

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

L.S., a minor child, by and through his father and next friend, Ron S.; K.C., a minor child, by and through his mother and next friend, Africa H.; ALLISON TAYLOR JOHNS; and D.C., a minor child, by his mother and next friend, Penny C.;

Plaintiffs,

M.S., a minor child, through his parent and natural guardian, Rachelle S.,

Intervenor Plaintiff,

v.

ALBERT A. DELIA, in his official capacity as Acting Secretary of the Department of Health and Human Services; PAMELA SHIPMAN, in her official capacity as Area Director of Piedmont Behavioral Health Care Area Mental Health, Developmental Disabilities, and Substance Abuse Authority; and PIEDMONT BEHAVIORAL HEALTHCARE AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE AUTHORITY doing business as PBH,

Defendants.

Civil Action No. 5:11-cv-354-FL

**NOTICE OF
INTERLOCUTORY APPEAL**

Fed. R. App. P. 4(a)

Notice is hereby given that Defendants Pamela Shipman, in her official capacity as Chief Executive Officer of PBH, and PBH (together, the "PBH Defendants"), pursuant to Rule 4(a) of the Federal Rules of Appellate Procedure and 28 U.S.C. § 1292(a), appeal to the United States Court of Appeals for the Fourth Circuit from the Order of the Honorable Louise W. Flanagan

entered in the United States District Court for the Eastern District of North Carolina on March 29, 2012, granting Plaintiffs' Motions for Preliminary Injunction and to Certify Class.

Respectfully submitted, this the 27th day of April, 2012.

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CERTIFICATE OF SERVICE

I, the undersigned attorney of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Defendants Shipman and PBH do hereby certify that on April 27, 2012, I electronically filed the foregoing NOTICE OF APPEAL with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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