

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

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? J ; ?*LNMJ ; :: VD

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INTRODUCTION

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Section 19: Restrictions on Identification Documents for Official Purposes

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v. Garamendi"⁷VSW"L:N:"SWY7"EPD"aPDDS>j"see also United States v. Arizona"⁷bb"
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+%"`) , \$ "<%\$ "s@7"U5%"=&(9\$6"5\$&"526Q) , ="+"=" % /+%&]6")XX%(, + 3 \$, +6") , ="X5R6(/) ."

+5\$&)XR"0%..%U(, ') , "(, /)X) / (+) + (, ' "(, e2&R"+5) + "5\$ "6200\$&\$=":"<\$ / .:"%0" `) , \$ "<%\$ "s@ "r"

S7")++) /5\$=")6" I c:"@D:""K%&"(, 9(+ , ' "0&(\$, =6"(, +%"+5\$ (&"5% 3 \$6") , ="X&%9(=(, ' "+5\$ 3 "

U(+5") "X.) / \$ "+% "6+)R7"8.) (, +(006"H&(= ' \$6") , =" #&2 , \$&" .(h\$U(6\$) &\$")+"&(6h"%0"/ & (3 (,) ."

X&%6\$ /2+(% , : ""H&(= ' \$6"<\$ / .:"r"@Vj"N5)&% , " #&2 , \$&"<\$ / .:"r"Y:

M , "+5(6"U)R7"N\$ /+(% , "T") 3 %2 , +6"+%) "6/5\$ 3 \$ "0%&"=\$+\$& 3 (, (, ') , ="X2 , (65(, ' "

2 , .)U02."X&\$6\$, /\$(, "+5\$ "6+) + \$ "+5&%2 ' 5"+5\$ "%X&)+(% , "%0"6+) + \$ " / & (3 (,) .) U6:"" - 6"

=(6/266\$=")Q%9\$7"+5\$ / % , =(+(% , 6") , ="X\$, .) + (\$6")66% / () + \$="U(+5"+5\$ "\$, +&R"(, +%") , ="

/ % , + (, 2\$="X&\$6\$, / \$ "%0" , % , B / (+ (^ \$, 6" (, "+5\$ "L , (+\$="N+) + \$6")&\$" / % , 6+(+2+(% ,) ..R"

&\$6\$&9\$="+" "+5\$ "0\$=\$&)." ' %9\$& , 3 \$, +:"DeCanas7"EPE"L:N:")+"SVW:"" [\$+7"N\$ /+(% , "T]6"

8\$, ,6R.9), (]6" - .(\$, "4\$ '(6+&)+(%, " - /+7"U5(/5"&\$_2(&\$=7") 3%, ' "%+5\$&"+5(, ' 67"+5)+"
\$9\$&R").(\$, "@C"R\$)&6"%&%"9\$&"+%"&\$/\$(\$9\$)"6+)+\$").(\$, "(=\$, +(0(/)+(%, "/)&=7"/)&&R"(+"+)".."
+(3 \$67") ,="65%U"+5\$"/)&="U5\$, \$9\$&"+(" 3)R"Q\$"=\$ 3) ,=\$="QR") , "%00(/\$&:""S@P"L:N:")+"
VY:""F5\$" ?%2&+"0%2, ="+5)+7

1)9(, ' "+5\$"/%, 6+(+2+(%, ,).")2+5%&(+R"6%"+%"=%7"1?%, ' &\$66m"5)6"X&%9(=\$=" *a standard for alien registration in a single integrated and all-embracing system*" (, "%&=\$&"+%" %Q+)(, "+5\$"(, 0%&3)+(%, "=\$3\$="+%" Q\$"=\$6(&)Q.\$"(", "/% , , \$/+(% , "U(+5").(\$, 6:" G 5\$, "(+ 3)=\$"+5(6")==+(%, "+%"(+6" 2, (0%&3" ,)+2&).(^(+%, ") ,="(3 3 ('&)+(%, " .)U67"+"X.)(, .R" 3) , (0\$6+\$=" *a purpose to do so in such a way as to protect the personal liberties of law-abiding aliens through one uniform national registration system, and to leave them free from the possibility of inquisitorial practices and police surveillance:*"

Id.)+"TE"a\$ 3 X5)6(6")===\$>:""

1 H"CT]6" *de facto*"=%/2 3 \$, +)+(%, "&\$_2(&\$ 3 \$, +"(6"X)&+(/2.)&.R"X&%Q.\$ 3)+(/"
Q\$/)26\$" 3) , R"0%&\$\$(' , ,)+(%, ,).6"U5%"&\$6(=\$"(", "+5\$L , (+\$="N+)+\$6"U(+5"+5\$"

)++)/5\$=")6" I c:"M"+%"*)2+\$&Q)/h" <\$/.::""F5\$", 2 3 Q\$&"%0"(,=(9(=2).6"(, "+5\$6\$"

6(+2)+(%, 6"(6"6(' , (0(/) , +:""M, "0(6/)."R\$)&"PDDW7" 3 %&\$"+5) , "@E" 3 (..(% , ").(\$, 6"U\$&\$"

)= 3(+\$="2, =\$&"5\$" \ (6)" G)(9\$&"8&% ' &) 3 7" <\$/.::"%0" <)9(=" \ : " - ' 2(.)&"r"PE7"0(.\$="(", "

United States v. Arizona ; %:"@DB? \ B@E@S"a<:" - &(^:"0(.\$="` 2.R"Y7"PD@D>"a/%XR"

)++)/5\$=")6" I c:"`"+%"*)2+\$&Q)/h" <\$/.:>7") , =" < 1 N"\$6+(3)+\$6"+5)+"2X"+%"PDD7DDD"

