## Supreme Court of Mississippi Court of Appeals of the State of Mississippi Office of the Clerk

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## IN THE SUPREME COURT OF MISSISSIPPI

### NO. 2023-CA-00584-SCT

# ANN SAUNDERS, SABREEN SHARRIEF, AND DOROTHY TRIPLETT

v.

STATE OF MISSISSIPPI; STATE OF

ATTORNEYS FOR APPELLANTS:	J. CLIFTON JOHNSON II
	ROBERT B. McDUFF
	TANNER JOHN LOC HEAD
	BRENDA WRIGHT
	BRITTANY CARTER
ATTORNEYS FOR APPELLEES:	JUSTIN L. MATHENY
	RE ! MORRIS SHANNON III
	GERALD L. UCIA
	SCOTT G. STEWART
	ANTHONY RENARD SIMON
	PIETER JOHN TEEUWISSEN
	SCHERRIE LONNETTE PRINCE
	MAR A. NELSON
	NED A. NELSON
	WILSON DOUGLAS MINOR
NATURE OF THE CASE:	CI " IL # UNCONSTITUTIONAL STATUTE
DISPOSITION:	AFFIRMED IN PARTS RE " ERSED AND
-	RENDERED IN PART # 0%/21/2023

MOTION FOR REHEARING FILED:

#### EN BANC.

MAXWELL, JUSTICE, FOR THE COURT:

&1.  $T'() *++, *- )., / ) 012 / .', L, 3()-*.41,5) +*))(63 *67 .', G28, 16215) 1, c, 6. )(36(63 20 H24), B(--1020.^1 T', c*.*-9). 021 .', L, 3()-*.41,5) +*))(63 20 H24), B(--1020() : '*. 26, ;473, 1, c, 6.-97, )c1(<,7*).', =) : ,-.,1(63>467()+4.,7*67)4002c*.(63? c1( / , +12<-, / (6 J*c@)26> M())())(++(A*+12<-, / .'*. '*) =c1(++-,7.', c1( / (6*-;4).(c, )9)., / .?<sup>2</sup>)))))))$ 

<sup>&</sup>lt;sup>1</sup> H.B. 1020> R,3. S,)).> 2023 M()). L\*:) c'. 5BC.

 $<sup>^2</sup>$  O17 ,1> NAACP v. Reeve > N2. 3:23#C  $^{"}$  #2D2#HTW#LGI> 2023 WL 3DCD05%> \*. EE5#C FS.D. M()). J46 , 1> 20236.

+128()(26) : '(c' \*1, \*(/,7\*.(/+128(63+4<-(c)\*0,.9\*67<2-).,1(63;47(c(\*-1,)241c,)(6 J\*c@)26)\*1, 62.\*.())4,.

&B. S, c.(26 1 20 H24), B(-- 1020>7(1, c.) .'() C241.5) C'(,0 J4).(c, .2 \*++2(6.0241 \*77(.(26\*-F\*67 46, -, c., 76 c(1c4(.; 473, ).2.', ,H().(63 S, 8, 6. ' C(1c4(. C241. D().1(c. A.', 7().1(c. c2 / +1(), 7 20 .', C(.9 20 J\*c@)26 \*67 \*-- 20 H(67) C246.9 A 021 \* ., 1 / ,67(63 D, c, / <, 1 31> 202C.<sup>c</sup> T', ), c267 c'\*--, 63, 7 +128()(26> S, c.(26 B 20 H24), B(-- 1020>() \* / 21, \*/<(.(24), 67, \*821.'\*. c1, \*., ) \* 6, : ).\*.4.219 (60, 1(21 c241.> / 4c' -(@, \* / 46(c(+\*- c241.>.2), 18, .', CCID.<sup>D</sup>

<sup>3</sup> H.B. 1020> R,3. S,)).> 2023 M()). L\*:) c'. 5BC> J K.
<sup>B</sup> Id. JJ 2> 3> L %.
<sup>5</sup> Id. J 13.
<sup>C</sup> Id. J 1.

<sup>D</sup> Id. J B.

&5. S\*467,1)5) -\* : )4(. c-\*(/) <2.' +128()(26) 8(2-\*., M())())(++(5) C26).(.4.(26. B4. H(67) C246.9 C'\*6c,--21 J. D, :\*96, T'2/\*)> : '2',-7',\*1(63) 26 S\*467,1)5) c'\*--,63,)> 7()\*31, 7\*677()/()),7',1 c2/+-\*(6. S', 62: \*++,\*-).

&C. A0.,11,8(,:>:,\*31,,:(.'.',c'\*6c,--21.'\*..',c1,\*.(26 20.', CCID (60,1(21 c241.
(6 S,c.(26 B 20 H24), B(-- 1020 () c26).(.4.(26\*-. A1.(c-, C>S,c.(26 1D2> 20.', M())())(++(
C26).(.4.(26, H+1,))-9\*67 467,6(\*<-9 c260,1) 26.', L,3()-\*.41, .', \*4.'21(.9.2,).\*<-()'</li>
(60,1(21 c241.)>)4c'\*).', CCID (60,1(21 c241.>\*) 6,,7,7. A67',1,.', L,3()-\*.41,
,H,1c(),7.'()\*4.'21(.9>c1,\*.(63\*/46(c(+\*-#-(@, c241..2),18,.', CCID.

&D. B4. :, \*31,, :(.' S\*467,1) .'\*. S,c.(26 15) c1,\*.(26 20 0241 6, : \*++2(6.,7) =., /+21\*19 )+,c(\*- c(1c4(. ;473,)? (6 .', S,8,6.' C(1c4(. C241. D().1(c. 021 \* )+,c(0(,7) \*-/2).#0241#9,\*1.,1/ 8(2-\*.,) 241 C26).(.4.(265) 1,M4(1, /,6..'\*. c(1c4(. ;473,) <, ,-,c.,7) 021 \* 0241#9,\*1.,1/.<sup>K</sup> W'(-, S,c.(26 1 c\*--) .',), 6, : ;473,) =)+,c(\*- c(1c4(. ;473,)? 26 +\*+,1):, ), 62.'(63 )+,c(\*- 21 46(M4, \*<24..', / A c,1.\*(6-9 62.'(63 ,H+1,))-9...',1(63))

#### Ba !"#\$%&' Fa () \* P#\$ +'%#a, H-)(\$#.

I. T/+L+"-),a(%#++&a(+'M-))-)-00- C\$ '+ S+ (-\$& 1-2-205 -& 2181. &11. I6 1%K%>.', L,3()-\*.41, ,6\*c.,7 S,c.(26 %#1#105. S4<),c.(26 1 c26c,16);47(c(\*-\*++2(6./,6.):',6\*;47(c(\*-200(c,1()46:(--(63 21 46\*<-,.2),18,. M())). C27, A66. J %#1#105F16 FR,8. 201%6. S4<), c.(26 2 \*4.'21(I,).', C'(,0 J4).(c, 20.', M())())(++( S4+1, /, C241. .2 \*++2(6. \*)+, c(\*-;473, 26 \* ., /+21\*19 <\*)() = (6.', ,8,6. 20 \*6, /,13,6c9 21 28,1c12:7,772c@,..?\* M()). C27, A66. J %#1#105F26.

# II. $C/-+3 J_{\%}(-+) / a4+ \%(-,-5+' S+ (-\$\& 1-2-205627 (\$ a00\$-\&()0+ -a, 8\%''+) (\$ (/+S+4+\&(/C-\#\%-(C\$\%\#(9-))(\#-(3\$\#.+a\#))))$

&12. I6.', \*-/2)..'(1.9#0(8, 9,\*1) 20(.),H().,6c,>S,c.(26%#1#105F26'\*)<,,6124.(6,-9 4.(-(I,7 64/,124) .(/,) <9 C'(,0 J4).(c,) 20 .'() C241. .2 \*))(). .1(\*- c241.) 0\*c(63 ,/,13,6c(,) 21 28,1c12:7,772c@,.).

&13. I6 2003> \*. .', 1,M4,). 20 .', ),6(21 ;473, 20 .', T:,-0.' C(1c4(. C241. D().1(c.

