal from the United States District Court  
for the Northern District of Georgia, No. 1:23-cv-03621-SCJ

---

**MOTION TO FILE DOCUMENTS OUT OF TIME  
OR OTHERWISE REMEDY THE DEFAULT**

---

George J. Terwilliger, III  
John S. Moran  
Michael L. Francisco  
Francis J. Aul  
MCGUIREWOODS LLP  
888 16th Street N.W.  
Suite 500  
Washington, D.C. 20006  
(202) 857-2473  
gterwilliger@mcguirewoods.com

*Counsel for Defendant-Appellant Mark R. Meadows*

---

**CERTIFICATE OF INTERESTED PERSONS  
AND CORPORATE DISCLOSURE STATEMENT**

To the best of Appellant’s knowledge, no associations of persons, partnerships, or corporations have an interest in the outcome of this case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party’s stock; the following is a list, in alphabetical order, of all trial judges, attorneys, law firms, and persons with such an interest.<sup>1</sup>

1. Alksne, Cynthia, *amicus* below
2. Anulewicz, Christopher Scott, attorney for Robert David Cheeley
3. Arora, Manubir, attorney for Kenneth John Chesebro
4. Aul, Francis, attorney for Mark R. Meadows
5. Ayer, Donald B., *amicus*
6. Barron, Lynsey M., attorney for Scott Graham Hall
7. Beckermann, Wayne R., attorney for Robert David Cheeley
8. Bever, Thomas Dean, attorney for Shawn Micah Tresher Still
9. Bittman, Robert, attorney for Mark R. Meadows
10. Bondurant Mixson & Elmore LLP

---

<sup>1</sup> For all parties who appeared below, Appellant has included the parties, their attorneys, and their attorneys’ law firms. In order to facilitate this Court’s review for potential conflicts, Appellant has also included the other named defendants in the state proceeding and their attorneys, where available.

11. Carr, Christopher M., Attorney General of the State of Georgia
12. Cheeley, Robert David, Defendant in *Georgia v. Trump*
13. Chemerinsky, Erwin, *amicus*
14. Chesebro, Kenneth John, Defendant in *Georgia v. Trump*
15. Childress, Marcus, attorney for *amici*
16. Christenson, David Andrew, *pro se*, denied intervention below
17. Clark, Jeffrey Bossert, Defendant in *Georgia v. Trump*
18. Cohen, Darryl B., attorney for Trevian C. Kutti
19. Copeland, Amy, *amicus* below
20. Cromwell, William Grant, attorney for Cathleen Alston Latham
21. Cross, Anna Green, Fulton County District Attorney's Office
22. Cross Kincaid LLC
23. Durham, James D., attorney for Mark R. Meadows in *Georgia v. Trump*
24. Eastman, John Charles, Defendant in *Georgia v. Trump*
25. Ellis, Jenna Lynn, Defendant in *Georgia v. Trump*
26. Englert, Joseph Matthew, attorney for Mark R. Meadows
27. Farmer, John J. Jr., *amicus*
28. Floyd, Harrison William Prescott, Defendant in *Georgia v. Trump*
29. Floyd, John Earl, Fulton County District Attorney's Office
30. Francisco, Michael Lee, attorney for Mark R. Meadows
31. Fried, Charles A., *amicus*

32. Frosh, Brian, *amicus*
33. Fulton County District Attorney's Office
34. Gerson, Stuart M., *amicus*
35. Gillen, Craig A., attorney for David James Shafer
36. Giuliani, Rudolph William Louis, Defendant in *Georgia v. Trump*
37. Graber, Mark A., *amicus*
38. Griffin Durham Tanner & Clarkson LLC
39. Grohovsky, Julie, *amicus* below
40. Grubman, Scott R., attorney for Kenneth John Chesebro
41. Hall, Scott Graham, Defendant in *Georgia v. Trump*
42. Hampton, Misty (a/k/a Emily Misty Hayes), Defendant in *Georgia v. Trump*
43. Harding, Todd A., attorney for Harrison William Prescott Floyd
44. Hogue, Franklin James, attorney for Jenna Lynn Ellis
45. Hogue, Laura Diane, attorney for Jenna Lynn Ellis
46. Jenner & Block, LLP
47. Jones, Steve C., U.S. District Court Judge for the Northern District of Georgia
48. Kallen, Michelle S., attorney for *amici*
49. Kammer, Brian S., attorney for *amici* below
50. Kelley, Emily E., attorney for Mark R. Meadows
51. Kutti, Trevian C., Defendant in *Georgia v. Trump*