(,=(9(=2).6"U\$&\$".(' (Q.\$"0%&" + \$ 3 X%&)&R"X&%+\$ /+\$="6+)+26"Q)6\$="6%.\$R"% , "+5\$"

= \$6(' ,)+(% , "%0" 1)(+"=2\$"+% .)6+"R\$)&]6"\$)&+5_2)h\$7"N+\$ (, Q\$&' " <\$/.:."r"@W:""N2/5"

(, /&\$)6\$="X%.(/\$ (, +&26(%, " (, +%" +5\$".(9\$6"%0"+5\$6\$".)U02..R"X&\$6\$, +).(\$, 67") 3 % , ' "

%+5\$&67"(6"(3 X\$& 3 (66(Q.\$:""See DeCanas7"EPE"L:N:)" +SVC7" , :Y"af J 0"/%2&6\$7"6+)+\$"

&\$' 2.)+(% , " , %+" /% , ' &\$66(% ,)..R"6) , /+(% , \$=" +5)+"=(6/&(3 (,)+\$6") '(, 6+).(\$, 6".)U02..R"

)= 3(+\$="+" +5\$"/%2, +&R"(6"(3 X\$& 3 (66(Q.\$"(0"(" (3 X%6\$6") ==(+(% ,)."Q2&=\$, 6" , %+"

/% , +\$ 3 X.)+\$="QR" ?% , ' &\$66:g>:"

d. HB 87 Places an Impermissible Burden on Federal Resources and Interferes With Federal Immigration Enforcement

1 H"CT"(6").6%"X&\$ \$ 3 X+\$="Q\$/)26\$"(+" (3 X%6\$6") , "(3 X\$& 3 (66(Q.\$"Q2&=\$, "% , "

0\$=\$&)."&\$6%2&/ \$6"+5) +"/&\$)+\$6"f%Q6+) / . \$16m"+%" +5\$") // % 3 X.(65 3 \$, +) , ="\$c\$/2+(% , "%0"

+5\$"02.."X2&X%6\$6") , ="%Qe\$/+(9\$6"%0" ?% , ' &\$66:g""Hines7"S@P"L:N:)" +YTj"see *Egelhoff*

*v. Egelhoff ex rel. Breiner*7"VSP"L:N:"@E@7"@VD aPDD@>"a5%.=(, ' "+5) + "f=(00\$&(, ' "6+)+\$"

&\$' 2.)+(% , 6")00\$/+(, ' ") , " I 4 MN - "X.) ,]6"q6R6+\$ 3 "0%&"X&% / \$66(, ' "/.) (3 6") , ="X)R(, ' "

Q\$, \$0(+6]"(3 X%6\$"qX&\$/(6\$.R"+5\$"Q2&=\$, "+5)+ " I 4MN - "X&\$B\$ 3 X+(%, "U)6"(, +\$, =\$="+%")9% (=:]g>"a_2%+(, "' Fort Halifax Packing Co. v. Coyne"7"ECP"L:N:"@7"@D"a@WCT>>:

N\$/+(%, 6"C") ,="@S"U(..="(&\$/+R"2, =\$& 3 (, "\$0\$=\$&)." (3 3 (' &)+(%, "\$, 0%&/ \$ 3 \$, +" X&(%&+(\$6"QR"9)6+.R"(, /&\$)6(, "' +5\$", 2 3 Q\$&"%0"(3 3 (' &)+(%, "6+)+26"9\$&(0(/)+(%, " _2\$&(\$6"+%"+5\$"0\$=\$&)." ' %9\$&, 3 \$, +:"M, ")==+(%, "+%"5\$(3 3 (' &)+(%, "_2\$&(\$6")2+5%&(^\$="QR"N\$/+(%, "C7"N\$/+(%, "@S" 3), =)+\$6"+5)")"9\$&(0(/)+(%, "&\$_2\$6+"Q\$" 62Q 3 (+\$="+%"5\$"0\$=\$&)." ' %9\$&, 3 \$, +"0%&"\$9\$&R"626X\$/+=\$="0%&\$(' , ,)+(%,). k &\$')&=.\$66"%0"U5\$+5\$&"+5\$R")&\$"626X\$/+=\$="+%"Q\$"2, .)U02..R"X&\$6\$, +"%&", %+ k U5%"(6" /%, 0(, \$="0%&"), R"X\$&(=%"0"+(3 \$(, ")"/%2, +R"%&" 3 2, (/X)."e")., ="U5%"=%\$6", %+" 5)9\$"=%/2 3 \$, +6%", "5), ="+"\$6+)Q.(65"(3 3 (' &)+(%, "6+)+26:"" J : ? : # : - : "d"EPBEB@Ea/>:" - 6"=(6/266\$=")Q%9\$7").)&' \$", 2 3 Q\$&"%0"0%&\$('\$, ,)+(%,).6"U(.."Q\$"2,)Q.\$"+%"&\$)=(.R" =\$ 3 %, 6+&)+\$"+5\$(&.)U02."6+)+267"), =" 1 H"CT")2+5%&(^\$6"), "(3 3 (' &)+(%, "(, 9\$6+(')+(%, " +5)+(", /.2=\$6"_2\$&R(, "' +5\$"0\$=\$&)." ' %9\$&, 3 \$, +(, (\$) /5"%0"+5\$6\$/)6\$6:""

1 H"CT]6") /&%66B+5\$BQ%)&=)XX&%)/5"+%"(3 3 (' &)+(%, "\$, 0%&/ \$ 3 \$, +"526" 2, =\$& 3 (, \$6"+5\$"0\$=\$&)." ' %9\$&, 3 \$, +]6")Q.(+R"+%"0%/26%", "(+6"X&(%&+(\$67"(, /.2=(, "' +5\$")XX&\$5\$, 6(%, "%0"+5\$ 3 %6+=), '\$&%26").(\$, 6:"" <\$/.:"%0<)9(=" ? : 8). 3)+(\$&"r"@C7"0(.=\$ ("United States v. Arizona"7" ; %:"@DB?â B@ñ3) \ O _O i æ O _O i æ)R(6&""+" :"

