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

٧.

STATE OF MISSISSIPPI; STATE OF

ATTORNEYS FOR APPELLANTS: J. CLIFTON JOHNSON II

ROBERT B. McDUFF

PALOMA WU

JACOB WAYNE HOWARD

JOSHUA TOM

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)., / .?² &2. <math>W'(-, +2-(.(c*-*67)2c(*-c26.128,1)9 '*8,)4112467,7 .'() <(-->.', <4-@ 20 .', <(--5))4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(++-,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(+--,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(+--,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(+--,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(+--,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(+--,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1(---,7 .', c1(/ (6*-;4).(c,)9)., / .?²)4002c*.(63? c1(/ ,+12<-, / .'*. '*) =c1

¹ H.B. 1020> R,3. S,)).> 2023 M()). L*:) c'. 5BC.

² O17,1> NAACP v. Reeve > N2. 3:23#C "#2D2#HTW#LGI> 2023 WL 3DCD05%> *. EE5#C FS.D. M()). J46, 1> 2023G.

+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,.

&3. F21, H*/+-,>.', +,.(.(26,1) A A66 S*467,1)> S*<1,,6 S'*11(,0)*67 D212.'9 T1(+-,... Fc2--,c.(8,-9) S*467,1)6 A*--1,)(7,6.) 20 J*c@)26 A '*8, 62. c'*--,63,7.', <(--5), H+*6)(26 20 .', <2467*1(,) *67 28,1*-- 022.+1(6. 20 .', C*+(.2- C2/+-,H I/+128,/,6. D().1(c. FCCID6.³ N21 '*8, .',9 c'*--,63,7.',7(8,1)(26 20 .*H,) c2--,c.,7 (6 J*c@)26 .2 .', CCID P12;,c. F467 21 .', *4. '21(I*.(26 021 *77(.(26*- *++2(6.,7 *))().*6. 7().1(c. *..216,9) *67 +4<-(c7,0,67,1) 021 .', S,8,6.' C(1c4(. C241. D().1(c..³ T',1,*1,*-)2 62 c2/+-*(6.) *<24. .', -,3()-*.(8,7(1,c.(8,.'*..',D,+*1./,6.20 P4<-(cS*0,.97,8,-2+*%11)9).,/:(.'(6.',CCID <2467*1(,).⁵ 16).,*7>.', +,.(.(26,1) c'*--,63,;4)..: 2 +128()(26) (6 H24), B(-1020 A S,c.(26 1 *67 S,c.(26 B.

&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. 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. D

³ H.B. 1020> R,3. S,)).> 2023 M()). L*:) c'. 5BC> J K.

^B Id. JJ 2> 3> L %.

⁵ Id. J 13.

^c Id. J 1.

^D 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,*.(2620.',CCID(60,1(21c241.65,c.(26B20H24))), B(--1020()c26).(.4.(26*-.A1.(c-,C)S,c.(261D2)20.',M())())(++(C26).(.4.(26,H+1,))-9*67467,6(*<-9c260,1)26.',L,3()-*.41,.',*4.'21(.9.2,).*<-()'(60,1(21c241.)))4c'*).', CCID(60,1(21c241.)*)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 / .* W'(-, S,c.(26 1 c*--) .',), 6,: ;473,) =)+,c(*-c(1c4(.;473,)? 26 +*+,1 >:,), 62.'(63)+,c(*-21 46(M4, *<24..', / Ac,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 '*) <,,6 124.(6,-9 4.(-(I,7 64 / ,124) .(/,) <9 C'(,0 J4).(c,) 20 .'() C241. .2 *))(). .1(*- c241.) 0*c(63 ,/,13,6c(,) 21 28,1c12:7,7 72c@,.).

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

M()). C27, A66. J %#1#105F2G.

[%] S4<),c.(26 F2G +128(7,):