52. Lake, Anthony C., attorney for David James Shafer
53. Latham, Cathleen Alston, Defendant in *Georgia v. Trump*
54. Lee, Stephen Cliffgard, Defendant in *Georgia v. Trump*
55. Little, Jennifer L., attorney for Donald J. Trump
56. Luttig, J. Michael, *amicus*
57. MacDougald, Harry W., attorney for Jeffrey Bossert Clark
58. Marshall, Mary E., attorney for *amici*
59. McAfee, Scott, Fulton County Superior Court Judge
60. McFerren, William Coleman, attorney for Shawn Micah Tresher Still
61. McGuireWoods, LLP
62. Meyer, Joseph Michael, attorney for *amici*
63. Miller, Tom, *amicus*
64. Moran, John S., attorney for Mark R. Meadows
65. Morgan, John Thomas III, attorney for *amici*
66. Morris, Bruce H., attorney for Ray Stallings Smith, III
67. Ney, Adam, Fulton County District Attorney's Office
68. Novay, Kristen Wright, attorney for Ray Stallings Smith, III
69. Palmer, Amanda, attorney for Ray Stallings Smith, III
70. Parker, Wilmer, attorney for John Charles Eastman
71. Pierson, Holly Anne, attorney for David James Shafer
72. Powell, Sidney Katherine, Defendant in *Georgia v. Trump*

73. Rafferty, Brian T., attorney for Sidney Katherine Powell
74. Ragas, Arnold M., attorney for Harrison William Prescott Floyd
75. Raul, Alan Charles, *amicus*
76. Rice, Richard A., Jr., attorney for Robert David Cheeley
77. Roman, Michael A., Defendant in *Georgia v. Trump*
78. Rood, Grant H., Fulton County District Attorney's Office
79. Sadow, Steven H., attorney for Donald J. Trump
80. Saldana, Sarah R., *amicus* below
81. Samuel, Donald Franklin, attorney for Ray Stallings Smith, III
82. Shafer, David James, Defendant in *Georgia v. Trump*
83. Shane, Peter M., *amicus*
84. Smith, Ray Stallings, III, Defendant in *Georgia v. Trump*
85. Still, Shawn Micah Tresher, Defendant in *Georgia v. Trump*
86. Terwilliger, George J., III, attorney for Mark R. Meadows
87. Trump, Donald J., Defendant in *Georgia v. Trump*
88. Twardy, Stanley A. Jr., *amicus* below
89. Volchok, Daniel, attorney for *amici*
90. Wade, Nathan J., Fulton County District Attorney's Office
91. Wade & Campbell Firm
92. Wakeford, Francis McDonald IV, Fulton County District Attorney's Office
93. Waxman, Seth P., attorney for *amici*

94. Weld, William F., *amicus*
95. Wertheimer, Fred, attorney for *amici*
96. Willis, Fani T., Fulton County District Attorney's Office
97. Wilmer Cutler Pickering Hale and Dorr LLP
98. Wooten, John William, Fulton County District Attorney's Office
99. Wu, Shan, *amicus* below
100. Young, Daysha D'Anyia, Fulton County District Attorney's Office

**MOTION TO FILE DOCUMENTS OUT OF TIME OR OTHERWISE  
REMEDY THE DEFAULT**

Mr. Meadows respectfully requests permission to file out of time a Civil Appeal Statement and a Standalone Certificate of Interested Persons and Corporate Disclosure Statement.<sup>2</sup> Eleventh Circuit Rules 33-1(a) and 26-1-1 instruct the Appellant, Mr. Meadows, to file these materials within 14 days of the Civil Docketing Notice, which the Court issued September 11, 2023.

