

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-14551-GG

KELVIN LEON JONES,
BONNIE RAYSOR,
DIANE SHERRILL,
Individually and on behalf of others similarly
situated,
JEFF GRUVER,
EMORY MARQUIS MITCHELL,
MARQ,
BETTY RIDDLE,
KRISTOPHER WRENCH,
KEITH IVEY,
KAREN LEICHT,
RAQUEL WRIGHT,
STEVEN PHALEN,
CLIFFORD TYSON,
JERMAINE MILLER,
FLORIDA STATE CONFERENCE OF THE NAACP,
ORANGE COUNTY BRANCH OF THE NAACP,
LEAGUE OF WOMEN VOTERS OF FLORIDA,
ROSEMARY MCCOY,
SHEILA SINGLETON,
LEE HOFFMAN,
CURTIS D BRYANT,
JESSE D HAMILTON,
LATOYA A MORELAND, et al.,

Plaintiffs - Appellees,

versus

GOVERNOR OF FLORIDA,
FLORIDA SECRETARY OF STATE,

Defendants - Appellants,

CRAIG LATIMER,
In his official capacity as supervisor of elections
of Hillsborough County Florida, an indispensable
party, et al.,

Defendants.

Appeal from the United States District Court
for the Northern District of Florida

ORDER:

The Court has identified a jurisdictional question in this case. The parties are directed to simultaneously advise the court in writing within fourteen (14) days from the date of this order of their positions regarding the jurisdictional question set forth on the attached page. Counsel must submit their responses electronically, and do not need to provide paper copies. The responses must include a Certificate of Interested Persons and Corporate Disclosure Statement as described in Fed. R. App. P. 26.1 and the corresponding circuit rules.

To the extent the issuance of a jurisdictional question would typically stay the deadline for filing appellees' briefs under Eleventh Circuit Rule 31-3(d), the Court suspends that provision. The issuance of this jurisdictional question does not affect the expedited briefing schedule set in this case, and briefing shall proceed in accordance with the Court's December 11, 2019 order.

/s/ Jill Pryor
UNITED STATES CIRCUIT JUDGE

No. 19-14551-GG

JURISDICTIONAL QUESTION

In light of the district court's October 18, 2019 order enjoining all defendants "other than the Governor and Supervisor of Orange County," please address whether Governor Ron DeSantis has standing to appeal the October 18, 2019 order. *See Wolff v. Cash 4 Titles*, 351 F.3d 1348, 1353-54 (11th Cir. 2003) (noting that it is a jurisdictional requirement that litigants establish their standing to appeal judgments and observing that it is entirely possible that named parties in a trial proceeding, who would doubtless have appellate standing for the purposes of challenging some final rulings by the trial court, could lack standing to appeal other trial court rulings that do not affect their interests); *Hollingsworth v. Perry*, 570 U.S. 693, 704 (2013) (stating that "for a federal court to have authority under the Constitution to settle a dispute, the party before it must seek a remedy for a personal and tangible harm").

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.call.uscourts.gov

December 12, 2019

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 19-14551-GG
Case Style: Kelvin Jones, et al v. Governor of Florida, et al
District Court Docket No: 4:19-cv-00300-RH-MJF

This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause.

The enclosed order has been ENTERED.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Joseph Caruso, GG
Phone #: (404) 335-6177

MOT-2 Notice of Court Action