

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

ROLANDETTE GLENN; IDELL	§	CIVIL ACTION NO.
BELL; KERRY CARTWRIGHT;	§	9:20-cv-00184
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,	§	
	§	
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,

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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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