On September 8, 2023, the same day the district court entered judgment declining jurisdiction over this case, Mr. Meadows filed his notice of appeal. Mr. Meadows timely filed Appearance of Counsel forms and an Emergency Motion for Stay Pending Appeal and for Expedited Review. Appearance of Counsel forms included the case caption, along with attorneys' names and contact information. The Emergency Motion, which was later withdrawn, included the same information and a CIP.

On September 12, the Court ordered the parties file responsive briefs on whether 28 U.S.C. § 1442(a)(1) “permit[s] former federal officers to remove state actions to federal court or does it permit only current federal officers to remove?” The parties timely filed their supplemental briefs.

---

<sup>2</sup> Although the Court also stated that undersigned counsel “failed to complete the Web-Based CIP on the Court’s website,” undersigned counsel spoke with a member of the Clerk’s Office staff who confirmed that the web-based CIP had been completed.

After the Court granted Mr. Meadows's request for expedited review, Mr. Meadows timely filed his Appellant Brief on September 18. This brief included the case caption, attorney names and contact information, a CIP, a statement of jurisdiction, a statement of the case including relevant procedural history, and a statement of the issue.

By September 25, the day the Civil Appeal Statement, Standalone CIP, and Web-Based CIP were due, Mr. Meadows had filed the CIP multiple times and included in his various prior filings all information requested in the Civil Appeal Statement. Because this information was included elsewhere in Mr. Meadows's filings, neither the Court nor other parties were prejudiced by Mr. Meadows's delay in filing these materials.

Mr. Meadows is filing this motion shortly after he received the notices of deficiency and files in accordance with 11 Cir. R. 42-1(b) his Standalone CIP as Exhibit A, his Civil Appeal Statement as Exhibit B.

For the aforementioned reasons, Mr. Meadows submits there is good cause for the Court to grant leave to file his Civil Appeal Statement and Standalone CIP out of time or otherwise remedy the default.

Dated: September 28, 2023

Respectfully submitted,

/s/ George J. Terwilliger, III

George J. Terwilliger, III

John S. Moran

Michael L. Francisco

Francis J. Aul

McGUIREWOODS LLP

888 16th Street N.W.

Suite 500

Washington, D.C. 20006

(202) 857-2473

gterwilliger@mcguirewoods.com

*Counsel for Defendant-Appellant*

*Mark R. Meadows*

## CERTIFICATE OF COMPLIANCE

I hereby certify that this motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d) and Eleventh Circuit Rule 27-1. This brief contains 410 words and uses a Times New Roman 14-point font.

Respectfully submitted this the 28th day of September, 2023.

*/s/ John S. Moran*  
John S. Moran

### **CERTIFICATE OF SERVICE**

I hereby certify that on September 28, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the CM/ECF system. I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

*/s/ John S. Moran*  
John S. Moran

**No. 23-12958**

---

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

\_\_\_\_\_  
The State of Georgia,

*Plaintiff-Appellee,*

v.

Mark R. Meadows,

*Defendant-Appellant.*

---

On Appeal from the United States District Court  
for the Northern District of Georgia, No. 1:23-cv-03621-SCJ

---

**CERTIFICATE OF INTERESTED PERSONS  
AND CORPORATE DISCLOSURE STATEMENT**

---

George J. Terwilliger, III  
John S. Moran  
Michael L. Francisco  
Francis J. Aul  
MCGUIREWOODS LLP  
888 16th Street N.W.  
Suite 500  
Washington, D.C. 20006  
(202) 857-2473  
gterwilliger@mcguirewoods.com

*Counsel for Defendant-Appellant Mark R. Meadows*

---

**CERTIFICATE OF INTERESTED PERSONS  
AND CORPORATE DISCLOSURE STATEMENT**

To the best of Appellant's knowledge, no associations of persons, partnerships, or corporations have an interest in the outcome of this case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock; the following is a list, in alphabetical order, of all trial judges, attorneys, law firms, and persons with such an interest.<sup>1</sup>

