MELISSA HOLYOAK (Utah Bar No. 9832) Utah Solicitor General 350 N. State Street, Suite 230 P.O. Box 142320 Salt Lake City, UT 84114-2320 (801) 538-9600 melissaholyoak@agutah.gov

Counsel for Plaintiff State of Utah

TYLER R. GREEN (Utah Bar No. 10660) Consovoy McCarthy PLLC 222 S. Main Street, 5th Floor Salt Lake City, UT 84101 (703) 243-9423 tyler@consovoymccarthy.com

Counsel for Plaintiffs Garfield County, Utah; Kane County, Utah; State of Utah

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH SOUTHERN REGION OF THE CENTRAL DIVISION

GARFIELD COUNTY, UTAH, a Utah political subdivision; KANE COUNTY, UTAH, a Utah political subdivision; THE STATE OF UTAH, by and through its Governor, SPENCER J. COX, and its Attorney General, SEAN D. REYES;

Plaintiffs,

ZEBEDIAH GEORGE DALTON; BLUERIBBON COALITION; KYLE KIMMERLE; and SUZETTE RANEA MORRIS;

Consolidated Plaintiffs,

v.

JOSEPH R. BIDEN, JR. et al.,

Defendants,

HOPI TRIBE; et al.

Intervenor-Defendants.

GARFIELD COUNTY PLAINTIFFS' NOTICE OF APPEAL

Lead Case No. 4:22cv00059 DN-PK

Member Case No. 4:22cv00060 DN

Judge David Nuffer

Magistrate Judge Paul Kohler

Plaintiffs Garfield County, Utah; Kane County, Utah; and the State of Utah, by and through its Governor, Spencer J. Cox, and its Attorney General, Sean D. Reyes, hereby appeal to the United States Court of Appeals for the Tenth Circuit the decision, order, and judgment dismissing the case entered in this action on August 11, 2023. Docs. 180, 181.

Dated: August 14, 2023

MELISSA HOLYOAK (Utah Bar No. 9832) Utah Solicitor General 350 N. State Street, Suite 230 P.O. Box 142320 Salt Lake City, UT 84114-2320 (801) 538-9600 melissaholyoak@agutah.gov

Counsel for Plaintiff State of Utah

Respectfully submitted,

/s/Tyler R. Green
TYLER R. GREEN (Utah Bar No. 10660)
Consovoy McCarthy PLLC
222 S. Main Street, 5th Floor
Salt Lake City, UT 84101
(703) 243-9423
tyler@consovoymccarthy.com

Taylor A.R. Meehan (pro hac vice) Jeffrey S. Hetzel (pro hac vice) Consovoy McCarthy PLLC 1600 Wilson Boulevard, Suite 700 Arlington, Virginia 22209 (703) 243-9423 taylor@consovoymccarthy.com jhetzel@consovoymccarthy.com

Counsel for Plaintiffs Garfield County, Utah; Kane County, Utah; State of Utah