<sup>%</sup> S4<), c.(26 F26 +128(7,):

 $\begin{array}{l} \mathsf{U}+26.', 1,\mathsf{M4}, \mathsf{)}. 20.', \mathsf{C'}(,0 \mathsf{J473}, 20.', \mathsf{C241}. 20 \mathsf{A}++, *-) \mathrel{\rangle}.', \mathsf{)}, \mathsf{6}(21 ; \mathsf{473}, 20 * \mathsf{c}^2 \mathsf{c}^4 \mathsf{c}, \mathsf{19} 21 \mathsf{c}(\mathsf{1c4}(\mathsf{.} \mathsf{c241}. 7().\mathsf{1}(\mathsf{c.} \mathrel{\rangle}.', \mathsf{)}, \mathsf{6}(21 ; \mathsf{473}, 20 * \mathsf{c246.9} \mathsf{c241}. \mathrel{\rangle} 21 \\ \mathsf{4}+26'(\mathsf{)} 2:6 / 2.(26 \mathrel{\rangle}.', \mathsf{C'}(,0 \mathsf{J4}).(\mathsf{c}, 20.', \mathsf{M}())(\mathsf{)})(\mathsf{)}(\mathsf{++}(\mathsf{S4+1}, \mathsf{/}, \mathsf{C241}. \mathrel{\rangle} : (.' \\ \mathsf{'}, *78(\mathsf{c}, *67 \mathsf{c26}), \mathsf{6}. 20 * / *; 21(.9 20.', ; \mathsf{4}).(\mathsf{c}, \mathsf{)} 20.', \mathsf{M}())(\mathsf{)})(\mathsf{)}(\mathsf{++}(\mathsf{S4+1}, \mathsf{/}, \mathsf{C241}. \mathrel{\rangle} : (.' \\ \mathsf{C241}. \mathrel{\rangle})'*-- '*8, .', *4. '21(.9 .2 * \mathsf{++2}(\mathsf{6}. *) +, \mathsf{c}(*- ; \mathsf{473}, .2), \mathsf{18}, 26 * \\ \mathsf{,} / \mathsf{+21*19} < \mathsf{*})(\mathsf{)} (\mathsf{6} * \mathsf{c}(\mathsf{1c4}(\mathsf{.} \mathrel{\rangle} \mathsf{c}'*\mathsf{6c}, \mathsf{19} 21 \mathsf{c246.9} \mathsf{c241}. (\mathsf{6}.', 8, \mathsf{6}. 20 * \mathsf{6} \\ \mathsf{,} / \mathsf{,13}, \mathsf{6}\mathsf{c9} 21 28, \mathsf{1c12} : \mathsf{7}, \mathsf{7} \mathsf{72c0}, \ldots \mathsf{I}. \mathsf{)'}^{*--} < \mathsf{,} ', \mathsf{74.9} 20 * \mathsf{69} \mathsf{)} +, \mathsf{c}(*- ; \mathsf{473}, \mathsf{)2} \\ *++2(\mathsf{6}., \mathsf{7}. 2 *))(\mathsf{)} \cdot \mathsf{,} \mathsf{c241}. 2 : \mathsf{'}(\mathsf{c'}, \mathsf{,} (\mathsf{)}^*))(\mathsf{36}, \mathsf{7} (\mathsf{6}.', \mathsf{7}(\mathsf{)}+2)(.(26 20 \\ \mathsf{c}^*\mathsf{4}), \mathsf{)}) 2 + \mathsf{67}(\mathsf{63} (\mathsf{6}) \mathsf{4c'} \mathsf{c241}. 021 : \mathsf{'}^*. \mathsf{8}, \mathsf{1} + \mathsf{,1}(\mathsf{27} 20.(//, (\mathsf{)} \mathsf{7}, \mathsf{)}(\mathsf{36}^*., \mathsf{7} < \mathsf{9} \\ \mathsf{.'}, \mathsf{C'}(\mathsf{,} \mathsf{0} \mathsf{J4}).(\mathsf{c}, \mathsf{T}', \mathsf{C'}(\mathsf{,} \mathsf{0} \mathsf{J4}).(\mathsf{c}, \mathsf{6} '(\mathsf{)} \mathsf{7}(\mathsf{)c1}, .(26 \rangle / * \mathsf{9} * + 2(\mathsf{6}. \mathsf{.'}, \mathsf{)}) +, \mathsf{c}(*- ; \mathsf{473}, .2 ) \\ \mathsf{473}, .2 ', *1 + *1.(\mathsf{c4} - *1 \mathsf{c}^*), \mathsf{)} * + *1.(\mathsf{c4} - *1 .9 + , 20 \mathsf{c}^*), \mathrel{>} 21 * + *1.(\mathsf{c4} - *1 + 21.(26 \\ 20 \cdot \mathsf{,} \mathsf{c241.5}) \mathsf{72c0}, \ldots \end{aligned}$ 

M()). C27, A66. J %#1#105F26.

FF211,). \*67 P,119 C246.(,)  $\oplus$  C'(,0 J4).(c, E7 : (6 L. P(.. / \*6 \*++2(6.,7 J,)) H. D(c@(6)26 .2),18, \*) \*)+,c(\*-c(1c4(.;473,.<sup>10</sup> A67 (6 200B)\*..',1,M4,).20.',S,8,6.' C(1c4(. C241. D().1(c.;473,) A.',8,19 c(1c4(.c241.7().1(c.\*.())4, ',1, A C'(,0 J4).(c, J\*/,) W. S/(.') J1.> \*++2(6.,7 1,.(1,7;473, L. B1,-\*67 H(-<416 \*))+,c(\*-c(1c4(.c241.;473,.2',-+'\*67-, .',)413, 20 c1(/(6\*-/\*..,1) (6 H(67) C246.9.<sup>11</sup>)

 $\& 1B. \quad O8, 1.', 6, H., (3'.9, *1) > C'(,0J4).(c, S/(.'*67'())4cc,))21 C'(,0J4).(c, W(--(*/L.W*--,1)J1) > 4.(-(I,7 S,c.(26\%#1#105F26 c26.(64*--9.2, H.,67 J473, H(-<4165))+,c(*-*++2(6./,6..'1243' A+1(-2012. D41(63.'().(/, +,1(27)*77(.(26*-;473,):,1, *-)2*++2(6.,7.2',-+H(67)C246.95)28,1c12:7,7 c1(/(6*-72c@,...T', C'(,0J4).(c, *++2(6.,7 12), 2/, 20.',)), )+,c(*-;473,))4* )+26., .^{12} O.',1):, 1, *++2(6.,7 *0.,1 c26)4-.(63.', S,8,6.' C(1c4(.C241.D().1(c.;473,)*<24..', c1(/(6*-c*), <*c@-23.^{13} T:2;473,)):, 1, )$ 

<sup>10</sup> O17,1>1! '6#A\$\$% # ',

&1C. B, 3(66(63 (6 / (7#2020).', +1,)), 6. C'(,0 J4).(c,>\*..', 8\*1(24) c241.)51, M4,).><, 3\*6</li>
,H, 1c()(63 '()).\*.4.219 \*4.'21(.9 .2 \*++2(6.)+,c(\*-;473,) .2 C(1c4(. C241. D().1(c.))
C'\*6c, 19 C241. D().1(c.)>C246.9 C241.)>\*67 Y24.' C241.).'1243'24..', S.\*., (61,)+26),
.2.', CO " ID#1%, / ,13,6c9.<sup>1C</sup> A67 (6 2022).', C'(,0 J4).(c, \*++2(6.,7 0241)+,c(\*-;473,))

<sup>1B</sup> O17, l>

.2.', \$,8,6.' C(1c4(. C241. D().1(c. =.2 \*--,8(\*., .', ).1\*(6 26 .', H(67) C246.9 c241.) c\*4),7 21 ,H\*c,1<\*.,7 <9.', CO " ID#1% +\*67, / (c.?<sup>1D</sup>

III. T/+ L+"-),a(%#+ 0a))+' H\$%)+ B-,, 2020 -& 2023.

\*77(.(26\*-04--#.(/, \*))().\*6.7().1(c. \*..216,9). Id. J3.

&1%. T', C\*+(.2- C2 / +-, H I / +128, / ,6. D().1(c. FCCID(b) : '(c' 28, 1-\*9) \* +21.(26 20 .', C(.9 20 J\*c@)26 \*67 (6c-47,).', S.\*., C\*+(.2-\*67 2.', 1).\*., <4(-7(63)) '\*7 <, .6 c1, \*., 7 <9 .\*1-(,1-,3()-\*.(26. H24), B(--1020) S, c.(26 B) c1, \*., ) \*6 (60, 1(21 c241. 021 .', CCID) : '(c')) '\*-- '\*8, .', )\* / , ;41()7(c.(26 \*) / 46(c(+\*-c241.).1% Id. J B. A67 S, c.(26) 5 .'1243' D)

<sup>1%</sup> I6 (.) ,6.(1,.9> S,c.(26 B +128(7,)):

 $\begin{array}{l} \mbox{F10 F*6 F12 / *67 *0.,1 J*64*19 1> 202B>.',1,)'*--<, c1,*.,7 26, F16 (60,1(21 c241.*)*4.'21(I,7 <9 A1.(c-, C> S,c.(26 1D2 20.', M())())(++(C26).(.4.(26 20 1K\%0>.2<,-2c*.,7 : (.'(6.',<2467*1(,),).*<-()',7 (6 S,c.(26 2\%#5#203 021.', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c.>',1,(6*0.,1 1,0,11,7 .2*) = CCID?. T', CCID (60,1(21 c241.)'*-- '*8, ;41()7(c.(26 .2 ',*1 *67 7,.,1 / (6,*--+1,-(/(6*19 /*..,1)*67 c1(/(6*- /*..,1)*4.'21(I,7 <9 -*: 021 /46(c(+*- c241.)).'*.*cc14, 21 2cc41> (6 : '2-, 21 (6 +*1.>): (.'(6 .',<2467*1(,) 20.', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c.$*67)'*--'*8,.', )* /, ;41()7(c.(26*) /46(c(+*- c241.)).2 ',*1*67 7,.,1 / (6,*--c*),)c'*13(63 8(2-*.(26) 20.', /2.218,'(c-,*67.1*00(c-*))20.'()).*.,>*67 8(2-*.(26) 20..', C(.920 J*c@)265).1*00(c 217(6*6c, 21 217(6*6c,)1,-*.,7 .2.', 7().41<*6c, 20..', +4<-(c+,*c, .'*.*cc14, 21 2cc41> (6 : '2-, 21 (6 +*1.>): (.'(6 .',<2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <2467*1(,) 20..', C*+(.2- C2 /+-,H I /+128, /,6. D().1(c..))).*.,>*67 8(2-*.(26) 20..', <246$ 

 $\label{eq:F} \begin{array}{l} F<\!\!6\ A69+,1)26\ c268(c.\,,7\ (6.\,'\ ,\ CCID\ (60,1(21\ c241.\ /\ *9<,\ +-*c,7\ (6.\,'\ ,\ c4).279\ 20.\,'\ ,\ M())())(++(\ D\,,+*1.\ /\ ,6.\ 20\ C211,c.(26)>C\,,6.1^{*-}\ M())())(++(\ 0*c(-(.9.$ 

F26 T', C'(,0 J4).(c, 20 .', M())())(++(S4+1, /, C241.)'\*--\*++2(6..', CCID (60,1(21 c241.;473,\*4.'21(I,7<9.'()),c.(26. T',;473,)'\*--+2)),)) \*--M4\*-(0(c\*.(26) 1,M4(1,7<9-\*:021 / 46(c(+\*-c241.;473,).S4c';473,)'\*--<,\*M4\*-(0(,7,-,c.21 20.'()).\*.,>\*67)'\*--'\*8,)4c' 2.',1M4\*-(0(c\*.(26)\*)+128(7,7<9-\*:021 / 46(c(+\*-;473,).

F3G T', A7 / (6().1\*.(8, O00(c, 20 C241.)) '\*-- +128(

+128(7, 021+12), c4.(63\*..216,9)>\*c-,1@>\*67\*)4(.\*<-, <4(-7(63021.', CCID(60,1(21c241.. Id. JJ 5.2 D.

&20. S, c.(26 K, H., 67).', CCID5) 3, 231\*+'(c\*-<2467\*1(,). Id. J K. A67 S, c.(26 % 7(8,1.)</li>
\*+21.(26 20)\*-,).\*H c2--, c., 7 (6 J\*c@)26 .2.', CCID P12;, c. F467. Id. J %. A77(.(26\*-), c.(26)+128(7, 021.', 04--).\*00(63 20.', J\*c@)26 P2-(c, D, +\*1./, 6.><279 c\*/, 1\*) 021.',</li>
C\*+(.2- P2-(c,>\*67 \* %11, /, 13, 6c9 c\*--)9)., / 021.', CCID. Id. JJ 10>11>\*67 13.
&21. O6-9 S, c.(26 1 A : '(c' c\*--) 021.', \*++2(6./, 6. 20 0241)+, c(\*- c(1c4(.;473,) 021.', S, 8, 6.' C(1c4(. C241. D().1(c. A\*67 S, c.(26 B A : '(c' c1,\*.,).', CCID (60, 1(21 c241. A\*1, \*. ())4, ', 1,.

I:. Sa%&'+#) 3-,+' a \$; 0,a-&( 3\$# '+ ,a#a(\$#. a&' -&8%& (-4+ #+,-+3.

&22. T'1,, 7\*9) \*0.,1 H24), B(-- 1020 : \*1-1 26\*9(2)-0.960319(4)-0.960319(1)-92.2903(\*)-1.44954()92 4)6 & .8 3 8 1 2 8 4 ('] 15x1 (9.. 96 (4 2 1 9 (, 1-)2.. 4 G 9 5 G ((\*))912. x8x0 0 9 5 (013) 1 9((.\*)9 6 0 3 9 9 789)(-9).2966 (8 <,c\*4), H24), B(--1020>S,c.(26B>-\*c@)\*6,H+1,))1(3'..2\*++,\*-012/.', CCID c241..2 .', )4+,1(21 c(1c4(. c241..

 $\& 25. \quad F(6^{*}-9) \ S^{*}467, 1) \ ^{*}-, 3, 7 \ S, c. (26 \ \% \#1 \#105 F26 () \ 46c26). (.4. (26^{*}-021 \ .' \ , \ )^{*} \ / \ , \ 1, \ ^{*})26)$ 

 $(6^{++-}(c^{+}(-, .2^{+}12))+, c.(8, (6; 46c.(8, 1, -(, 0. B, c$ 

7,.,1/(6,7 ', c24-7 62..

&33. T', c'\*6c,--21 041.',1 ,/+'\*)(I,7 6,(.',1).\*.4., c1,\*.,) \*77(.(26\*-+,1/\*6,6.
;473,)'(+). I6).,\*7><9.',(11,)+,c.(8,.,1/)>.',\*++2(6./,6.)\*1,.,/+21\*19\*67<\*),726</li>
,H(3,6. c(1c4/).\*6c,) \*67 7(7 62. 7(-4.,.',+2:,121 74.(,) 20.',,-,c.,7 H(67) C246.9
c(1c4(.;473,).

&3B. A) .2.', CCID (60,1(21c241.>.', c'\*6c,--211,;,c.,7S\*467,1)5)\*134/,6..'\*. H24),
B(-- 1020> S,c.(26 B> 8(2-\*.,7 A1.(c-, C> S,c.(26 1D2> 20 .', M())())(++( C26).(.4.(26. Acc217(63 .2.', c'\*6c,--21>=N.0', -\*c@ 20 )+,c(0(c -\*634\*3, 1,3\*17(63 .', 1(3'. 20\*++,\*->

15

: '(-, +,1'\*+) 62. (7,\*->72,) 62. 6, c, ))(.\*., .'\*..',1, ,H().) 62 1(3'. 20\*++,\*-.? T', CCID (60,1(21 c241. '\*).',)\*/,;41()7(c.(26\*)/46(c(+\*-c241.).2',\*1\*677,.,1/(6,+1,-(/(6\*19 \*67 c1(/(6\*-/\*..,1). A67 2.',1>\*-1,\*79,H().(63).\*.4.219-\*:+,1/(.)\*6926,\*7;47(c\*.,7 34(-.9<9\*/46(c(+\*-c241..2\*++,\*-.2.',c246.9c241.>21(0.',1,() 62 c246.9c241..2.', c(1c4(. c241.. M()). C27, A66. J 11#51#K1 FR,8. 201%6. B,c\*4), H24), B(--1020>S,c.(26 B>c\*6<,1,\*)26\*<-91,\*7: (.'2.',1,H().(63-\*:.2+128(7,\*1(3'..2\*++,\*-012/.',CCID c241..2\*c26).(.4.(26\*-c241.>.',c'\*6c,--2114-,7S\*467,1)c24-762.)'2:.', CCID c241. () 46c26).(.4.(26\*-.