1. Alksne, Cynthia, *amicus* below
2. Anulewicz, Christopher Scott, attorney for Robert David Cheeley
3. Arora, Manubir, attorney for Kenneth John Chesebro
4. Aul, Francis, attorney for Mark R. Meadows
5. Ayer, Donald B., *amicus*
6. Barron, Lynsey M., attorney for Scott Graham Hall
7. Beckermann, Wayne R., attorney for Robert David Cheeley
8. Bever, Thomas Dean, attorney for Shawn Micah Tresher Still
9. Bittman, Robert, attorney for Mark R. Meadows
10. Bondurant Mixson & Elmore LLP

---

<sup>1</sup> For all parties who appeared below, Appellant has included the parties, their attorneys, and their attorneys' law firms. In order to facilitate this Court's review for potential conflicts, Appellant has also included the other named defendants in the state proceeding and their attorneys, where available.

11. Carr, Christopher M., Attorney General of the State of Georgia
12. Cheeley, Robert David, Defendant in *Georgia v. Trump*
13. Chemerinsky, Erwin, *amicus*
14. Chesebro, Kenneth John, Defendant in *Georgia v. Trump*
15. Childress, Marcus, attorney for *amici*
16. Christenson, David Andrew, *pro se*, denied intervention below
17. Clark, Jeffrey Bossert, Defendant in *Georgia v. Trump*
18. Cohen, Darryl B., attorney for Trevian C. Kutti
19. Copeland, Amy, *amicus* below
20. Cromwell, William Grant, attorney for Cathleen Alston Latham
21. Cross, Anna Green, Fulton County District Attorney's Office
22. Cross Kincaid LLC
23. Durham, James D., attorney for Mark R. Meadows in *Georgia v. Trump*
24. Eastman, John Charles, Defendant in *Georgia v. Trump*
25. Ellis, Jenna Lynn, Defendant in *Georgia v. Trump*
26. Englert, Joseph Matthew, attorney for Mark R. Meadows
27. Farmer, John J. Jr., *amicus*
28. Floyd, Harrison William Prescott, Defendant in *Georgia v. Trump*
29. Floyd, John Earl, Fulton County District Attorney's Office
30. Francisco, Michael Lee, attorney for Mark R. Meadows
31. Fried, Charles A., *amicus*

32. Frosh, Brian, *amicus*
33. Fulton County District Attorney's Office
34. Gerson, Stuart M., *amicus*
35. Gillen, Craig A., attorney for David James Shafer
36. Giuliani, Rudolph William Louis, Defendant in *Georgia v. Trump*
37. Graber, Mark A., *amicus*
38. Griffin Durham Tanner & Clarkson LLC
39. Grohovsky, Julie, *amicus* below
40. Grubman, Scott R., attorney for Kenneth John Chesebro
41. Hall, Scott Graham, Defendant in *Georgia v. Trump*
42. Hampton, Misty (a/k/a Emily Misty Hayes), Defendant in *Georgia v. Trump*
43. Harding, Todd A., attorney for Harrison William Prescott Floyd
44. Hogue, Franklin James, attorney for Jenna Lynn Ellis
45. Hogue, Laura Diane, attorney for Jenna Lynn Ellis
46. Jenner & Block, LLP
47. Jones, Steve C., U.S. District Court Judge for the Northern District of Georgia
48. Kallen, Michelle S., attorney for *amici*
49. Kammer, Brian S., attorney for *amici* below
50. Kelley, Emily E., attorney for Mark R. Meadows
51. Kutti, Trevian C., Defendant in *Georgia v. Trump*

