

No. 22-30320

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

**Ronald Chisom, Marie Bookman, Urban League of Louisiana
Plaintiffs – Appellees**

**United States of America, Bernette J. Johnson
Intervenor Plaintiffs – Appellees**

v.

**State of Louisiana, ex rel, Jeff Landry, Attorney General
Defendant – Appellant**

On Appeal from the United States District
Eastern District of Louisiana
Case No. 2:86-CV-4075
Presiding Judge Susie Morgan

**OPPOSITION TO EN BANC REHEARING BY
PLAINTIFF-APPELLEE BERNETTE J. JOHNSON**

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CERTIFICATE OF INTERESTED PERSONS

The undersigned counsel of record certified that the following listed persons and entities as described in the fourth sentence of 5th Circuit Rule 28.2.1 have an interest in the outcome of this case. These representations are made in order that the Judges of this Court may evaluate possible disqualification or recusal.

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ARGUMENT

Intervenor Plaintiff-Appellee Bernette J. Johnson respectfully requests that the Court deny the petition for en banc review submitted by the State of Louisiana, through Jeff Landry, in his official capacity as the Attorney General of the State of Louisiana (“State”). ECF 106.

In support of her Opposition, Intervenor Plaintiff-Appellee Johnson adopts in their entirety and joins in the arguments of the Opposition filed by Plaintiffs Ronald Chisolm, Marie Bookman, and the Urban League, as well as in the arguments of the Opposition filed by Intervenor Plaintiff-Appellee the United States of America. ECF 155, 156. En banc review is neither necessary to secure or maintain the uniformity of this Court’s decisions, nor necessary due to a question of exceptional importance that this Court must answer via rehearing en banc. *Id.* As such, in accordance with Rule 35 of the Federal Rules of Appellate Procedure, en banc review is not appropriate in this instance.

CONCLUSION

Intervenor Plaintiff-Appellee Johnson respectfully requests that this Court deny the State’s petition for rehearing en banc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading was filed electronically with the Clerk of Court using the CM/ECF system and notice of this filing will be sent via e-mail to all CM/ECF participants. I further certify that, on the aforementioned date, a copy of the foregoing pleading was served upon all counsel of record who are non-CM/ECF participants via facsimile transmission and/or via hand delivery and/or via the United States mail, postage prepaid and properly addressed.

/s/ Nora S. Ahmed _____

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**CERTIFICATE OF COMPLIANCE UNDER FED. R. APP. P. 32(G) AND 5TH
CIR. R. 32.3**

Certificate of Compliance with Type-Volume Limitation, Typeface Requirements
and Type Style Requirements

1. This brief complies with the type-volume limitation of Fed. R. App. P. 29(a)(5) and 32(a)(7)(B) because this brief contains 170 words excluding parts of the brief exempted by Fed. R. App. P. 32(f).
2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word in 14 Times New Roman.

/s/ Nora S. Ahmed

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Dated: November 30, 2023