

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16-60029

United States Court of Appeals
Fifth Circuit

FILED

August 9, 2017

Lyle W. Cayce
Clerk

NLRB Docket No. 16-CA-134080

LOGISTICARE SOLUTIONS, INCORPORATED,

Petitioner Cross-Respondent

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent Cross-Petitioner

On Petition for Review and Cross-Application
For Enforcement of an Order of the
National Labor Relations Board

Before HIGGINBOTHAM, ELROD, and HIGGINSON, Circuit Judges.

J U D G M E N T

This cause was considered on the petition of LOGISTICARE SOLUTIONS, INCORPORATED for review and cross-application for enforcement of an order of the National Labor Relations Board and was argued by counsel.

It is ordered and adjudged that the petition for review is GRANTED and the Board's cross-application for enforcement of its order is DENIED.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

PATRICK E. HIGGINBOTHAM, Circuit Judge, concurring in part; dissenting in part.

STEPHEN A. HIGGINSON, Circuit Judge, concurring in Section III(A); dissenting as to Section III(B).



**Certified as a true copy and issued
as the mandate on Oct 02, 2017**

Attest:

Jyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit