

D. Vt.  
23-cv-652  
Crawford, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 13<sup>th</sup> day of August, two thousand twenty-four.

Present:

Raymond J. Lohier, Jr.,  
Joseph F. Bianco,  
Alison J. Nathan,  
*Circuit Judges.*

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Mid Vermont Christian School, on behalf of itself and  
its students and its students' parents, et al.,

*Plaintiffs-Appellants,*

T. S., by and through their parents and natural guardians,  
Nathaniel and Dawna Slarve, et al.,

*Plaintiffs,*

24-1704

v.

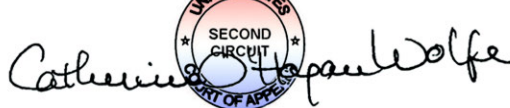
Heather Bouchey, in her official capacity as Interim  
Secretary of the Vermont Agency of Education, et al.,

*Defendants-Appellees.*

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Appellant moves for an emergency injunction pending appeal. Having carefully reviewed the record and the parties' submissions, and mindful that this appeal arises from the denial of preliminary injunctive relief, we conclude that Appellant has not met the "significantly higher" standard required for an injunction pending appeal. *Agudath Isr. of Am. v. Cuomo*, 980 F.3d 222, 226 (2d Cir. 2020) (per curiam); *see also JTH Tax, LLC v. Agnant*, 62 F.4th 658, 666-67 (2d Cir. 2023). Accordingly, upon due consideration, it is hereby ORDERED that the motion is DENIED.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk of Court

  
Catherine O'Hagan Wolfe

