

## Twitter Thread by Lance Raphael



**Lance Raphael**

[@LanceRaphael2](#)



**@CDCgov @SenRandPaul @RepAndyBiggsAZ @RepDanBishop @RepBoebert @Rep\_Clyde @WarrenDavidson @RepBobGood @RepGosar @RepMTG @RepBrianMast @RepAlexMooney @RepBarryMoore @RepRalphNorman @congbillposey @RepRosendale @RepChipRoy** YOU HAVE MADE AN EXPRESS FALSE STATEMENT OF FACT- (LIED). This is NOT a pro-bono action. You want the CDC to use tax payor money to pay your lawyers.

declaratory judgment be issued by this Court, declaring that the Mask Mandate is beyond the CDC's authority. The Court is to issue an injunction prohibiting the Defendants from enforcing the Mask Mandate pursuant to 28 U.S.C. § 2202 and Fed. R. Civ. P. 5.

9 of 11

WHEREFORE, Members pray for judgment against Defendants and that the Court:

- (1) Declare that the Mask Mandate is beyond the CDC's statutory authority because it is not authorized by 42 U.S.C. § 264;
- (2) Declare that the Mask Mandate is invalid under the Administrative Procedure Act, 5 U.S.C. § 706, because it exceeds the CDC's statutory authority;
- (3) Declare that the Mask Mandate violates the nondelegation doctrine of the U.S. Constitution and is therefore a violation of the separation of powers;
- (4) Hold unlawful and set aside the Mask Mandate;
- (5) Issue an injunction against the Defendants, as well as all agents, administrators,

employees, or other persons acting on behalf of the Defendants, from enforcing the Mask Mandate;

- (6) Award Members their costs and expenses incurred in bringing this action, including, but not limited to, reasonable attorney fees pursuant to 28 U.S.C. § 2412; and
- (7) Grant such other and further relief as the Court deems equitable, just, and proper.

Dated: March 14, 2022

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