:II. Sa%&'+#) a00+a,+'.

&35. O6 M\*9 15> 2023>.', c'\*6c, --21, 6., 1, 7 \* 0(6\*- 217, 17, 69(63 \*--1, -(, 01, M4, )), 7 <9 S\*467, 1). S\*467, 1) (//, 7(\*, -9 \*++, \*-, 7 \*--.'1, , 7()/())\*- 217, 1) A.', 217, 17()/())(63 C'(, 0 J4).(c, R\*672-+'>.', 217, 17()/())(63 C(1c4(. C-, 1@ P\*c@ W\*--\*c, >\*67.', 0(6\*- 217, 17, 69(63 S\*467, 1)5)) / 2.(26 021 \*+1, -(/(6\*19(6; 46c.(26\*677())/())(63 S\*467, 1)5)) c2 /+-\*(6. \*67 \*/, 67, 7 c2 /+-\*(6. 021 7, c-\*1\*.219\*67(6; 46c.(8, 1, -(, 0.

#### 9-) %))-\$&

&3C. O6 \*++, \*-> 241 34(7(63 +1(6c(+-, () 241).\*67\*17 201,8(, : . A671,3\*17-,)) 20 +4<-(c ),6.(/,6. 021 21 \*3\*(6). H24), B(-- 1020> 241 ).\*67\*17 20 1,8(, : 1, /\*(6) .', )\*/, A-,3()-\*.(8, ,6\*c./,6.)\*1, +1,)4/,7 8\*-(7.

 $\begin{array}{l} \& \text{3D.} \quad \mathsf{T'()} \ \mathsf{C241.} = *7', 1, \mathbb{N} \\ 0.2 \ .', \ 14-, \ .'*. \ 26, \ :'2 \ *)) * (-) \ *-, 3() - *.(8, \ ,6^* \texttt{c}. \ /, 6. \ / 4). \\ 28, 1 \ \mathsf{c2} \ /, \ .', \ ).12 \ \mathsf{c3} \ +1, ) 4 \ / \ +.(26 \ 20 \ 8^* - (7(.9 \ *67 \ )4 \ \mathsf{c'} \ *)) * (-* \ 6. \ / 4). \ +128, \ '() \ \mathsf{c26c-4}) (26 \ *00(1 \ / \ *.(8, -9) \ *67 \ \mathsf{c-}, \ *1-9 \ )) \ *.(-) \ '(. \ <, 92 \ \mathsf{c7} \ *1, \ *) 26^* <-, \ 724 <...? \ \mathsf{L} \ \ \ \mathsf{e!} \ \mathsf{v.} \ \mathsf{M\& } \ . \ \mathsf{P-} \ \cdot \ \ \mathsf{Se'v}. \end{array}$ 

**C%** (;!> 2D% S2. 27 C3C> CB0 FM()). 1%D36. 16 1,8(,: (63 \*..\*c@) 26 74-9 ,6\*c.,7 -,3()-\*.(26>=N\*0--724<. /4).<,1,)2-8,7 (6 0\*821 20.', 8\*-(7(.9 20 \*).\*.4.,.? I. A67 =N(00 +2))(<-,> c241.) )'24-7 c26).14, ).\*.4.,) )2 \*) .2 1,67,1 .', / c26).(.4.(26\*-1\*.',1.'\*6 46c26).(.4.(26\*-(0.',).\*.4., 467,1 \*..\*c@ 72,) 62. c-,\*1-9 \*67 \*++\*1,6.-9 c260-(c. :(.' 213\*6(c -\* : \*0.,10(1).1,)2-8(63 \*--724<.) (6 0\*821 20 8\*-(7(.9.? I. Fc(.(63 B. % E. -\*. v. S'+'e E. -\*. F&. C% (;!>2B3 M()). DK2> 13K S2. 27 %12 F1%C266.

#### I. CCI9 1&3+#-\$# C\$%#(

&3K. W, 0(1). \*++-9. '()).\*67\*17.2.', 6, : CCID (60,1(21 c241.. A67 (6 72(63)2> :, 0(67 S\*467,1) c\*662. 28,1c2 /, .', ).1263 +1,)4 / +.(26.'\*..', L,3()-\*.41,5) c1,\*.(26 20.', CCID (60,1(21 c241. () c26).(.4.(26\*-.

&3%. A3\*(6> 62 26, <,021, .'() C241. () M4, ).(26(63 .', c1,\*.(26 20 .', C\*+(.2- C2 / +-,H I / +128, / ,6. D().1(c.. N21 () S\*467,1) c'\*--,63(63 S,c.(26 K 20 H24), B(-- 1020 .'\*. ,H+\*67) .', CCID5) 3,231\*+'(c\*-<2467\*1(,). T', 2.',1+128()(26) .'\*.+128(7, .\*H0467(63> (6c1,\*),7 -\*: ,6021c, / ,6.>\*67 \* %11 c\*-- )9)., / 021 .', CCID \*1, \*-)2 62. \*. ())4,. W'\*. S\*467,1) c2 / +-\*(6) \*<24. () .', L,3()-\*.41,5) c1,\*.(26 20 \*6 (60,1(21).\*.4.219 c241.>\*@(6.2 \* / 46(c(+\*- c241.>2),18, .', CCID.

#### 

&B0. A1.(c-, C> S, c.(26 1D2> 20.', M())())(++(C26).(.4.(26 72.) 62. /,1,-9+,1/(. <4.</li>
\*c.4\*--9 directs.', L,3()-\*.41, .2 ,).\*<-()' \*67 \*<2-()' (60,1(21 c241.) \*) 6,,7,7. M()).</li>
C26).. \*1.. C> J 1D2 F=The Legislature shall, ha =

courts as may be necessary

2 / ())(26 20 \*++,\*-) -\*634\*3, against .', CCID c241.5) 8\*-(7(.9 : ',6 241 -\* : 7(1,c.) : , 72 .', ,H\*c. 2++2)(., A).1263-9+1,)4 / , +12+,1-9 ,6\*c.,7 -,3()-\*.(26 () 8\*-(7. L% e!>2D% S2. 27 \*. CB0.

&B3. W'(-, :, \*31,, :(.'.', c'\*6c,--21.'\*. S,c.(26 B5) \*<),6c, 20 \*6, H+1,)) \*++,\*-

&B5. G(8, 6.'\*...', CCID c241. '\*)..', )\*/, ;41()7(c.(26\*67046c.(26\*)\*/46(c(+\*-c241.A\*671,)2-8(63\*69724<. (60\*82120.', CCID c241.5)8\*-(7(.9)\*):, /4).A:, c26c-47, .', L,3()-\*.41, (6.,67,7\*++,\*-)012/.'()(60,1(21c241..2+12c,,7;4).-(@,.9+(c\*-/46(c(+\*-c241.\*++,\*-).<sup>22</sup>)

#### D. $T1ee8\&'\&' + \$$e_{, \$'}\%e + \$$, \& .$

&BC. U67,1 M())())(++(C27, S,c.(26 11#51#K1>\*++,\*-) 012 / /46(c(+\*-c241.) 0(1). 32.2
c246.9 c241.. M()). C27, A66. J 11#51#K1. A67 012 / .',1,>041.',1\*++,\*- /\*9<, .\*@,6.2</li>
.', c(1c4(. c241.. Id. R,c236(I(63.'(),H().(63\*++,\*-)+12c,))\*++-(,).2.', CCID (60,1(21
c241. () 62. -,3()-\*.(8, /(67 1,\*7(63\*).',7()),6.)433,).). R\*.',1>(. () \*).1\*(3'.021:\*17
c2 / /26),6), 1,\*7(63 20.', -,3()-\*.(26\*67 S,c.(26 11#51#K1 A 26, .'\*.1,)2-8,) 724<. (6</li>
0\*821 20.', CCID c241.\*67).\*9).14, .2 241-\*:5) 7(1,c.(8, .2).1263-9+1,)4 /, .', validity
20 74-9, 6\*c., 7).\*.4.,). See L% e!>2D% S2. 27\*. CB0 F=A--724<. /4).<,1,)2-8,7 (6 0\*821</li>
20.', validity 20\*).\*.4.,.? F, /+'\*)()\*77,766.