52. Lake, Anthony C., attorney for David James Shafer
53. Latham, Cathleen Alston, Defendant in *Georgia v. Trump*
54. Lee, Stephen Cliffgard, Defendant in *Georgia v. Trump*
55. Little, Jennifer L., attorney for Donald J. Trump
56. Luttig, J. Michael, *amicus*
57. MacDougald, Harry W., attorney for Jeffrey Bossert Clark
58. Marshall, Mary E., attorney for *amici*
59. McAfee, Scott, Fulton County Superior Court Judge
60. McFerren, William Coleman, attorney for Shawn Micah Tresher Still
61. McGuireWoods, LLP
62. Meyer, Joseph Michael, attorney for *amici*
63. Miller, Tom, *amicus*
64. Moran, John S., attorney for Mark R. Meadows
65. Morgan, John Thomas III, attorney for *amici*
66. Morris, Bruce H., attorney for Ray Stallings Smith, III
67. Ney, Adam, Fulton County District Attorney's Office
68. Novay, Kristen Wright, attorney for Ray Stallings Smith, III
69. Palmer, Amanda, attorney for Ray Stallings Smith, III
70. Parker, Wilmer, attorney for John Charles Eastman
71. Pierson, Holly Anne, attorney for David James Shafer
72. Powell, Sidney Katherine, Defendant in *Georgia v. Trump*

73. Rafferty, Brian T., attorney for Sidney Katherine Powell
74. Ragas, Arnold M., attorney for Harrison William Prescott Floyd
75. Raul, Alan Charles, *amicus*
76. Rice, Richard A., Jr., attorney for Robert David Cheeley
77. Roman, Michael A., Defendant in *Georgia v. Trump*
78. Rood, Grant H., Fulton County District Attorney's Office
79. Sadow, Steven H., attorney for Donald J. Trump
80. Saldana, Sarah R., *amicus* below
81. Samuel, Donald Franklin, attorney for Ray Stallings Smith, III
82. Shafer, David James, Defendant in *Georgia v. Trump*
83. Shane, Peter M., *amicus*
84. Smith, Ray Stallings, III, Defendant in *Georgia v. Trump*
85. Still, Shawn Micah Tresher, Defendant in *Georgia v. Trump*
86. Terwilliger, George J., III, attorney for Mark R. Meadows
87. Trump, Donald J., Defendant in *Georgia v. Trump*
88. Twardy, Stanley A. Jr., *amicus* below
89. Volchok, Daniel, attorney for *amici*
90. Wade, Nathan J., Fulton County District Attorney's Office
91. Wade & Campbell Firm
92. Wakeford, Francis McDonald IV, Fulton County District Attorney's Office
93. Waxman, Seth P., attorney for *amici*

94. Weld, William F., *amicus*
95. Wertheimer, Fred, attorney for *amici*
96. Willis, Fani T., Fulton County District Attorney's Office
97. Wilmer Cutler Pickering Hale and Dorr LLP
98. Wooten, John William, Fulton County District Attorney's Office
99. Wu, Shan, *amicus* below
100. Young, Daysha D'Anyia, Fulton County District Attorney's Office

Dated: September 28, 2023

Respectfully submitted,

/s/ George J. Terwilliger, III

George J. Terwilliger, III

John S. Moran

Michael L. Francisco

Francis J. Aul

McGUIREWOODS LLP

888 16th Street N.W.

Suite 500

Washington, D.C. 20006

(202) 857-2473

[gterwilliger@mcguirewoods.com](mailto:gterwilliger@mcguirewoods.com)

*Counsel for Defendant-Appellant*

*Mark R. Meadows*

### **CERTIFICATE OF SERVICE**

I hereby certify that on September 28, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the CM/ECF system. I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ John S. Moran  
John S. Moran

Rev. 4/18

UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT  
**CIVIL APPEAL STATEMENT**

Please TYPE. Attach additional pages if necessary.

11th Circuit Docket Number: 23-12958

Caption: <b>The State of Georgia</b>  V.  <b>Mark R. Meadows</b>	District and Division: <u>Northern District of Georgia, Atlanta Division</u> Name of Judge: <u>The Honorable Steve C. Jones</u> Nature of Suit: <u>28 USC 1442 Removal from State Court by Federal Officers</u> Date Complaint Filed: <u>August 15, 2023</u> District Court Docket Number: <u>1:23-cv-3621</u> Date Notice of Appeal Filed: <u>September 8, 2023</u> <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Class Action Has this matter previously been before this court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide (a) Caption: _____ (b) Citation: _____ (c) Docket Number: _____
---	---

