

# United States Court of Appeals for the Fifth Circuit

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No. 25-20108

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 22, 2026

Lyle W. Cayce  
Clerk

TEXAS A&M QUEER EMPOWERMENT COUNCIL,

*Plaintiff—Appellee,*

*versus*

WILLIAM MAHOMES, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; ROBERT L. ALBRITTON, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; DAVID C. BAGGETT, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; JAMES R. BROOKS, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; JOHN W. BELLINGER, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; JAY GRAHAM, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; MICHAEL A. HERNANDEZ, III, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; MICHAEL J. PLANK, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; SAM TORN, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; CAGE SAWYERS, *in his official capacity as a member of the Board of Regents of the Texas A&M University System*; JOHN SHARP, *in his official capacity as Chancellor of the Texas A&M University System*; MARK A. WELSH, III, *in his official capacity as President of Texas A&M University,*

*Defendants—Appellants.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:25-CV-992

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Before ELROD, *Chief Judge*, and JONES, SMITH, STEWART, RICHMAN, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, WILLETT, HO, DUNCAN, ENGELHARDT, OLDHAM, WILSON, DOUGLAS, and RAMIREZ, *Circuit Judges*.

PER CURIAM:

A member of the court having requested a poll for an initial hearing en banc, and a majority of the circuit judges in regular active service and not disqualified having voted in favor,

IT IS ORDERED that this cause shall be heard by the court en banc with oral argument on a date hereafter to be fixed. The Clerk will specify an expedited briefing schedule for the filing of briefs.

IT IS FURTHER ORDERED that this case is consolidated with case 26-10127, *Spectrum WT v. Wendler*, for oral argument purposes only.