

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA**

FAITH N. CROCKER; CHRISTOPHER F.	)	
DUFF; WAYNE E. JOHNSON; DAVID J.	)	
SCHADWINKEL; IAN R. MCHALEY;	)	
MENDELL L. POTIER; BYRON O.	)	
STARKS, JR.	)	
	)	Civil Action No. 5:22-cv-757
Plaintiffs,	)	
	)	
v.	)	
	)	
LLOYD J. AUSTIN, III, in his official	)	
capacity as United States Secretary of	)	
Defense; UNITED STATES	)	
DEPARTMENT OF DEFENSE; FRANK	)	
KENDALL, III, in his official capacity as	)	
United States Secretary of the Air Force;	)	
ROBERT I. MILLER, in his official	)	
capacity as Surgeon General of the United	)	
States Air Force; RICHARD W. SCOBEE,	)	
in his official capacity as Commander of	)	
Air Force Reserve Command;	)	
	)	
Defendants.	)	

**NOTICE OF APPEAL**

Notice is hereby given that Faith N. Crocker, Christopher F. Duff, Wayne E. Johnson, David J. Schadwinkel, Ian R. McHaley, Mendell L. Potier, and Byron O. Starks, Jr., Plaintiffs in the above-named case, hereby appeal to the United States Court of Appeals for the Fifth Circuit from an order (Doc. 41) and Final Judgment (Doc. 40) entered in this action on June 22, 2023 dismissing all claims filed by Plaintiffs without prejudice. Plaintiffs appeal the district court’s dismissal of all of their claims.

Respectfully submitted July 21, 2023, by:

By: /s/ James Baehr

James Baehr (LSBA 35431)

Sarah Harbison (LSBA 31948)

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*Attorneys for Plaintiffs*

### **CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all parties.

/s/ James Baehr

James Baehr