	Attorney Name	Mailing Address	Telephone, Fax, Email
For Appellant: <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify)	John S. Moran Michael Lee Francisco Francis Aul George James Terwilliger, III	McGuireWoods, LLP 888 16th St. NW, Ste. 500 Washington, DC 20006	Tel.: (202) 857-1700 jmoran@mcguirewoods.com mfrancisco@mcguirewoods.com faul@mcguirewoods.com gterwilliger@mcguirewoods.com

For Appellee: <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify)	Francis McDonald Wakeford, IV Alex Bernick Anna Green Cross John E. Floyd Adam Ney John William Wooten Daysha D'Anyia Young Fani T. Willis	Fulton County District Attorney's Office 136 Pryor St., Fl. 3 Atlanta, GA 30303	Tel.: (404) 612-4980 fmcdonald.wakeford@fultoncountyga.gov alex.bernick@fultoncountyga.gov anna@crosskincaid.com floyd@bmelaw.com ney.adam@gmail.com will.wooten@fultoncountyga.gov daysha.young@fultoncountyga.gov fani.willisda@fultoncountyga.gov
--	---	--	--

Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.

Jurisdiction	Nature of Judgment	Type of Order	Relief
<input checked="" type="checkbox"/> Federal Question <input type="checkbox"/> Diversity <input type="checkbox"/> US Plaintiff <input type="checkbox"/> US Defendant	<input checked="" type="checkbox"/> Final Judgment, 28 USC 1291 <input type="checkbox"/> Interlocutory Order, 28 USC 1292(a)(1) <input type="checkbox"/> Interlocutory Order Certified, 28 USC 1292(b) <input type="checkbox"/> Interlocutory Order, Qualified Immunity <input type="checkbox"/> Final Agency Action (Review) <input type="checkbox"/> 54(b)	<input type="checkbox"/> Dismissal/Jurisdiction <input type="checkbox"/> Default Judgment <input type="checkbox"/> Summary Judgment <input type="checkbox"/> Judgment/Bench Trial <input type="checkbox"/> Judgment/Jury Verdict <input type="checkbox"/> Judgment/Directed Verdict/NOV <input type="checkbox"/> Injunction <input checked="" type="checkbox"/> Other <u>Declined Jurisdiction and Remanded to State Court</u>	Amount Sought by Plaintiff: \$ <u>N/A</u> Amount Sought by Defendant: \$ <u>N/A</u> Awarded: \$ <u>N/A</u> to _____ Injunctions: <input type="checkbox"/> TRO <input type="checkbox"/> Preliminary <input type="checkbox"/> Granted <input type="checkbox"/> Permanent <input type="checkbox"/> Denied

Based on your present knowledge:

(1) Does this appeal involve a question of First Impression?  Yes  No  
What is the issue you claim is one of First Impression? \_\_\_\_\_

(2) Will the determination of this appeal turn on the interpretation or application of a particular case or statute?  Yes  No

If Yes, provide

(a) Case Name/Statute 28 USC 1442(a) Removal from State Court by Federal Officers

(b) Citation \_\_\_\_\_

(c) Docket Number if unreported \_\_\_\_\_

(3) Is there any case now pending or about to be brought before this court or any other court or administrative agency that

(a) Arises from substantially the same case or controversy as this appeal?  Yes  No

(b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal?  Yes  No

If Yes, provide

(a) Case Name The State of Georgia v. Donald J. Trump, et al.

(b) Citation \_\_\_\_\_

(c) Docket Number if unreported 23SC188947

(d) Court or Agency Fulton County, Georgia Superior Court

(4) Will this appeal involve a conflict of law

(a) Within the Eleventh Circuit?  Yes  No

(b) Among circuits?  Yes  No

If Yes, explain briefly:

(5) Issues proposed to be raised on appeal, including jurisdictional challenges:

Whether the district court erred in declining jurisdiction under 28 U.S.C. § 1442(a) and remanding this case to state court.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 28th DAY OF September, 2023.

John S. Moran

NAME OF COUNSEL (Print)

/s/ John S. Moran

SIGNATURE OF COUNSEL