

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ALABAMA LEGISLATIVE)	
BLACK CAUCUS, et al.,)	
)	
Plaintiffs,)	
)	CASE NO. 2:12-CV-691
v.)	(Three-Judge Court)
)	
THE STATE OF ALABAMA, et al.,)	
)	
Defendants.)	

ALABAMA DEMOCRATIC)	
CONFERENCE, et al.,)	
)	
Plaintiffs,)	
)	CASE NO. 2:12-CV-1081
v.)	(Three-Judge Court)
)	
THE STATE OF ALABAMA, et al.,)	
)	
Defendants.)	

ORDER

The United States Supreme Court remanded these cases to this Court in *Alabama Legislative Black Caucus v. Alabama*, No. 13-895, and *Alabama Democratic Conference v. Alabama*, No. 13-1138, 575 U.S. ___, 135 S. Ct. 1257 (2015). Pending before the Court are three motions filed following the remand. The first motion, filed by the Alabama Legislative Black Caucus Plaintiffs, asks that we reconsider our decision (*see* Docs. # 242, 265) to readopt our earlier orders on issues that were not addressed by the Supreme Court. (Doc. # 254.) The second motion, also filed by the Alabama Legislative Black

Caucus Plaintiffs, moves for summary judgment on their district-specific racial gerrymandering claims or, alternatively, for the opportunity to present additional arguments and evidence in support of their claim alleging a violation of the guarantee of one person, one vote under the Equal Protection Clause of the Fourteenth Amendment. (Doc. # 255.) The third motion, filed by the State of Alabama Defendants, moves conditionally to certify questions to the Alabama Supreme Court concerning “what force the county-splitting restrictions in the Alabama Constitution retain, if any, in light of the federal Constitution’s demand ‘that a State make an honest and good faith effort to construct districts, in both houses of its legislature, as nearly of equal population as is practicable.’” (Doc. # 264, at 1 (quoting *Reynolds v. Sims*, 377 U.S. 553, 577 (1964).)

Based upon careful consideration of the motions (Docs. # 254, 255, and 264), and to the extent that the court’s ruling today on the racial gerrymandering claims has not rendered the motions moot, it is ORDERED that the motions are DENIED.

Judge Thompson adopts his Statement. (Doc. # 243.)

DONE this 20th day of January, 2017.

/s/ William H. Pryor Jr.
UNITED STATES CIRCUIT JUDGE
PRESIDING

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT
JUDGE

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE