IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS LUFKIN DIVISION

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ROLANDETTE GLENN; IDELL
BELL; KERRY CARTWRIGHT;
TAMMY FLETCHER; LAVEKA
JENKINS; KIESHA JOHNSON;
RONALD JOHNSON; DAISY
WILLIAMS; DANICA WILSON;
JOHN WYATT; CRYSTAL WYATT;
and CLIFFORD BELL,
Individually and as Personal
Representative of the ESTATE OF
BEVERLY WHITSEY,

Plaintiffs,

CIVIL ACTION NO. 9:20-cv-00184

v.

TYSON FOODS, INC.; JASON ORSAK; ERICA ANTHONY; AND MARIA CRUZ,

Defendants.

NOTICE OF APPEAL

Notice is hereby given that all Defendants appeal to the United States Court of Appeals for the Fifth Circuit from the Order entered August 12, 2021 (Doc. 40) remanding this case to the 273rd Judicial District Court of Shelby County, Texas, as well as any and all orders related to Doc. 40. Defendants are entitled to appeal the remand order as of right because this case was removed under 28 U.S.C. § 1442(a). See 28 U.S.C. § 1447(d) ("[A]n order remanding a case to the State court from which it was removed pursuant to section 1442... of this title shall be reviewable by appeal



or otherwise."); see, e.g., Latiolais v. Huntington Ingalls, Inc., 951 F.3d 286, 290 (5th Cir. 2020) (appeal of federal officer removal as of right).

Dated: August 19, 2021 Respectfully submitted,

/s/ Christopher S. Coleman

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CERTIFICATE OF SERVICE

This is to certify that, on August 19, 2021, a true and correct copy of the foregoing document was served upon all counsel of record via the Court's CM/ECF system as follows:

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