&BD. B4...', 7()), 6. (3621,)..'() 7(1, c.(8,. 160\*c. (.72,).', 2++2)(.,. 1.1,\*7).'() 74-9
,6\*c.,7).\*.4., : (.'\*6,9,.2:\*17) 0(67(63 (. invalid A '46.(63021\*1,\*)26.2.'12: (.24..
1.72,))2 <91,)2-8(63724<.\*3\*(6)..',).\*.4.,\*676,3\*.(8,-9+1,)4/(63.', L,3()-\*.41,</li>
(6.,67,7.',1,<, no right to appeal from a CCID court, ever. W(.'1,)+,c.021.',7()),6.>
241 -\*: 021<(7).'()\*++12\*c'.</li>

&BK. B,c\*4), .', L,3()-\*.41, c1,\*.,7.', 046c.(26\*-,M4(8\*-,6.20\*/46(c(+\*-c241.021.', CCID>\*++,\*-) 012/.', CCID : (--02--2:.',)\*/,).\*.4.219\*++,\*-) +12c,))\*)/46(c(+\*-

<sup>&</sup>lt;sup>22</sup> See M()). C27, A66. J 11#51#K1.

c241.). S2.', c(1c4(. c241. A.', c26).(.4.(26\*- c241. 012 / : '(c'.', CCID (60,1(21 c241.5) ;41()7(c.(26 :\*) c\*18,7 A '\*) c26.12--(63 \*4.'21(.9 8(\*.', \*++,--\*., +12c,)) 24.-(6,7 (6 S,c.(26 11#51#K1.

&B%. B4. \*8\*(-\*<-, \*++,--\*., 1,8(, : 20 CCID 7,c()(26) 72,) 62. ).2+.',1,.

# E. TIe CCID I! e' &&' C%'' +, % e! ?%7 + . &&&&I +, 'ev &eO. &50. T', CCID (60,1(21 c241. \*-)2 ,6;29) \*77(.(26\*- c,1.(21\*1(1,8(, : 467,1 M()))())(++(C27, S,c.(2611#51#%5FR,8.201%6. T'\*.),c.(2631\*6.),H+1,))> c26.12--(63\*4.'21(.9.2.', c(1c4(. c241. .21,8(, : ;473 / ,6.) <9 =\*-- .1(<46\*-) (60,1(21 .2.', c(1c4(. c241.?.'1243'.', +12c,741, 20 : 1(. 20 c,1.(21\*1(. Id. A67.'() -263#,).\*<-()',7).\*.4.219 / ,c'\*6() / 021 c,1.(21\*1(1,8(, : 20 (60,1(21 c241.),H().) =: ',.',1\*6\*++,\*-<, +128(7,7<9-\*: 012 / .', ;473 / ,6.) 243'. .2 <, 1,8(, : ,7 21 62..? Id.

M())())(++( C26).(.4.(26.

11. A00\$-&(; +&( \$3 \$0+ -a, T+; 0\$#a#. J%'"+)
&55. \$\*467,1)5) 2. ',1 c26).(.4.(26\*-c'\*--, 63, 02c4),) 26. ', C'(,0 J4).(c,5) \*++2(6. /, 6.
20)+, c(\*-., / +21\*19;473,). \$\*467,1) \*134,) <2. ' H24), B(-- 1020> S, c.(26 1> \*67 S, c.(26 %#1#105F26 8(2-\*., .', +-\*(6 -\*634\*3, 20 A1.(c-, C> S, c.(26) 153 \*67 1C5> 20. ', M())())(++(
C26).(.4.(26.

&5C. S,c.(26 153 +128(7,)) =T', ;473,) 20.', c(1c4(.\*67 c'\*6c, 19 c241.))'\*--<, ,-, c., 7
<9.', +, 2+-, (6\* /\*66, 1\*67\*.\*.(/, .2<, +128(7, 7<9.', -, 3()-\*.41, \*67.', ;473,))'\*-'2-7.', (1 200(c, 021\*., 1/ 20 0241 9, \*1).? A67 467, 1 S, c.(26 1C5) =W', 6, 8, 1\*69; 473, 20
.', S4+1, /, C241.21.', ;473, 21 c'\*6c, --21 20\*697().1(c. (6.'() S.\*., )'\*-->021\*691,\*)26>
<, 46\*<-, 21 7()M4\*-(0(, 7.2+1,)(7, \*.\*69., 1/ 20 c241.>....', G28, 1621 /\*9 c2 / /())(26)

#### A. H% e B& 4@@ Se\*'& 4, Ve'' - Se\*'& 53434@42>6

 $\&5K. \quad A0.,11,8(,:>:,*31,,:(.'S*467,1).'*.S,c.(26 1 20 H24), B(--1020 8(2-*.,) A1.(c-, C>S,c.(26 153>20.', M())())(++(C26).(.4.(265),H+1,))1,M4(1,/,6..'*.=N.0',; (473,) 20.', c(1c4(...c241.))'*--<,,-,c.,7<9.',+,2+-,?021=*.,1/2002419,*1).? \\ &5\%. \quad S,c.(26 172,) 62.c1,*.,*c26).(.4.(26*--9*--2:,7(60,1(21 c241.>-(@,.',-,3()-*.(8,-9 c1*0.,7 CCID c241.(6 S,c.(26 B. N,(.',172,)(.*77*77(.(26*-,-,c.,7 c(1c4(.;473,).2.', c411,6.S,8,6.' C(1c4(. C241. D()).1(c. 621 c1,*.,*6,:*67 7()).(6c. c(1c4(. c241. 7()).1(c.>).*00,7:(.'6,:-9,-,c.,7;473,).$ 

&C0. 16)., \*7> S, c.(26 1 c1, \*.,) 0241 \*77(.(26\*-> 46, -, c., 7 c(1c4(. c241. ;473,) '(+). T',), 6, : ;473,) '(+) \*1, +2).,7 : (. '(6.', \*-1, \*79, H().(63 S, 8, 6. ' C(1c4(. C241. D().1(c.. A67 (6)., \*7 20, -, c.(26>.', -, 3()-\*.(26 / \*67\*.,).', C'(,0 J4).(c, \*++2(6..',), 0241 6, : ;473,). T',), S, c.(26 1 -0.96031.289.154 -30.72 T dG(c)-1.29779(.)-0.311424(()-0.31(.)-0.480159(.)-0.310292(')-0.9 S,c.(261;473,)\*1,;4). 46,-,c.,7 c(1c4(.;473,)>\*++2(6.,7 (6.2.', S,8,6.' C(1c4(. C241. D().1(c..2),18,.'1,,#\*67#\*#'\*-09,\*1) (6).,\*7 20 0241.