)++)/5\$=")6" I c: "*" + "% "*")2+\$&Q)/h" < \$/ .: >: F5\$ "0\$=\$&)." *)U" I , 0%&/ \$ 3 \$, +"N2XX%&+"
 ?\$, +\$&"af * IN? g>7"U5(/5"(6"&\$6X% , 6(Q.\$"0%&"&\$6X% , =(, ' "%"(3 3 (' &)+(%, "6+)+26"
 _2\$&(\$6"0&% 3 ".)U"\$, 0%&/ \$ 3 \$, +) ' \$, /(\$67"5)6"\$cX\$&(\$, /\$="f/% , +(, 2%26") , ="=& 3)+(/"
 (, /&\$)6\$6g"(, "(3 3 (' &)+(%, "6+)+26"=\$+\$& 3 (,)+(%, "_2\$&(\$6"%9\$&"+5\$X)6+"0%2&"R\$)&6:""
 8). 3)+(\$& < \$/ .: 7"r"W:""F5\$ "9\$&(0(/)+(%, "X&%/ \$66")+"5\$ " * IN ? "(6"+(3 \$B(, +\$, 6(9\$") , ="
 +)h\$67"% , ")9\$&) ' \$7"%9\$&"CD" 3 (, 2+\$6"\$9\$, "0%&"6(3 X.\$&/)6\$6:""Id.)+"r"C:""M , "6% 3 \$"
 /)6\$67"U5\$&\$")&\$9(\$U"%0"+5\$"(, =(9(=2).]6"X5R6(/)."0(\$"(6"&\$ _2(&\$=7"+5\$"&\$9(\$U" 3)R"
 +)h\$"+U%=")R6"%&" 3 %&\$:""Id.)+"r"@:""M , ")==(+(%, 7"+5\$ " * IN ? "(6"2 ,)Q.\$"+% "9\$&(0R"+5\$"
 6+)+26"%0" 3 %6+"L:N:"/(+ (^\$, 67"6(, /\$"+5\$(&"&\$/%&=6")&\$" , %+" /% , +)(, \$="(, " 2 O 2 o i 2

- ++%&, \$R"#\$, \$&)."+"62X\$&9(6\$"), =("(&\$/"N+)+\$"%00(/&\$6"(", "+5\$(&"(3 3 ('&)+(%,"U%&h"
)//%&=(, ' "+"0\$=\$&)..RB=\$+\$& 3 (, \$="X&(%&+(\$6:g" Arizona7"PD@@ " G *"@SEYWEV7")+ "pC:
K(,)..R7"+5\$ " ?%2&+"65%2.= "/% , 6(=\$&"+5\$"/2 3 2.)+(9\$"(3 X) /+"%0"%+5\$&"6+)+\$6"
X)66(, ' "6(3 (.)&". \$ '(6.)+(% , :"*See, e.g., Bonito Boats v. Thunder Craft Boats,*"ECW"
L:N:"@E@7"@Y@a@WCW>"a/% , 6(=\$&(, ' "f1+m5\$X&%6X\$/"+"%0").. "VD"N+)+\$6"\$6+)Q.(65(, ' "
6(3 (.)&"I&2.\$6mg"(", "0(, =(, ' ".)U"X&\$ \$ 3 X+\$=>j"*accord North Dakota v. United States*7"
EWV"L:N:"EPS7"EVC"a@WWD>"aH&\$, ,) , "` :7" /% , /2&&(, ' ("X)&+"), =="(66\$, +(, ' ("X)&+>"
a0(, =(, ' "6+)+\$. '\$ '(6.)+(% , "X&\$ \$ 3 X+\$="(, "X)&+"Q\$/)26\$="(00(/2.+(6\$X&\$6\$, +\$="fU%2.= "
(, /&\$)6\$"\$cX%, \$, +)..R"(0)"==(+(% ,). "N+)+\$6")= %X+"\$ _2(9).\$, +&2.\$6g"), =, %+(, ' "+5)+"
62/5")",)+(% , BU(=\$"/% , 6(=\$&)+(% , "U)6"0%2, ="f=(6X%6+(9\$g"(", "*Pub. Utils. Comm'n of*
*Cal.*7 SVV"L:N:"VSE7"VEVB EY"a@WVC>:" F5(6"/% , /&\$, "(6'0)&"0&% 3 "6X\$/2.)+(9\$:"" # \$%&' ()"
(6"+5\$ "0%2&+5"6+)+\$"+% "5)9\$X)66\$="0)&B&\$)/5(, ' "(3 3 ('&)+(% , "\$, 0%&/ \$ 3 \$, +' 3 \$)62&\$6"
) , =)"0(0+57" - .)Q) 3)7"5)6", %U"0%..%U\$="62(+:"" - .+5%2 ' 5"+5\$ "6(3 (.)&"6+)+\$.)U6"+5)+"
X&\$/\$=\$=" 1 H"CT")&\$"\$(+5\$&"/2&&\$, +.R"\$, e%(, \$="%&" , %+"R\$+"(, "\$00\$/"7"+5\$") /+2)."
(3 X.\$ 3 \$, +)+(% , "(, =(9(=2)..R") , =7"(, "X)&+(/2.)&7"U5\$, ") ' ' &\$ ')+\$=7"U(.. "02&+5\$&"
Q2&=\$, "+5\$ "0\$=\$&)." ' %9\$& , 3 \$, +]6"

