

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

November 8, 2023

Lyle W. Cayce
Clerk

No. 23-40044

TONYA PARKS; BENNIE GIBSON; FRANCIS GIBSON; NYANZA
COOK; ALEXANDER BEDNAR,

Plaintiffs—Appellants,

versus

AIG, *an insurance company* BASED IN NEW YORK; TIMOTHY
HENDERSON, *a removed Oklahoma Judge accused of crimes*; DAVID
PRATER, *Oklahoma County District Attorney in his individual and official
capacity*; MIKE HUNTER, *Resigned Oklahoma State Attorney General,
individually and officially*; MELISSA ABERNATHY, *Sheriff Deputy*;
BRETT SLIMP, *Sheriff Deputy*; CHICAGO TITLE, *a California Insurance
Company*; OKLAHOMA COUNTY,

Defendants—Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:22-CV-991

Before GRAVES, HIGGINSON, and HO, *Circuit Judges.*

PER CURIAM:*

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 23-40044

Plaintiffs/appellants are whistleblowers who complain of harassment, retaliation, and civil violations by Defendants/appellees, stemming from actions taking place in Oklahoma. Approximately three weeks after filing suit, plaintiffs filed an “emergency motion for a temporary restraining order, for preliminary injunction, and for expedited briefing schedule.” Four days later, the district court denied the ex parte emergency motion and held that it would address the motion once defendants had been served and given the opportunity to respond. Two days later, the district court issued an order transferring the case to the Western District of Oklahoma. Plaintiffs then filed a motion for reconsideration of the court’s order denying the temporary restraining order and transferring venue. They also asked for relief in the form of “enlargement of time, stay of litigation to conduct ADR, and for special master.” The court denied both motions on January 12, 2023. On January 23, 2023, Plaintiffs filed an emergency motion with this court “to set aside venue transfer, for preliminary injunction, and for writ of mandamus.” In their motion, Plaintiffs asked this court to issue a writ of mandamus to prevent the transfer of the case, and to grant a preliminary injunction. This court denied the Plaintiffs’ request in an unpublished order on February 7, 2023. Plaintiffs’ current appeal is duplicative of the request made in their January 2023 emergency motion, and because this court has already made a ruling on Plaintiffs’ request, we decline to rule again.

CONCLUSION

Plaintiffs’ appeal is hereby DISMISSED.