

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-11532

Non-Argument Calendar

LUCAS WALL,

Plaintiff-Appellant,

versus

CENTERS FOR DISEASE CONTROL AND PREVENTION,
DEPARTMENT OF HEALTH AND HUMAN SERVICES,
TRANSPORTATION SECURITY ADMINISTRATION,
DEPARTMENT OF HOMELAND SECURITY,
DEPARTMENT OF TRANSPORTATION, et al.,

Defendants-Appellees,

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 6:21-cv-00975-PGB-DCI

Before JORDAN, GRANT, and LAGOA, Circuit Judges.

PER CURIAM:

In December 2021, Lucas Wall filed a pro se complaint against the Centers for Disease Control and Prevention, the Department of Health and Human Services, the Greater Orlando Aviation Authority (GOAA), and the Central Florida Regional Transportation Authority (LYNX) seeking to enjoin their enforcement of the federal transportation mask mandate,¹ the international traveler COVID-19 testing requirement,² and GOAA and LYNX's mask requirements on the grounds that these orders violated a host of federal statutes and the Constitution. The district court granted summary judgment to the CDC and HHS, dismissed

¹ Requirement for Persons to Wear Masks While on Conveyances and at Transportation Hubs, 86 Fed. Reg. 8025 (Feb. 3, 2021).

² Requirements for Negative Pre-Departure Covid-19 Test Result or Documentation of Recovery from Covid-19 for All Airline or Other Aircraft Passengers Arriving Into the United States From Any Foreign Country, 86 Fed. Reg. 69256 (Dec. 7, 2021).

22-11532

Opinion of the Court

3

Wall's state-law claims against GOAA and LYNX,³ and denied summary judgment to Wall.

This Court recently held in *Health Freedom Def. Fund v. President of the United States* that a challenge to the federal transportation mask mandate was moot following a declaration that the public health emergency was over. 71 F.4th 888 (11th Cir. 2023). Although Wall also challenges the international testing order, which was not at issue in *Health Freedom*, the reasoning of that decision indicates that the testing order is moot as well because it expired at the end of the public health emergency. Requirements for Negative Pre-Departure Covid-19 Test Result, 86 Fed. Reg. at 69262. As in *Health Freedom*, none of this Circuit's mootness exceptions apply to either order. See *Health Freedom*, 71 F.4th at 892–94. Accordingly, Wall's challenges to the federal transportation mask mandate and the international traveler testing requirement are moot.

* * *

For the foregoing reasons, we **VACATE** the judgment below with instructions that the district court **DISMISS** the case as moot.

³ On appeal, Wall filed an unopposed motion to remove GOAA and LYNX as parties. Because he does not appeal the district court's dismissal of his claims against GOAA and LYNX, Wall's motion is **GRANTED**.