=%/23\$, + k /%, =2/+ "U5(/5"=%\$6", %+"X&%9(=\$"626X(/(% , "%07"%&"X&%Q)Q.\$"/)26\$"+%"
Q\$.(\$9\$)"X&%6%, "(6\$, ') '\$="(,), R"2, .)U02."/% , =2/+: ""HR")..%U(, ' "62/5"=\$+\$, +(%, "
U(+5%2+"626X(/(% , "%0"U&%, '=%(, '7" 3 2/5".\$66"/&(3(, .)"/+(9(+R7"N\$/+(%, "C"9(%.)+\$6"
+5\$"K%2&+5" - 3\$, = 3\$, +:

1. The Immigration Status Investigations Authorized By HB 87 Will Cause Unlawful Detentions

H\$=&%/h"K%2&+5" - 3\$, = 3\$, +.)U"X\$& 3 (+6)"Q&(\$0"(, 9\$6+(')+%&R"6+%X"(0)", "
%00(/\$&"5)6"f)"&\$)6%,)Q.\$"626X(/(% , "62XX%&+\$="QR")&+(/2.)Q.\$"0)/+6"+5)"/&(3(, .)"
) /+(9(+R" 3)R"Q\$")0%"+:g""*United States v. Sokolow*7"EWD"L:N:"@7"T"a@WCW>"a/(+, ' "
*Terry v. Ohio*7"SWP"L:N:"@7"SD"a@WYC>>:""F5\$"6+%X7"5%U\$9\$&7"f

N\$/+(%,"C"X&%9(=\$6"+5)+U5\$,"),"%00(/\$&"6+%X6"),"(,=(9(=2)."Q)6\$="%,
 X&%Q)Q.\$"/)26\$"+%Q\$.(\$9\$"+5\$X&6%,"(6"\$,') '\$="(,"/&(3(,).)/+(9(+R7"(0"+5\$X&6%,"
 0)(.6"+%X&%9(=\$"+5\$"%00(/\$&"U(+5)"6+)+\$B)XX&%9\$="(=\$,+(+R"=%/23\$, "+5)+1 H"CT"
 =\$36"+%Q\$6200(/(\$,+X&%%0"%0"(33('&)+(%,"6+)+267"+5\$"%00(/\$&"3)R7"Q)6\$="%,.R"%,"
 +5\$.)/h"%0"62/5)"=%/23\$,+7"(,9\$6+')+\$"),="f=\$&3(,\$g"+5\$X&6%,]6"(33('&)+(%,"
 6+)+26:" J : ? : # : - : "d"@TBYK&QDaQ>: " " J ¥ O i

1 H"CT"=%\$6",%+"6\$+"),R"+(3\$".(3(+6%,"+5\$(33('&)+(%,"6+)+26"(,9\$6+')+(%,6"
 +5)+"(+)2+5%&(^\$67"),="+5\$6\$"(,9\$6+')+(%,6")&\$"\$,\$&)..R".\$, '+5R: @P"" J ,")9\$&)'\$7"

M v

=\$+\$,+(%, "+%" +5)"/(&/2 3 6+), /\$:"" #%, ^).\$^<\$/.:"r"@Yj"#)6/u,"<\$/.:"r"W:""K%&"
 \$c) 3 X.\$7"X&&6%, 6"=&(9(, "'(, "#\$%&'()U(+5)"9).(=" ; \$U" Z \$c(/%"%&" G)65(, '+%, "
 =&(9&\$]6".(/\$, 6\$aU5(/5")&\$"(662\$="X2&62), "+%" +5%6\$"6+)+\$6].)U6"U(+5%2+)"
 &\$_2(&\$ 3 \$, "+%0"\$9(=\$, /\$%0".)U02."(3 3 ('&)+(%, "6+)+26>7"(, /.2=(, "'*)U02."
 8&&3), \$, +" 4\$6(=\$, +6"%&"L:N:"/(^\$, 6".(h\$"8.).(+006"N(, ' 5"), ="8(v%, 7"U%2.="Q\$" 2,
)Q.\$"+% "X&&=2/\$)"6+)+\$B)XX&&9\$="(=\$, +(R"=%/2 3 \$, +"U5\$, "6+%XX\$="<\$/.:"%0"
 I&, \$6+%8(v%, r"T7")+)/5\$=")6" I c:"@Ej <\$/.:"%0`)RX)2."N(, ' 5"r"E7")+)/5\$=")6" I c:"
 @V:""N(3 (.)&.R7"X\$=\$6+&(, 6"), ="X)66\$, ' \$&6(", "9\$5(/.\$6")&\$", %+"&\$_2(&\$="QR".)U"+%
 /)&&R"), R"(\$, +(0(/)+(%, "=%/2 3 \$, +7"Q2+"U%2.="Q\$"62Qe\$/+"%)")==(+(%,)."(, 9\$6+(')+(%, "
 2, =\$&"N\$/+(%, "C"(0"+5\$R"=%", %+"X%66\$66"%&"5)9\$%", "+5\$ 3)"6+)+\$B)XX&&9\$="(=\$, +(R"
 =%/2 3 \$, +:"" - 6")&\$62.+7" 1 H"CT"62Qe\$/+6"\$9\$, "L:N:"/(^\$, 6"), =".)U02."(3 3 ('&), +6+% "
 X&&.% , '\$"=\$+\$, +(%, "X\$, =(, "'(3 3 ('&)+(%, "6+)+26"9&&(0(/)+(%, :"" #%, ^).\$^<\$/.:"r"@Vj"
 #)6/u,"<\$/.:"r"@V:

- 6"=(6/266\$=")Q%9\$(", "N\$/+(%, "Ma - >aP>a/>7" 3), R"0%&\$(' , ,)+(%, ,).6")2+5%&(^\$=" 2,
 +% "Q\$"(, "+5\$L , (+\$="N+)+\$6"=" , %+"X%66\$66"%&"5)9\$"&\$)=(.R")9)(.)Q.\$_2).(0R(, "'
 (=\$, +(R"=%/2 3 \$, +6"&\$_2(&\$="2, =\$&"d"@TBVB@DDaQ>a@BV>7"%&"), R"%+5\$&="%/2 3 \$, +)+(%, "
 +5)+ "U%2.="=\$ 3 %, 6+&)+\$"+5\$(&"(3 3 ('&)+(%, "6+)+267"62/5")6"+% "X&\$9\$, +"Q\$(, ' "62Qe\$/+=\$"
 +%)")==(+(%,)."(, 9\$6+(')+(%, "2, =\$&"N\$/+(%, "C:""K%&"\$c) 3 X.\$7"8.).(+00""`), \$"<%\$ "sPJ6"
 X&&6\$, /\$(", "+5\$L , (+\$="N+)+\$6"(6h, %U, "+%" +5\$0\$=\$&).)2+5%&(+(\$6"), ="U5(.\$"65\$5)6"

,% "0%& 3)."(3 3 (' &)+(%, "6+)+267"0\$=\$&)."2+5%&+(\$6"5)9\$"=\$/(=\$="+%)..%U"5\$&"+%
&\$ 3)(, (" ,"+5\$L , (+\$="N+)+\$6"2 ,+(.)+".\$)6+"Z)R"PD@P"+5&%2 ' 5"=\$0\$&&\$=")/+(% , :"
1 %U\$9\$&7"65\$"=%\$6" , %+"X%66\$66"X)X\$&U%&h"=%/2 3 \$, +(, ' "5\$&"6(+2)+(%, :""`) , \$ "<%\$ "sP"
<\$/ .:"r"T:""M , =(9(=2).6" .(h\$ "5\$&"U%2.="Q\$"62Qe\$/+"+"X&% .% , ' \$"=\$+\$, +(%, "2 , =\$&" 1 H"
CT7"\$9\$, "+5%2 ' 5"+5\$R")&\$" , %+"62Qe\$/+"+"(3 3 \$=()+\$&\$ 3 %9)."QR"0\$=\$&)."2+5%&+(\$6"
) , ="5\$&\$"(6" , %"\$9(=\$, /%"%0"/&(3 (, .))/+(9(+R"e26+(0R(, ' ") , R")==(+(% , .)) , (, 9\$6+(')+(% , :

3. The Practical Effects of HB 87’s Arrest Provisions are Serious

1 H"CT"U(.."/)26\$"U(=\$6X&\$)=") , ="6(' , (0(/) , +"K%2&+5" - 3 \$, = 3 \$, +"9(%.)+(% , 6"
(0"..%U\$="+%" ' "%(, +% "\$00\$/+:""N\$/+(% , "C]6")2+5%&(^)+(%, "0%&"X%.(/\$"+% "2 , =\$&+)h\$"
(3 3 (' &)+(%, "(, 9\$6+(')+(% , 6")XX.(\$6"+%"6(+2)+(%, 6"(, "U5(/5)" , "%00(/&\$"5)6"X&%Q)Q.\$"
/)26\$+"Q\$.(\$9\$)"X\$&6% , "(6"/% 3 3 (+(, ' ") , R"/&(3 (, .) "9(%.)+(% , 7"&\$ ')&=. \$66"%0"5%U"
3 (, %&:"" # % , ^) . \$ ^ "<\$/ .:"r"@Vj" #)6/u , " <\$/ .:"r"@E:""M , "#\$%&' ()7") .."&)00(/"9(%.)+(% , 67"
QAR=(, ' " 3 (, %&"9(%.)+(% , 6"62/5")6"6X\$\$=(, ' 7"0)(~~DIS~~%"Y&%X\$&AR"6 (2 , h a)" +2&D"%"&" oDJ om
e)RU).h(, ' 7")&\$"/&(3 (, .) "9(%.)+(% , 6:""

+%"9\$&(0R)" , "(, =(9(=2).]6"(3 3 ('&)+(%, "6+)+26"U5\$, "+5\$"(, =(9(=2)."6"2 ,)Q.\$"+%"
X&%=2/(\$f)"9).(=#\$%&' ()"=&(9\$&]6".(/\$, 6\$g"%&"/\$&+)(, "%+5\$&"=%/2 3 \$, +6"+5)+"
f&\$_2(&\$1m"X&%%0"%0". \$ ')."X&\$6\$, /\$(, "+5\$L , (+\$="N+)+\$6"Q\$0%&\$"(662) , /\$:g"" J : ? : # : - :
d"@TBVB@DDaQ>: @E7@V"" Z) , R"X\$%X.\$"+&)9\$."U(+5")"9).(="=&(9\$&]6".(/\$, 6\$")6"+5\$(&"% , .R"
0%& 3 "%0"(=\$, +(0(/)+(%, 7"R\$+"6% 3 "\$6+)+\$6 k /2&&\$, +.R" ; \$U" Z\$c(/%) , =" G)65(, '+% , k
(662\$="&(9\$&]6".(/\$, 6\$6"U(+5%2+"&\$_2(&(, 'X&%%0"%0"0\$=\$&)."(3 3 ('&)+(%, "6+)+26: @Y""
F5267").+5%2' 5"# \$%&' () , 6"/) , "26\$"+5\$(&"=&(9\$&]6".(/\$, 6\$6"+%)9%(=") , "(3 3 ('&)+(%, "
=\$+\$& 3 (,)+(%, 7"+&)9\$.\$&6"0&% 3 "/\$&+)(, "%+5\$&"6+)+\$67"(, /.2=(, 'X\$%X.\$"0&% 3 " ; \$U"
Z\$c(/%) , =" G)65(, '+% , 7"62/5")6"8.)(, +(006"8(v% , ") , ="N(, ' 57"/) , , %+"26\$"+5\$(&"9).(="6+)+\$="&(9\$&]6".(/\$, 6\$6"0%&"5\$"6) 3 "\$X2&X%6\$:"M , 6+\$)=7"+5%6\$"%2+B%0B6+)+\$"+&)9\$.\$&6
U(.."0)/\$")==(+(% ,)."6/&2+(, R"QR" # \$%&' ()"X\$)/\$"%00(/\$&6") , ="U(.."Q\$"\$00\$/+(9\$.R"