&C1. E8,6 8(,:(63 S,c.(26 15) -\*634\*3, :(.' \* ).1263 ,9, .2:\*17) 8\*-(7(.9> :, 0(67 S,c.(261535),H+1,)),-,c.(261,M4(1, / ,6.+12'(<(.).',),+\*1.(c4-\*1c(1c4(.c241.;473,)'(+)> :'(c' \*1, \*++2(6.,7 021 \* .,1/>\*67 62.,-,c.,7. T'4)> S,c.(26 1 c\*662.)418(8,

<1243'. 26 <9.', CO " ID#1% +\*67, / (c.<sup>2C</sup>

&CD. T',1, () \*77(.(26\*- 0-,H(<(-(.9 (6 .', C'(,0 J4).(c,5) 7()c1,.(26\*19\*++2(6./,6. \*4.'21(.9>041.',17().(634()'(63(.012/S,c.(2615)/\*67\*.219\*++-(c\*.(26. A) S,c.(26\%#1# 105F26,H+-\*(6))=N.0', C'(,0 J4).(c,>(6'()7()c1,.(26>/\*9\*++2(6..',)+,c(\*-;473,.2',\*1 +\*1.(c4-\*1 c\*),)>\* +\*1.(c4-\*1.9+, 20 c\*),> 21\*+\*1.(c4-\*1+21.(2620.', c241.5)72c@,..?

#### B. U &/ Se\*'&/ 53434@A2>6Te( \$%'+'7 A\$\$%&'( e!' '% H+!.,eC'& &+, C+ e

&CK. B,021, .', c'\*6c,--21>.', S.\*., \*134,7>=H24), B(--1020 (6,)c\*+\*<-9:\*)7,)(36,7 (6-\*13, +\*1..2\*771,)) J\*c@)265) c1(/, +12<-, / ....'\*. /\*9<, .', ,-,+'\*6. (6.', 122/><4.:,58, 32.\* c1(/, +12<-, / (6.'() c(.9>+,1(27.? W'(-, \*++,--\*., c241.) 72 62. /\*@, (67,+,67,6.0(67(63)>:, :24-7 '\*8, .2 <419 241 ',\*7 (6.', )\*67 .2 )433,). c1(/, () 62.))413(63 (6 J\*c@)26.

&C%. A 7().1(c. ;473, (6 \* +\*1\*--, - +12c, ,7(63 c'\*--, 63(63 H24), B(-- 1020 (6 0,7, 1\*- c241. 1, c, 6.-902467.', =0\*c.) 20 J\*c@)26? A : '(c' (6c-47, \* 6\*.(26#-, \*7(63 +, 1 c\*+(.\* / 417, 11\*., (6 2021 F=N'0(3', 1.'\*6 B(1/(63'\*/>A.-\*6.\*>D, .12(.>\*67, 8, 6 C'(c\*32?6\*67\*)-(3'.-97, c1,\*), 7'2/(c(7, 1\*., (6 2022 .'\*. =).(-- /\*6\*3, 7.2)41+\*)), 8, 19 2.', 1 /\*;21 c(.9)? c2 / <(6,7 : (.')(/(-\*1-9'(3'+, 1c, 6.\*3, )20 2.', 1 8(2-, 6. c1(/,)\*67, 8, 1#1, c14(.(63).1, ... 3\*63) A = '\*8, c1(++-, 7.', c1(/(6\*-; 4).(c, )9)., /.?<sup>2D</sup> W, /, 6.(26.'() <, c\*4), ;4).\*).',

#### $^{2C}$ See supra 6.1C.

<sup>2D</sup> O17,1> NAACP v. Reeve > N2. 3:23#C " #2D2#HTW#LGI> 2023 WL 3DCD05%> \*. EE5#C FS.D. M()). J46, 1> 20236. A) J473, W(63\*.,5) 217,1 2<),18,):

T', FBI cl(/,).\*.().(c) .,--.', )2112:04-).219: I6 2020> J\*c@)26 1,+21.,7 130 '2/(c(7,) A\*1,c217 64/<,1\*..'\*..(/,. I6 2021> J\*c@)26 )41+\*)),7  ;473,)\*))()..', c241.=021 : '\*.,8,1+,1(27 20.(/

\*) \* 7,0,67\*6.. $^{2K}$ 

&DB. M())())(++('\*) -263 1, c236(I,7 .', 72c.1(6, 20; 47(c(\*- (//46(.9. WIee,e''v. S'e0+'')D%K S2.27 3KC) 3%2 FM()). 20016 Fc(.(63 DeW&'v. TI% \$ %) > 1%2 M()). C15> D S2. 27 52% F1%B26% Be, v. M\*K&! e7> C3 M()). 1KD F1KK566. J47(c(\*- (//46(.9 \*++-(,) .2; 47(c(\*-\*c.). L%+\*%)%v. E,, &> 5D1 S2. 27 23D> 23K FM()). 1%%06 Fc(.(63 DeW&'> D S2. 27 \*. 5326. A67 .', C'(,0 J4).(c,5) \*++2(6.(63 \*)+, c(\*-; 473, () c-, \*1-9 \*; 47(c(\*-\*c.. V& %) > KD% S2. 27 \*. 105D F'2-7(63 .'\*. C'(,0 J4).(c, P1\*.', 15) \*++2(6./, 6. 20 \*)+, c(\*-; 473, 467, 1 S, c.(26 %#1#105 :\*) \* =; 47(c(\*-\*c.?, 6.(.-, 7 .2; 47(c(\*-(//46(.96%) see also Ke( \$ e8 'e, Ke( \$ v. Pe'9& > 32B F, 7. A++5H B0%) B12 F5.' C(1. 200%6.

&D5. S.(--> S\*467,1) \*)@) .'() C241. .2 1,c236(I, 021 .', 0(1). .(/, \*1, /,7(,)#<\*),7 ,Hc,+.(26.2.241;47(c(\*-#(//46(.972c.1(6,. S\*467,1)1,M4,).) :, +,1/(.;473,).2<,)4,7 021 .',(1;47(c(\*-\*c.) :',626-9+12)+,c.(8, (6;46c.(8, 1,-(,0())243'.)\*6762. /26,9 7\*/\*3,). B4. :, \*1, 46+,1)4\*7,7\*6, Hc,+.(26)'24-7\*++-9',1,.

&DC. A) )4++21. 021 ',11, /,7(,)#<\*),7 ,Hc,+.(26) S\*467,1) +1(/\*1(-9-,\*6) 26 P-,,&( v. A,,e!>\*0,7,1\*-J 1%K3 c\*), (6 : '(c' . ', U6(.,7 S.\*.,) S4+1, /, C241. ',-7 . '\*. =;47(c(\*-(/ / 46(.9 () 62. \* <\*1 .2 +12)+, c.(8, (6;46c.(8, 1,-(,0 \*3\*(6). \*;47(c(\*- 200(c,1 \*c.(63 (6 ', 1 ;47(c(\*- c\*+\*c(.9.? P-,,&( v. A,,e!>BCC U.S. 522>5B1#B2>10B S. C.. 1%D0>1%K1>K0 L. E7. 27 5C5 F1%KB6. B4. (6.', :\*@, 20 P-,,&( >C2631,)) \*/,67,7 J 1%K3.2 /\*@, c-,\*1.'\*.=(6

 $<sup>\</sup>overset{2K}{H}, \ \ , \ \ / + ' *)(I, \ . ', \ C '(, 0 \ J4).(c, \ ' *) \ \ / *(6.*(6,7 \ ', () \ 62. * +12+, 1 + *1.9 \ .2 \ . '() \ )4(.. \ H, \ 7, 6(, 7 \ S *467, 1)5) \ \ / \ 2.(26 \ .2 \ 1, c4), \ \ 26 \ *++, *-> 0(67(63 \ 62 \ <*)() \ 021 \ 1, c4)^{*-} \ , H()., 7 \ <, c^*4), \ \ ', \ \ ' *7 \ 62 \ (6., 1, ). \ (6 \ .', \ 24.c2 \ /, \ 211(4)-0.962.72.$ 

\*69 \*c.(26 < 1243'. \*3\*(6). \*; 47(c(\*-200(c, 1021\*6\*c. 212/())(26.\*@, 6(6)4c'200(c, 15); 47(c(\*-c\*+\*c(.9) in/unctive relief shall not be granted 46-,)) \* 7, c-\*1\*.219 7, c1, ; \*)8(2-\*., 7217, c-\*1\*.2191, -(,0:\*) 46\*8\*(-\*<-,.? B2 U.S.C. J 1%K3F, /+'\*)() \*77, 76\$ see also B+- e''v. Te8+ > 3B1 F.37 352> 35D F5.' C(1. 20036.

