

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 19, 2026

No. 26-60806

Thomas B. Plunkett, III
Clerk

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED
PEOPLE; MISSISSIPPI STATE CONFERENCE OF THE NATIONAL
ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,

Plaintiffs—Appellees,

UNITED STATES OF AMERICA, *acting on behalf of Lee M. Zeldin as*
Administrator of THE U.S. ENVIRONMENTAL PROTECTION AGENCY,

Movant—Appellant,

versus

X.AI CORPORATION; MZX TECH, L.L.C.,

Defendants.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 3:26-CV-74

UNPUBLISHED ORDER

Before STEWART, RICHMAN, and HAYNES, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that Movant's opposed motion for a stay of the
district court proceedings pending appeal is only currently and temporarily

DENIED since the district court has not fully determined this issue. If the district court does not allow the United States to participate in a preliminary injunction, then this motion can be refiled.

IT IS FURTHER ORDERED that the motion of X.AI Corp. and MZX Tech, L.L.C., to file amici brief in support of Movant's motion for stay is GRANTED.

IT IS FURTHER ORDERED that the motion of State of Mississippi to file amici brief in support of Movant's motion for stay is GRANTED.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

THOMAS B. PLUNKETT, III
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October 19, 2026

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 26-60806 NAACP v. X.AI
USDC No. 3:26-CV-74

Enclosed is an order entered in this case.

Sincerely,

THOMAS B. PLUNKETT, III, Clerk



By: _____
Roeshawn Johnson, Deputy Clerk
504-310-7998

Mr. Andrew M. Darlington
Ms. Kirti Datla
Ms. Brianne Jenna Gorod
Mr. Benjamin Grillot
Mr. Jeremy Charles Marwell
Mr. Daniel B. McHugh
Mr. Carroll E. Rhodes
Mr. John Houston Shaner
Mr. Robert N. Stander
Mr. Scott G. Stewart