

December 30, 2024

## Legal Update

### Reinstated Injunction– FinCEN BOI Report

Reichard & Escalera LLC [published](#) a Legal Update informing that the Fifth Circuit Court of Appeals had lifted the injunction previously issued by the federal district court in the case *Texas Top Cop Shop, Inc., et al. v. Garland, et al.*, No. 4:24-cv-00478 (E.D. Tex.). This injunction had temporarily suspended the enforcement of the Corporate Transparency Act (“CTA”) requirements for reporting beneficial ownership information (“BOI”). These requirements apply to certain corporations, limited liability companies and other entities that are either created or registered to do business in the United States by filing a formation document with a secretary of state or similar office under the law of a State, including Puerto Rico (“Reporting Companies”).

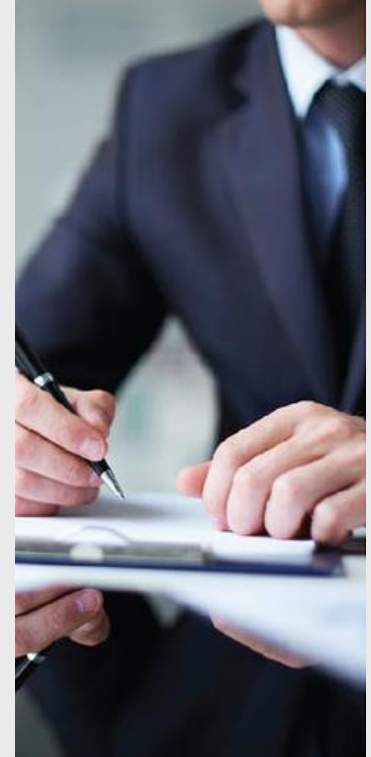
On December 26, 2024, a separate panel of the Fifth Circuit Court of Appeals issued an order vacating the December 23, 2024 ruling that had lifted the preliminary injunction. As a result, the original injunction issued by the district court in *Texas Top Cop Shop, Inc., et al. v. Garland, et al.*, No. 4:24-cv-00478 is once again in effect. Consequently, on December 27, 2024, FinCEN [confirmed](#) that Reporting Companies are not currently required to file BOI Reports with FinCEN and will not be fined if they fail to do so, as long as the nationwide injunction remains in effect. Notwithstanding, Reporting Companies may continue to voluntarily submit BOI Reports with FinCEN during such time.

At Reichard & Escalera we will keep you informed as the court proceedings move forward.

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