&DD. W'(-, J 1%K35),H+1,))(//46(.9+128()(26()2

;473, '\*7 /\*7, \*6 \*--,3,7-9 46c26).(.4.(26\*- \*7 / (6().1\*.(8, 7,c()(26 A)2 / ,.'(63 / 4c'  $7(00, 1, 6... * 6\ 02-2: (63 * 6, 6* c., 7 - *:.. *. () *--, 3, 7.2 <, 46c26).(.4.(26*-..^{2%}))$ B9)4(63.', C'(,0J4).(c, \*) \* 7,0,67\*6. (6 \*6 \*c.(26)2-,-9\*(/,7\*.'\*8(63).\*.4.,) &K**O**. 7, c-\*1, 746c26).  $(.4.(26^{*}) S^{*}467, 1) + (..., 7.', C'(.0 J4).(c, (6.', c26).(.4.(26^{*}-946., 6^{*}<...))))$ +2)(.(26 20), / (63-9 '\*8(63 .27,0,67 '(/),-0 28,1\*).\*.4., +\*)),7 <9.', L,3()-\*.41, \*67 (36.7 < 9.', G28, 1621. T', ..., 6)(26 : (.', .'())) 2 < 8(24) < ..., c\*4), = N;0473, ..., H()..., 21, )2-8, $c26.128,1)(,) \approx 24. \approx -3.5) / 36(63 21 (.) c26021 / 36c, .2 .', F,7,1*- 367 S.*.,$ C26).(.4.(26)) not to " age battle as contestants in the parties#litigation.? W1 %  $W_{4} + !$ ; He+, '1 v. J+\*9 % > 5%5 U.S. 30> B0> 1B2 S. C. 522> 211 L. E7. 27 31C F2021G F, /+'\*)() \*77,76. =A) N.', U6(.,7 S.\*.,) S4+1, /,0 C241. '\*), H+-\*(6,7>062 c\*), 21 c26.128,1)95 ,H().) 0<,..:,6\*;473, : '2\*7;47(c\*..) c-\*(/) 467,1\*).\*.4.,\*67\*-(.(3\*6.:'2\*..\*c@).', c26).(.4.(26\*-(.9 20.', ).\*.4.,.5? I. FM42.(63 P-, & > BCC U.S. \*. 53K 6.1KG. W'(-, \*6 ,H().(63 =c\*), 21 c26.128,1)9? () \* 0,7,1\*- ).\*67(63 1,M4(1, / ,6.> M())())(++(5) / 21, -\*H ).\*67(63 14-,) <9 62 / ,\*6) 31,,6 -(3'...', )4(63 20 ;473,) : ',6 ..', )2-, c-\*(/ () ..'\*.\* ).\*.4., () 46c26).(.4.(26\*-. A) S\*467,1)5) c246),-

&K1. W, '\*8, 02467 62 c\*),)>(6 .'() C241. 21 2.',1)> : ',1, \* C'(,0 J4).(c, '\*)<,,6 )4cc,))04--9 )4,7 (6 -(@, c(1c4 / ).\*6c,). A67 :, '2 20.', ;47(c(\*- 6\*.41, 20.',(11,)+26)(<(-(.9>.', c'\*6c,19 c-,1@)\*67;473,) 72 62. '\*8, \* )400(c(,6.-9 Q+,1)26\*-).\*@, (6.', 24.c2/, 20.', c26.128,1)9\*).2\*))41, .'\*. c26c1,., \*78,1),6,)) : '(c')'\*1+,6).', +1,),6.\*.(26 20 ())4,) 26 : '(c'.', c241.)2-\*13,-97,+,67) 021(--4/(6\*.(26 20 7(00(c4-. c26).(.4.(26\*-M4,).(26).5?FM42.(63 B+9e''v. C+'")3C% U.S. 1KC> 20B>K2 S. C.. C%1>D L. E7. 27 CC3 F1%C2666. A@(6.2',1\*c.(26\*3\*(6)..', C'(,0 J4).(c,> &K5. I c26c41 : (.'.', /\*;21(.9 26 \*-- ())4,) ,Hc,+. (.) 7,c()(26 .2 4+'2-7 .', C\*+(.2-C2/+-,HI/+128,/,6. D().1(c. FCCID6 c241.. B,c\*4), 20 \* 0\*.\*- c26).(.4.(26\*-7,0(c(,6c9 (6.', L,3()-\*.41,5) 0\*(-41, .2+-\*c, .', CCID c241.467,1.', )4+,18()(26 20 \* c26).(.4.(26\*c241.>I 7()),6. (6 +\*1..

&KC. T', +\*1.(,) \*67.'() C241. \*1, (6 \*31, , / ,6. 26.', 6\*.41, 20 \* -,3()-\*.(8,-9 c1,\*.,7 = (60,1(21 c241.?\*) c26., / +-\*.,7 < 9.', M())())(++(C26).(.4.(26. See

M46(c(+\*- c241.) \*1, -,3()-\*.(8,-9 c1,\*.,7 (60,1(21 c241.) . '\*. \*1, (68,).,7 : (. ')2 /, 20 . ', ;41()7(c.(26 20 . ', c(1c4(. c241. \*67 \*1, )4+,18(),7 <9 . ', c(1c4(. c241. 8(\* \* 1(3 '. . 2 \*++,\*-. M()). C27, A66. J %%#35#1 FR,8. 20206.<sup>31</sup>

&K%. I 7()\*31, ... W, 72 62. '\*8, .', c26).(.4.(26\*- \*4.'21(.9 .2 \*/,67 .',).\*.4.219 7,0(6(.(26 20 \* / 46(c(+\*- c241.>\*67 : ,--#,).\*<-()',7+1(6c(+-,) 20).\*.4.219 c26).14c.(26 72 62. +,1/(. 4) .2 ,631\*0. \* 1(3'. 20 \*++,\*- (6.2 .', +-\*(6 -\*634\*3, 20 H24), B(-- 1020. T', certiorari +12c,741, 467,1 S,c.(26 11#51#%5 c260(6,) .', c(1c4(. c241. .2 \* 1,8(,: 20 M4,).(26) 20 -\*: \*++\*1,6. 012/.', 0\*c, 20 .', 1,c217 20 -2: ,1 c241. +12c, 7(63). T'() -(/(.\*.(26 +1, c-47,))4+,1(21 c241. 28,1)(3'. 20 ,8(7,6.(\*19>+12c,741\*->\*67 \*7;47(c\*.219)

<sup>&</sup>lt;sup>31</sup> O. ', 1, H\* / +-, ), H(). (6 M())())(++(5); 47(c(\*19> (6c-47(63 924. ' c241.. See M())). C27, A66. J B3#21#C51F16 FR, 8. 20216.

&%2. T', /\*;21(.9 =c26c-47,N)0 N. '\*.0.', L,3()-\*.41, (6.,67,7 \*++,\*-) 012 / .'() (60,1(21 c241..2 +12c,,7;4). -(@, .9+(c\*- / 46(c(+\*- c241. \*++,\*-).? M\*;. O+. & B5. W, c\*662. \*11(8, \*..'() c26c-4)(26 : (.'24. \*77(63 -\*634\*3, .2.', ).\*.4., .'\*. )(/+-9 () 62..', 1,. =T', 046c.(26 20.', C241. () 62..2 7, c(7, : '\*. \* ).\*.4., )'24-7 +128(7,><4..2 7,.,1/(6, : '\*. (.72,) +128(7,.? L+0 % v. H% e70 e, 1!';,, 1!\*.>D5 S2. 37 102B>102D FM()). 20116 Fc(.(63 R- e, v. S'+'e 231 M()). 1DC> %B S2. 27 %1C> %1D F1%5D06. =T'() C241. Qc\*662....\*77.2. .', +-\*(6 / ,\*6(63 20.', ).\*.4., .N50? L. \*. 1030 FM42.(63 H& W+7 H% e, 1!\*., v. M& . G+( & C% ( ;!>D33 S2. 27 DCB> DC% FM()). 1%%%66. T', +1, )4 / +.(26 20 c26).(.4.(26\*-(.9

**63156**(**1)**424(\*)-0.634173())-0.635729

72c.1(6, \*67 241 : ,--#,).\*<-()',7 +1(6c(+-,) 20).\*.4.219 c26).14c.(26. H,1,>.', +1\*c.(c\*-24.c2 / , 20 H24), B(-- 1020 ().'\*..', CCID c241. '\*) 62. <,,6+-\*c,7 <9).\*.4.,467,1.', )4+,18()(26 20 \* c26).(.4.(26\*- c241..

