

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 23-1600

In re: North Dakota Legislative Assembly, et al.

Petitioners

---

Appeal from U.S. District Court for the District of North Dakota - Eastern  
(3:22-cv-00022-PDW)

---

**ORDER**

The petition for rehearing *en banc* is denied. The petition for rehearing by the panel is also denied.

Judge Kelly would grant the petition for rehearing *en banc*. Judge Erickson did not participate in the consideration or decision of this matter.

September 06, 2023

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

---

/s/ Michael E. Gans