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&\$_2(&\$="+%"%Q+)(,), ="/)&&R")==(+(% ,)."=%/2 3 \$, +)+(%, ")//X+)Q.\$"2, =\$&" 1 H"CT"
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\$00\$/+:""See N(, ' 5"<\$/.:"r"Y:"" - .+5%2 ' 5"+5\$&(' 5"+%"+&)9\$."=%\$6", %+" ' 2)&), +\$\$)//\$66"
+%) , R"f6(, ' .\$" 3 %=\$"%0"+&), 6X%&+)+(%, 7g"John Doe No. 1 v. Ga. Dep't of Pub. Safety7"
@ET"K:"N2XX:"P="@SYW7"@STV"a ; :<:"#):"PDD@>7" 1 H"CT]6"Q2&=\$, "%, "+&)9\$.\$&6"0&% 3 "
G)65(, '+%, ") , =" ; \$U"Z\$c(/%)XX.(\$6"&\$ ')&=.\$66"%0" 3 %=\$"%0"+&)9\$." , ="(, "0)/+"
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+%) , R"X\$)/\$"%00(/\$&"(, 9\$6+(')+(%, 7"U5\$+5\$&"+5\$"(, 9\$6+(')+(%, "%//2&6"% , "Z - 4F - 7"% , "
+5\$"6(=\$U).h7"0%..%U(, ' ")&%2+(, \$"+&)00(/"6+%X7"%&"(, "6% 3 \$%, \$]6"5% 3 \$:"" J : ? : # : - : "d"
@TBVB@DDj"see also"N(, ' 5"<\$/.:"r"E:"

&X)66"+5&%2 ' 5"\$9\$&R"X)&+"%0"1+5\$L , (+\$="N+)+\$6m"U(+5%2+(, +\$&&2X+(% , 7")6"0&\$\$.R")6(, "
%2&%U , "N+)+\$6:g""Crandall v. Nevada7"TS"L:N:"SV7"EW"a@CYC>:

1 H"CT"02&+5\$&"9(%.)+\$6"+5\$&"(' 5+%"&)+9\$. "Q\$/)26\$"+("X&\$662&\$6"%+5\$&"6+)+\$6"+%
.\$' (6.)+\$"(, "&\$6X% , 6\$"6%"5)+"+5\$(&"/(+^\$, 6"=%" , %+"0)/\$"=(6/&(3 (,)+%&R"+&\$)+ 3 \$, +"(, "
#%\$&' ():""See Austin7"EPD"L:N:")+"YYBYT"a\$cX.) (, (, ' "+5)+62/5"X&\$662&\$%" , "%+5\$&"
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Z\$c(/%) , =" G)65(, '+% , "QR"/&\$)+ (, ' ")X\$,) . +R"0%&"5%6\$"6+)+\$6]"&\$6(=\$, +6"U5%"+&)+9\$. "
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1 H"CT]6"=(00\$&\$, +)."+&\$)+ 3 \$, +"%0"+&)+9\$.\$&6"Q)6\$=" , "+5\$(&"6+)+\$]6"=&(9\$&]6"
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+%"+5\$X2&X%6\$%0"+5\$".)U k (3 3 (' &)+(% , "&\$' 2.)+(% , " ,) , ="\$, 0%&/ \$ 3 \$, +7"see supra
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0&% 3 "/\$&+)(, "6+)+\$67"(, /.2=(, ' "L:N:"/(+^\$, 6") , =".)U02..R"X&\$6\$, +(3 3 (' & , +67") , =" "
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D. HB 87 Violates the Separation-of-Powers Safeguards of the Georgia Constitution

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+%"U5)+="%/2 3 \$,+6"65).. "Q\$"/% ,6(=\$&\$="f6\$/2&\$") ,="9\$&(0()Q.\$g"6%.\$R"U(+5"+5\$"
 - ++%&,\$R"#,\$,\$&).]6"2, &\$9(\$U)Q.\$="(6/&\$+(% ,:" Z %&\$%9\$&7"+5\$" - ++%&,\$R"#,\$,\$&).]6".(6+ "
 (6"\$c/.26(9\$A",%" 3)+\$&"U5)+)2+5%&(R"(662\$6)" '(9\$, "=%/2 3 \$,+7") ,=" ,%" 3)+\$&"5%U"
 \$)6R"(+"(6+"9\$&(0R7"(0"+"(6",%+" ,"+5\$" - ++%&,\$R"#,\$,\$&).]6".(6+)+"(6",%+")"f6\$/2&\$") ,=" "
 9\$&(0()Q.\$="%/2 3 \$,+g"2,=\$&"#%&'()".)U:

F5\$"#%&'()" ?% ,6+(+2+(% , "X&%5(Q(+6"X&\$/(6\$.R"+5(6"+RX\$"%0"=\$.\$ ')+(%,:" fF5\$"
 .\$ '(6.)+(9\$7"e2=(/().7") ,=" \$c\$/2+(9\$X%U\$&6"65).. "0%&\$9\$&"&\$ 3)(,"6\$X)&)+\$") ,=" "
 =(6+(, /+j") ,=" ,% "X&6% ,="(6/5)&' (, ' "+5\$="2+(\$6"%0"% ,"\$65)..")+"5\$6) 3 \$"+(3 \$"\$c&/(\$6\$