&%5. I. () 62. .', ;47(c(\*195) +-\*c, .2 02--2 : <, '(67 .', L,3()-\*.41, \*67 c'22), \*77(.(26\*-/46(c(+\*-c241.+128()(26) .2 \*77 .2 .', +-\*(6 -\*634\*3, 20 \*6 ,6\*c.,7 ).\*.4.,. T',1,021,>.'() C241. c\*662. c-\*))(09 21 4+'2-7 .', CCID c241. \*) \*6 = (60,1(21 c241..? W'(-, .', CCID c241. () A / ,.\*+'21(c\*--9 )+, \*@(63 A \* +,3 (6 6, ,7 20 \* '2-,>(.><,(63 \* )M4\*1, +,3>)(/+-9 : (--62.

&&C. T', c\*.c'#\*--\*634\*3, =2.', 1.1(<46\*-)?(6S, c.(2611#51#K172,)62.2+, 1\*., .2 cl, \*., .2 cl, \*.

T', ,H+1,)) 1(3'. .2 \*++,\*- .2 c(1c4(. c241. 012 / <2\*17) 20 )4+,18()21) \*67 / 46(c(+\*-<2\*17) () 02467 (6 M())())(++( C27, S,c.(26 11#51#D5 FR,8. 201%6.

&%K. T',1,021,>c26)(7,1(63 S,c.(26 11#51#K1 \*) \* : '2-,>.',1,0,1,6c,.2=2.',1.1(<46\*-)? /,1,-9c-\*1(0(,).'\*.\*-(.(3\*6.+2)),)),7 20\*6,H+1,))).\*.4.2191(3'..2\*++,\*-.2c(1c4(.c241. +128(7, c26).(.4.(26\*--9)400(c(,6. 28,1)(3'. 20.', CCID c241.. A6 (60,1(21 c241. = / 4). <, (60,1(21 (6 4-.(/\*., \*4.'21(.9.2.', c26).(.4.(26\*--9 c1,\*.,7 c241. : '(c', H,1c(),).',)\*/, ;41()7(c.(26N0?\*67=N.0'())4+,1(21(.9())'2:6<93(8(63.', c26).(.4.(26\*-c241.c26.12--(63 \*4.'21(.9 28,1.', -,3()-\*.(8, c241.N.0? M+''1+,) CC2 S2. 27 \*. 5D0. =NS04+,1(21(.9 ()) \*cc2 / +-()',7 <9 3(8(63.', c(1c4(. c241..', c26.12--(63 \*4.'21(.9 20 1,8,1)\*-) 1,8()\*-) c211, c.(26 \*67 7(1, c.(26 28, 1.', 6, : c241....? E8 \$+'''eT-\*9e'') 1CB M()). 20) 1B3 S2. D00> D01 F1%3266.

&101. T', certiorari /, c'\*6() / 20 S, c.(26 11#51#%3 / \*67\*.,).'\*.=.', Nc(1c4(.0 c241.)'\*--<br/><, c260(6,7.2.', ,H\* / (6\*.(26 20 M4,).(26) 20 -\* : \*1()(63 21 \*++,\*1(63 26 .', 0\*c, 20 .',<br/>1,c217 \*67 +12c,,7(63).? T'() -(/(.\*.(26 +1,c-47,) .', c(1c4(. c241.5) ,H,1c(), 20 =<br/>=c26.12--(63 \*4.'21(.9? 28,1 CCID c241.7,.,1 / (6\*.(26) 20 / \*..,1).'\*.\*1, 62. M4,).(26) 20 -\* :> (6c-47(63 ,8(7,6.(\*19 ())4,).'\*. : 24-7 <, 1,8(, :,7 021 \*<4), 20 7()c1,.(26. T'() -(/(.\*.(26 () +\*1.(c4-\*1-9 +12<-, /\*.(c 3(8,6.'\*..', CCID c241. : 24-7 ',\*1 c1(/(6\*-c\*),)) \*67 () 62. \* c241. 20 1,c217.

&102. Certiorari

/\*@, certiorari 1,8(,: +\*1.(c4-\*1-9 \*++12+1(\*.,>)4c' \*).'\*.=.', C241. 20 A++,\*-) '\*)

021.', )\*/, cl(/, (6 / 46(c(+\*-21;4).(c, c241..<sup>3C</sup> C26)(7,1 \* / 2.21(). : '2 () .(c@,..,7 021 \* .1\*00(c 8(2-\*.(26F21\*11,)..,7021)2/, 2.',1 / ()7, / ,\*6216 : (.'(6.', <2467\*1(,) 20.', CCID. T', .(c@,..(63 200(c,1 c24-7 <, \* ).\*., .122+,1> \* J\*c@)26 +2-(c, 200(c,1> \* c\*+(.2- +2-(c, 200(c,1> .', )',1(00> \* )',1(005) 7,+4.9> 21 \* c26).\*<-,. T', 200(c,1 c24-7 ,-,c. .2 / \*@, .', .(c@,..1,.416\*<-, .2 .', J\*c@)26 / 46(c(+\*- c241.> .', CCID c241.> .', ;4).(c, c241.> 21 .', c246.9 c241..

&10C. A +,1)26 .1(,7 (6 /46(c(+\*- c241. 21 ;4).(c, c241. c24-7 \*++,\*- 7(1,c.-9.', /()7, /,\*621 c268(c.(26 7(1,c.-9.2 \* c241. 20 1,c217 021 \*.1(\*- de novo. 10. '\*. de novo. 1(\*-() (6 c246.9 c241.) \* c268(c.,7 7,0,67\*6. c24-7 \*++,\*- .2 .', c(1c4(. c241.)(..(63 \*) \*6 \*++,--\*., c241.) : (.'.', <,6,0(. 20 \* 04-- 1,c217 \*67 62 1,).1(c.(26 -(/(.(63 .', \*++,\*- .2 M4,).(26) 20 -\* :. A CCID c241. 7,0,67\*6.) '2 : ,8,1) : 24-7 <, -(/(.,7 .2 +,.(.(26(63 021 7()c1,.(26\*19 certiorari 1,8(, : 26-9 26 M4,).(26) 20 -\* :. See A: "+I+( v. S'+'e C1 S2. 37 1% FM()). C.. A++. 20106 F.', c(1c4(. c241. +12+,1-9 7,6(,7 certiorari 1,8(, : 20 c268(c.(26 in absentia 021)+,,7(63\*67 02--2 : (63 .22 c-2),-96% L%' v. C&7 % B+7 S\$''&/ >%C0 S2. 27 525 52C FM()). C.. A++. 20006 Fc(1c4(. c241. +12+,1-9 7,6(,7 certiorari 012 / \* c268(c.(26 in absentia 021 71(8(63 467,1.', (60-4,6c,6.<sup>30</sup>)

&10D. 16 +1\*c.(c,>.'() certiorari +12c,741, .9+(c\*--9() 4),7 021.', \*++,\*- 20 c(8(- /\*..,1). See S\$e+'' v. M& . De\$;' % W& ,&e, F&1e'& C P+'9 > %%D S2. 27 %BC FM()). C.. A++. 200K6\$ B7!-( v. M& . De\$;' % E. - \*.> %0C S2. 27 K1 FM()). C.. A++. 200B6\$ B. . % T'' . % S'+'el! ' . % H&1e''Le+''!&/ v. B'e0 e'> D32 S2. 27 %3B FM()). 1%%%6\$ H+,, v. B. . % T'' . % S'+'el! ' . % H&1e''Le+''!&/>D12 S2. 27 312 FM()). 1%%K6\$ M& . E( \$. Se\*. C% ( ;! v. C%,& >C2% S2. 27 5DC FM()). 1%%36\$ M& v. C1- '\*10 e, M%%'C% 15B M()). C31>122