

FILED: February 22, 2023

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 23-1078 (L)  
(2:21-cv-00316)

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B.P.J., by her next friend and mother; HEATHER JACKSON

Plaintiffs - Appellants

v.

WEST VIRGINIA STATE BOARD OF EDUCATION; HARRISON COUNTY  
BOARD OF EDUCATION; WEST VIRGINIA SECONDARY SCHOOL  
ACTIVITIES COMMISSION; W. CLAYTON BURCH, in his official capacity as  
State Superintendent; DORA STUTLER, in her official capacity as Harrison  
County Superintendent

Defendants - Appellees

and

THE STATE OF WEST VIRGINIA; LAINEY ARMISTEAD

Intervenors - Appellees

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O R D E R

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Upon consideration of submissions relative to Appellants' motion for stay

pending appeal relief requested by February 26, 2023, which the court construes as a motion for an injunction pending appeal, the court grants the motion and stays the district court's January 5, 2023, order dissolving its preliminary injunction.

Entered at the direction of the panel: Judge Harris and Judge Heytens. Judge Agee dissents from the court's order.

For the Court

/s/ Patricia S. Connor, Clerk