

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

BOBBY SINGLETON, et al.,)
)
Plaintiffs,)
)
v.)
)
WES ALLEN, in his official)
capacity as Secretary of State of)
Alabama, et al.,)
)
Defendants.)

Case No.: 2:21-cv-1291-AMM

THREE-JUDGE COURT

EVAN MILLIGAN, et al.,)
)
Plaintiffs,)
)
v.)
)
WES ALLEN, in his official)
capacity as Secretary of State of)
Alabama, et al.,)
)
Defendants.)

Case No.: 2:21-cv-1530-AMM

THREE-JUDGE COURT

Before MARCUS, Circuit Judge, MANASCO and MOORER, District Judges.

BY THE COURT:

ORDER

These congressional redistricting cases have returned to this Court from the Supreme Court, which expedited its proceedings, vacated the permanent injunction

entered by this Court, and instructed us to reconsider our earlier rulings in light of *Louisiana v. Callais*, Nos. 24-109, 24-110, 2026 WL 1153054 (U.S. Apr. 29, 2026); *see Allen v. Caster*, Nos. 25-243, 25-273, & 25-274, 2026 WL 1282800, at *1 (U.S. May 11, 2026).

Although the Supreme Court’s order is summary, it makes clear that the Supreme Court (1) fully understands that Alabama’s 2026 primary elections are well underway, *id.* at *2 (Sotomayor, J., dissenting), and (2) has directed us to reconsider our earlier rulings immediately so that appropriate relief, if any, will issue in time for Alabama’s 2026 election to occur according to a lawful map, *id.* at *1 (“The judgments [in all the cases before the district court] will be issued *forthwith* pursuant to Rule 45.3.” (emphasis added)).

To facilitate an orderly and expedited process under these extreme time exigencies, we enter the following **ORDER**:

1. Any Plaintiff seeking preliminary injunctive relief is **ORDERED** to file an appropriate motion, along with full briefing, no later than **12:00 noon Central time on Friday, May 15**. The Plaintiffs already have filed motions for a temporary restraining order, Doc. 527¹; *Singleton* Doc. 354; *Caster* Doc. 432; they may supplement those motions as they deem appropriate by this deadline. Any motion

¹ Unless otherwise specified, citations are to the *Milligan* docket, Case No. 2:21-cv-01530-AMM.

for preliminary injunctive relief **SHALL** address the movant's position under **BOTH** Section Two of the Voting Rights Act of 1965 and the Fourteenth Amendment to the United States Constitution. The parties are **DIRECTED** to specifically address the effect of the Supreme Court's recent opinion in *Louisiana v. Callais* in these coordinated and related cases.

2. All Defendants are **ORDERED** to file any responses to motions for preliminary injunctive relief no later than **12:00 noon Central time on Monday, May 18**. Defendants may (but are not required to) make one omnibus filing.

3. Movants may file replies to the Defendants' responses no later than **12:00 noon Central time on Tuesday, May 19**.

4. All parties may make any other filings they deem appropriate to protect their rights and the Court's jurisdiction, and they are **DIRECTED** to make those filings without delay so that the Court may consider them together with any requests for preliminary injunctive relief. Although *Caster* has not yet returned to Judge Manasco from the United States Court of Appeals for the Eleventh Circuit, its return is imminent under the Supreme Court's order yesterday, *see Caster*, 2026 WL 1282800, at *1, and the members of this Court shall continue to coordinate all of these cases. Accordingly, the *Caster* parties **SHALL** make any filings that they deem appropriate on the same deadlines we have set forth in this Order, and an appropriate order will issue in *Caster* as soon as possible.

5. To facilitate this Court's understanding of the practicalities surrounding the administration of Alabama's 2026 congressional elections, and in order to ensure that all Alabamians may timely and efficaciously exercise their constitutional right to vote, Secretary Allen is **ORDERED** to file an affidavit as **soon as practicable**, but no later than **12:00 noon Central time on Friday, May 15**, providing any and all such information that he believes to be necessary to the resolution of the issues now before this Court, on remand from the Supreme Court.

We are well aware that Secretary Allen was administering Alabama's 2026 congressional elections according to a court-ordered map that we (and the Supreme Court) declined to stay in September 2023, after we (1) found that Alabama's 2023 districting plan violated both Section Two and the Fourteenth Amendment to the Constitution, and (2) imposed race-blind relief. We are also aware that yesterday's vacatur of our previous orders requires the Secretary (and county officials working at his direction) to redistrict voters and candidates in very short order to conduct a lawful election. We also are aware that the Alabama Legislature and Governor recently enacted a law providing for a special primary to occur later this summer in affected congressional districts and to void the results of the primary that has been underway for some time. Finally, we are acutely aware that under applicable federal law that we are without authority to affect, absentee ballots must be provided to

Alabamians serving in the armed forces overseas no later than forty-five days before any election. *See* 52 U.S.C. § 20302(a)(8)(A).

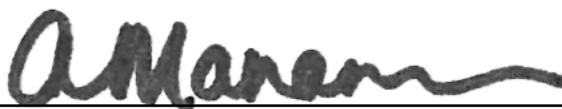
Accordingly, at a minimum, the Secretary is directed to advise this Court of the date by which he needs an electoral map in hand to timely facilitate a special primary election in accordance with Alabama law. It is essential that we have a full understanding of all relevant practicalities without delay.

We will set a preliminary injunction hearing, as may be necessary, by separate order.

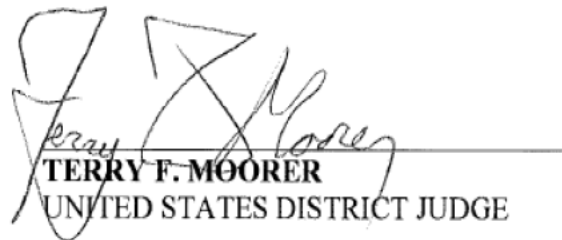
DONE and **ORDERED** this 12th day of May, 2026.



STANLEY MARCUS
UNITED STATES CIRCUIT JUDGE



ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE



TERRY F. MOORER
UNITED STATES DISTRICT JUDGE