

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JOAQUÍN CARCAÑO; PAYTON GREY  
MCGARRY; H.S., by her next friend and mother,  
KATHRYN SCHAFER; ANGELA GILMORE;  
KELLY TRENT; BEVERLY NEWELL; and  
AMERICAN CIVIL LIBERTIES UNION OF  
NORTH CAROLINA,

*Plaintiffs,*

v.

No. 1:16-cv-00236-TDS-JEP

PATRICK McCRORY, in his official capacity as  
Governor of North Carolina; UNIVERSITY OF  
NORTH CAROLINA; BOARD OF GOVERNORS  
OF THE UNIVERSITY OF NORTH CAROLINA;  
and W. LOUIS BISSETTE, JR., in his official  
capacity as Chairman of the Board of Governors of  
the University of North Carolina,

*Defendants,*

and

PHIL BERGER, in his official capacity as President  
*pro tempore* of the North Carolina Senate; and TIM  
MOORE, in his official capacity as Speaker of the  
North Carolina House of Representatives,

*Intevenor-Defendants.*

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiffs Joaquín Carcaño; Payton Grey McGarry;  
H.S., by her next friend and mother, Kathryn Schafer; and American Civil Liberties  
Union of North Carolina hereby appeal to the United States Court of Appeals for the

Fourth Circuit from an order entered in this action on August 26, 2016 (ECF No. 127), denying in part Plaintiffs' motion for preliminary injunction.

Dated: August 29, 2016

Respectfully submitted,

/s/ Christopher A. Brook

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\*Appearing by special appearance pursuant to L.R. 83.1(d).

## **CERTIFICATE OF SERVICE**

I, Christopher A. Brook, hereby certify that on August 29, 2016, I caused the foregoing NOTICE OF APPEAL to be electronically filed using the CM/ECF system, and have verified that such filing was sent electronically using the CM/ECF system to all parties who have appeared with an email address of record.

/s/ Christopher A. Brook

Christopher A. Brook