

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-8009

September Term, 2016

FILED ON: JULY 21, 2017

IN RE: HERMAN BREWER, INDIVIDUALLY AND ON BEHALF OF A CLASS OF ALL OTHER PERSONS
SIMILARLY SITUATED,
PETITIONER

On Petitioners' Petition for Permission to Appeal Pursuant to Federal Rule Civil Procedure
23(f)
(No. 1:08-cv-01747)

No. 16-5285

JAMES BROOKS, INDIVIDUALLY, ET AL.,

APPELLEES

V.

JEFF SESSIONS, U.S. ATTORNEY GENERAL,

APPELLEE

KEITH HARRINGTON, ET AL.,

APPELLANTS

CONSOLIDATED WITH 16-5286

Appeals from the United States District Court
for the District of Columbia
(No. 1:08-cv-01747)

Before: BROWN, *Circuit Judge*, and EDWARDS and GINSBURG, *Senior Circuit Judges*

J U D G M E N T

Upon consideration of the petition for permission to appeal and the motions of movant-intervenors Harrington, et al., for leave to intervene and to consolidate No. 15-8009 with Nos. 16-5285, et al., the briefs, supplemental briefs, and oral argument of counsel; and in accordance with the opinion of the court filed herein this date, it is

ORDERED that the motion to consolidate be granted and the above-captioned cases are hereby consolidated. It is

FURTHER ORDERED that the motion for leave to intervene in No. 15-8009 be granted, and the petition for permission to appeal be denied. It is

FURTHER ORDERED and **ADJUDGED** that case Nos. 16-5285, et al. be dismissed, and the matter be remanded to the district court for further proceedings.

Because no appeal has been allowed as to No. 15-8009, no mandate will issue. The Clerk is directed to withhold issuance of the mandate in Nos. 16-5285, et al., until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Ken Meadows
Deputy Clerk

Date: July 21, 2017

Opinion for the court filed by Senior Circuit Judge Ginsburg.