

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

February 04, 2014

TO ALL COUNSEL AND THE DISTRICT CLERK:

The mandate is recalled and stayed through March 20, 2014.

By copy of this letter, we request the district court clerk to return the opinion and judgment we issued previously as mandate.

If the Supreme Court advises us a petition for certiorari is filed, the stay will continue until final disposition. If the Supreme Court denies certiorari, our mandate will issue immediately under FED R. APP. P. 41.

You should not request us to certify the record before the Supreme Court rules on the petition for certiorari. If the Supreme Court grants certiorari, we will certify and forward the record to the Supreme Court.

We are enclosing a copy of the opinion, judgment, or 5<sup>TH</sup> CIR. R. 47.6 decision and denial of rehearing. You should make them an appendix to your petition.

Sincerely,

LYLE W. CAYCE, Clerk

*Dawn D. Victoriano*

By: \_\_\_\_\_  
Dawn D. Victoriano, Deputy Clerk  
504-310-7717

Enclosure(s)

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 12-60031

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D.R. HORTON, INCORPORATED,

Petitioner Cross-Respondent

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent Cross-Petitioner

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Petition for Review of an Order of the  
National Labor Relations Board

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**O R D E R :**

IT IS ORDERED that the unopposed motion of Respondent Cross-Petitioner, National Labor Relations Board, to recall the mandate is GRANTED.

/s/ Leslie H. Southwick  
LESLIE H. SOUTHWICK  
UNITED STATES CIRCUIT JUDGE