85)& 3)/R"+%"+5\$&\$)0+\$&")2 ' 3 \$, "+5\$".)U]6"%&(' (,)."(6+"%0"X&%5(Q(+\$/5\$ 3 (/).67"U)6"
) , "2 , /% , 6+(+2+(% ,)."=\$.\$ ')+(% , "%0"X%U\$&:""F5\$"?%2&+"\$cX.)(\$="+5)+fU5(.\$"+5\$"
#\$, \$&)." - 66\$ 3 Q.R" 3)R"=\$.\$ ')+\$"/\$&+)(, "X%U\$&6"+%"+5\$"\$c\$/2+(9\$)Q&) , /5"%0"
'%9\$& , 3 \$, +(, "%&=\$&+"%"/)&&R"%2"+5\$".)U")6"\$,)/+=\$"QR"+5\$"# \$, \$&)." - 66\$ 3 Q.R7g"+5\$"
#\$, \$&)." - 66\$ 3 Q.R"/%2.=" , %+"f=\$.\$ ')+\$":":":+5\$")2+5%&+(R"+%"+=\$&\$ 3 (, "\$U5)+)/+6"a+5\$"
X%66\$66(% , "%0"62/5"62Q6+) , /\$6>"U"2.=" /% , 6+(+2+\$")/&(3 \$:g""Id.)" + "ECE:"""
N\$/+(% , "@W"%0" 1 H"CT"6200\$&6"0&% 3 "+5\$")6) 3 \$"/% , 6+(+2+(% ,)."=\$0\$/+"QR"
\$cX) , =(, "'"+5\$"\$X2&X%&+\$=")2+5%&+(R"%0"+5\$"- ++%& , \$R"# \$, \$&)."Q\$R% , ="+5)+%0" 3 \$&\$.R"
f/)&&R(, "'%2"+5\$".)Ug"+%"+5\$"&.\$"%0"=\$&\$ 3 (, (, "'"+5\$"\$9\$&R"/% , =2/+"+5)+U(.. "\$(+5\$&
Q\$".)U02."%&"2 , .)U02.: ""See id."j"Long v. State7"PDP"#):"PSV"a@WET">a=\$.\$ ')+(% , "+%"
/%2 , +(\$6"%0")2+5%&+(R"+%"+6\$+"6X\$\$=".(3 (+6"2 , /% , 6+(+2+(% ,).>j"Howell v. State7"PSC"#):"
WV"a@WTY">a6+)+2+\$"X&%9(=(, "'"+5)+f1)m , R"X\$&6% , "%&"/%&X%&)+(, "U5%"65)..9(%.)+\$"
) , R"%0"+5\$"&2.\$6"%&"&\$ ' 2.)+(% , 6"X&% 3 2. ')+\$="QR"+5\$"/% 3 3 (66(% , "1%0" ;)+2&)." "
4\$6%2&/6m"65).. "Q\$"' 2(,+R"%0")" 3 (6=\$ 3 \$) , %&g"U)6") , "f2 , /% , 6+(+2+(% ,)."=\$.\$ ')+(% , "
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#\$, \$&)." +5\$"\$X%U\$&+"="=\$&\$ 3 (, "\$U5(/5"=%/2 3 \$, +6)"&\$"f6\$/2&\$") , ="9\$&(0()Q.\$7g") , ="
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II. PLAINTIFFS WILL SUFFER IRREPARABLE HARM IF HB 87 IS ALLOWED TO GO INTO EFFECT

8.) (, +(006"U(..6200\$&"(&&\$X)&)Q.\$"5)& 3 "(0" 1 H"CT"(6" , %+"\$, e% (, \$=: "f - , "(, e2&R"(6" (&&\$X)&)Q.\$"(0"(+/) , , %+"Q\$"2, =%, \$"+5&%2' 5" 3 % , \$+)&R"&\$ 3 \$=(\$6g"%&"f(0"=) 3) ' \$6" U%2.= "Q\$"=(00(/2.+ "%&"(3 X%66(Q.\$"+%"/)./2.)+\$:g" *Scott v. Roberts*"Y@P"K:S="@PTW7" @PWV"a@@+5"? (&:"PD@D>"a/(+)(% , 6") , =" _2%+)(% , 6"% 3 (+\$=>:" 1)& 3 "&\$62.+ (, ' "0&% 3 "+5\$ " \$, 0%&/ \$ 3 \$, +%0") .)U"+5)+9(% .)+\$6"+5\$ "N2X&&\$ 3)/R" ? .)26\$(6" ' \$, \$&)..R"(&&\$X)&)Q.\$7" *see, e.g. Morales v. Trans World Airlines*"VDE"L:N:"STE7"SC@a@WWP>j"Arizona7" PD@@ " G * "@SEYWEV7")+ "p@W7")6")&\$%"+5\$&"/% , 6+(+2+(% ,) . "5)& 3 6"+5)+)&\$" (, +) , ' (Q.\$" (, ,)+2&\$7 *KH Outdoor, LLC v. Trussville*"EVC"K:S="@PY@7"@PTP"a@@+5"? (&:"PDDY>:

