

FILED: May 19, 2015

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1506
(14-115)
(14-116)

STATE OF NORTH CAROLINA

Petitioner

v.

FEDERAL COMMUNICATIONS COMMISSION; UNITED STATES OF
AMERICA

Respondents

ORDER

Upon review of submissions relative to the motion to transfer the petition for review to the U. S. Court of Appeals for the Sixth Circuit, the court grants the motion.

A copy of the unopposed motion to transfer is attached to this order, and the clerk is directed to send a copy of this order and the attached motion to the Court of Appeals for the Sixth Circuit.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

State of North Carolina,)	
Petitioner,)	
)	
v.)	No. 15-1506
)	
Federal Communications Commission)	
and United States of America,)	
Respondents.)	

UNOPPOSED MOTION TO TRANSFER

The Federal Communications Commission respectfully moves to transfer this petition to the United States Court of Appeals for the Sixth Circuit to be consolidated with another petition for review of the same FCC order on review in this petition. *See State of Tennessee v. Federal Communications Commission*, Docket No. 15-3291 (6th Cir.). As the State of North Carolina states (petition at 2), the State of Tennessee filed its petition for review from the order in the Sixth Circuit on March, 20 2015, 53 days before this petition was filed. The Commission must therefore file the administrative record of the order at issue in the Sixth Circuit “notwithstanding the institution in any other court of appeals of proceedings for review of that order.” *See* 28 U.S.C. § 2112(a)(1); F.R.A.P. 17. Pursuant to 28 U.S.C. § 2112(a)(5), this Court should now transfer this petition to the Sixth Circuit to be consolidated with the petition pending there.

Therefore, the FCC respectfully requests that the Court transfer this case to the Sixth Circuit. After consultation, the State of North Carolina and the United States have both authorized the Commission to represent that they do not oppose this motion.

Respectfully submitted,

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/s/Richard K Welch
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May 18, 2015

15-1506

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

STATE OF NORTH CAROLINA

PETITIONER

v.

FEDERAL COMMUNICATIONS COMMISSION

AND THE UNITED STATES OF AMERICA,

RESPONDENTS

CERTIFICATE OF SERVICE

I, Richard Kiser Welch, hereby certify that on May 18, 2015, I electronically filed the foregoing Unopposed Motion to Transfer with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

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