M0" 1 H"CT" ' %\$6" (, +% "\$00\$/+7" ("U(..(3 3 \$=()+\$.R"62Qe\$/+ " , 2 3 \$&%26"X.) (, +(006") , =" 3 3 Q\$&6"%0"X.) (, +(00"%&') , (^)+(%, 6"+%"+5\$"&(6h"%0"2 , /% , 6+(+2+(% ,) .) , =" \$c+\$, =\$=" =\$+\$, +(%, "U5(.\$"X%.(/ "\$%00(/&\$6" (, 9\$6+(')+\$" (3 3 (' &)+(%, "6+)+26:" < \$/ . : "%0" I . (6\$%" Z\$=(,) "r"C7")+)/5\$=") 6" I c:"PEj" < \$/ . : "%0" 1)&&(6"4)R , %&"rr"EBY7")+)/5\$=") 6" I c:"PV:" 8.) (, +(006")&\$")=(9\$&6\$ " &%2X"%0" (, =(9(=2).6") , ="%&') , (^)+(%, 6"U5%"&\$X&\$6\$, +&)/() . " 3 (, %&+(\$67" ,)+(% ,) . "%&(' (, " 3 (, %&+(\$67" (, =(9(=2).6"U5%"6X\$)h"0%&\$ (' , .) , ' 2) ' \$6"%&" U5%"5)9\$")// \$, +6"U5\$, "6X\$)h(, ' " I , ' . (657") , =" (, =(9(=2).6"U5%" .)/h"+5\$ "_2) . (0R(, ' " (= \$, +(R"=%/2 3 \$, +6"\$, 2 3 \$&)+\$=" (, " 1 H"CT:"M0" 1 H"CT"+)h\$6"\$00\$/+7"8.) (, +(006"U(..Q\$")+ "&(6h"%0"=(6/&(3 (,)+%&R"+&\$)+ 3 \$, +7"2 , U)&&) , +\$="X%.(/ "\$6/&2+(, R7"X&& . % , ' \$=" =\$+\$, +(%, 67") , =")&&\$6+"\$9\$&R"+(3 \$"+5\$R"/% 3 \$" (, +% /% , +) /+ "U(+5" # \$%&' () .)U"

&\$X%&+(, '"/&(3 \$6"+%"+5\$X%./("\$%&")/+(, '")6"U(+, \$66\$67"+526"3)h(, '+5\$ 3"92., \$&)Q.\$"
+)&' \$+6"0%&"/&(3(, .)6"), ="2, =\$& 3(, (, 'X2Q./("6)0\$+R"(, "+5\$(&"/% 3 3 2, (+(\$6:""See
#%, ^).\$^<\$/.:"rr"@DB@Ej"N 3 (+5"<\$/.:"rr WB@Ej"see also `), \$"<%\$"sP"<\$/.:"r @@j"
`%5, "<%\$"s@"<\$/.:"r @@j`%5, "<%\$"sP"<\$/.:"r Yj"K.%&\$6"<\$/.:"rr"@DB@Pj"; (/5%..6"
<\$/.:"rr"@P7"P@j" I=U)&=6"<\$/.:"r W:""N% 3 \$"U(..)9%(="/% , +)/+"U(+5"X%./("\$) .+% '\$+5\$&"
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F5\$6\$5)& 36")&\$" _2(, +\$66\$, +(, ."\$c) 3 X.\$6"%0"(&&\$X)&)Q.\$5)& 3 "Q\$/)26\$"%0"+5\$(&"
(, +), '(Q.\$"), ="2, _2), +(0)Q.\$"), +2&\$:""See Trans World Airlines7"VDE"L:N:")+"SC@:"
Z %&\$%9\$&7").. "8.)(+, (006"), ="# \$%&' (), 6"U(.."Q\$5)& 3 \$=")6".%/).")U"
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\$00\$/+2)+\$" 1H"CT]6"6+)+26B9\$&(0(/)+(%, ") , =(3 3 (' &)+(%, "\$, 0%&/ \$ 3 \$, +"X&%9(6(% , 6:""

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See 8(v% , "<\$/.:"r Cj"N(, ' 5"<\$/.:"rr"EBTj Pro-Choice Network of W.N.Y. v. Project Rescue W.N.Y.

'%9\$&, 3 \$, +]6")Q.(+R"+%"&\$ '2.)+\$"(3 3 ('&)+(%, ") , ="/% , =2/+ "0%&\$(' , ")00)(&67") , ="

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FA"aP@S>"YSWBSWDD
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Joaquin@nilc.org
Tumlin@nilc.org
Preciado@nilc.org
Keaney@nilc.org

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FA"aP@P>"VEWBPYYD
KA"aP@P>"VEWBPYVE
ojadwat@aclu.org
asegura@aclu.org
emukherjee@aclu.org

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FA"aEDE>"VP@BYTDD
KA"aEDE>"PP@BVCVT
naomi.tsu@splcenter.org
michelle.lapointe@splcenter.org
daniel.werner@splcenter.org

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J)h.) , =7" ?).(0%& , () "WEY@P
FA"aV@D>"YYSBCPCP
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Broder@nilc.org
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sinyenL@asianlawcaucus.org

Bspears@mindspring.com

4:"O\$\$ ') , "K\$=\$&).7" ^ &:"a#NH" ; %:"PVT PDD>
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FA"aEDE>"C@YBCY@@
KA"aEDE>"C@YBCY@V
CKuck@immigration.net
DConley@immigration.net

Attorneys for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that I have this date electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification to the following attorney for Defendants Deal, Olens, Reese, and Beatty, to whom a copy is also being hand-delivered today:

Devon Orland
Office of State Attorney General
40 Capitol Square, S.W.
Atlanta, GA 30334-1300
dorland@law.ga.gov
Attorney for Defendants Deal, Olens, Reese and Beatty

I hereby certify that a copy of the foregoing is being hand-delivered on this date to the following non-CM/ECF participant:

Falecia Stewart
Executive Director, Housing Authority of Fulton County
HAFC Headquarters
4273 Wendell Drive
Atlanta, GA 30336

This 8th day of June, 2011.

/s/ Michelle R. Lapointe