 $[\]begin{array}{l} \text{U}+26 \cdot ', 1, \text{M4},). \ 20 \cdot ', \ C'(,0 \ \text{J473}, \ 20 \cdot ', \ \text{C241}. \ 20 \ \text{A}++, \ ^*-) \rangle \cdot ',), 6(21 \ ;473, \ 20 \ ^* \ \text{c}' \ ^*6\text{c}, 19 \ 21 \ \text{c}(1\text{c4}(.\ \text{c241}.\ 7().1(\text{c.}) \cdot ',), 6(21 \ ;473, \ 20 \ ^* \ \text{c246.9} \ \text{c241.} \rangle \ 21 \ 4+26 \cdot '() \ 2 : 6 \ / \ 2.(26) \cdot ', \ C'(,0 \ \text{J4}).(\text{c}, \ 20 \cdot ', \ \text{M}())()) (++(\ \text{S4+1}, \ /, \ \text{C241.}) : (.' \ .', \ ^*78(\text{c}, \ ^*67 \ \text{c26}), 6. \ 20 \ ^* \ / \ ^*;21(.9 \ 20 \cdot ', \ ^*4).(\text{c},) \ 20 \cdot ', \ \text{M}())()) (++(\ \text{S4+1}, \ /, \ \text{C241.})) \cdot ^*+-- \ ^****, \ ^*4. \ ^*21(.9 \ .2 \ ^*++2(6. \ ^*) +, \text{c}(^*-;473, \ .2 \), 18, \ 26 \ ^* \ ., \ / +21^*19 <^*)() \ (6 \ ^* \ \text{c}(1\text{c4}(.) \ \text{c}' \ ^*6\text{c}, 19 \ 21 \ \text{c246.9} \ \text{c241}. \ (6 \ .', \ ,8,6. \ 20 \ ^*6 \ , \ /, 13, 6\text{c9} \ 21 \ 28, 1\text{c12} : 7, 7 \ 72\text{c@}, ... \ I.) \cdot ^*--<, .', 74.9 \ 20 \ ^*69 \) +, \text{c}(^*-;473,)2 \ ^*++2(6.,7 \ .2 \ ^*))(). \ .', \ \text{c241}. \ .2 : \ '(\text{c}' \ ', \ () \ ^*))(36, 7 \ (6 \ .', \ 7()+2)(.(26 \ 20 \ \text{c*4}),)) \ 2 +, 67(63 \ (6) \ ^4\text{c}' \ \text{c241}. \ 021 : \ ^*., 8,1 +, 1(27 \ 20 \ .(\ /, \ () \ 7,)(36^*., 7 < 9 \ .', \ C'(,0 \ \text{J4}).(\text{c}, \ \text{C}' \ (,0 \ \text{J4}).(\text{c}, \ (6 \ '() \ 7()\text{c1}, .(26) \ / *9 \ ^*++2(6. \ .', \)+, \text{c}(^*-;473, \ .2 \ ', \ ^*1 + ^*1.(\text{c4-*1} \ \text{c*}),)) \ ^* + ^*1.(\text{c4-*1} \ .9+, \ 20 \ \text{c*}), \ > 21 \ ^*+1.(\text{c4-*1} + 21.(26 \ 20 \ .', \ \text{c241.5}) \ 72\text{c@}, ... \end{array}$

 $\begin{aligned} & \text{FF2II},). *67 \text{ P}, \\ & \text{I19 C246}.(,) \\ & \text{C'}(,0 \text{ J4}).(c, \text{ E7}: (6 \text{ L. P}(.../*6*++2(6..7 \text{ J},)) \text{ H. D}(c@(6)26 \text{ .2}), \\ & \text{.2}), \\ & \text{.18}, *) *) +, \\ & \text{c(*-c(lc4(.;473,.^{10} \text{ A67} (6 200\text{B})*..', 1, M4,))}. \\ & \text{.20}.', \\ & \text{.5,8,6.'} \text{ C(lc4(. C241. D().1(c.*.())4, ',1, AC'(,0 \text{ J4}).(c, J*/,) W. S/(.')} \\ & \text{D().1(c.;473,) A.'}, \\ & \text{.8,19 c(lc4(. c241. 7().1(c.*.())4, ',1, AC'(,0 \text{ J4}).(c, J*/,) W. S/(.')} \\ & \text{J1.} \\ & \text{*++2(6.,71,.(1,7;473, \text{ L. B1,-*67 H(-<416*)})+,c(*-c(lc4(. c241.;473, .2',-+'*67-, .',)413, 20 cl(/(6*-/*...,1) (6 \text{ H(67) C246.9.}^{11}) \\ & \text{\&1B.} \quad \text{O8,1.'}, \\ & \text{6,H.}, \\ & \text{.(3'.9,*1)} \\ & \text{C'}(,0 \text{ J4}).(c, \text{S/(.'*67'())4cc,)}) \\ & \text{21 C'}(,0 \text{ J4}).(c, \text{W(--(*/4-4165)})+,c(*-(*/4-4165)) +,c(*-(*/4-4165)) \\ & \text{*++2(6./7,6...'1243' A+1(-2012. D41(63..'().(/,+,1(27)*77(.(26*-;473,)):,1,*-)2} \\ & \text{*++2(6...7.2',-+ H(67) C246.95)} \\ & \text{28,lc12:7,7 cl(/(6*-72c@,... T',C'(,0 \text{ J4}).(c,*++2(6...7-2c)) } \\ & \text{-10 C}(,0 \text{ J4}).(c,*++2(6...7-2c)) \\ & \text{-10 C}(,0 \text{ J4}).(c,*+2(6...7-2c)) \\ & \text{-10 C}(,0 \text$

¹⁰ O17,1>1! 'e#A\$\$% ",

^{1B} O17,1>

.2 .', S,8,6.' C(lc4(. 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.?¹D

 $D().1(c.) \% \ O17,1 \ A++2(6.(63\ S+,c(*-\ J473,>\ I.'\ ''e\#\ J-.\&\&,\ A\$\$\%\&'(\ e!'\ Re,+'e.\ '\%\ C\%'\%+v\&'-\ 2COVID3456\#\ S\$e^*\&,\ J-./e)\%'\ C1+!*e'7\ C\%'''\ \%\ S\&'ee!'\ 1\ C1+!*e'7\ C\%'''\ D\&''\&'>\ N2.\ 2020\#AP\#00D\%B\#SCT\ FM()).\ J*6.\ C>20216\ FS(H.,,6.'\ C'*6c,19\ C241.\ D().1(c.>,6c2/+*))(63\ G,213,>G1,,6,>*67\ J*c@)26\ C246.(,)\%\ O17,1\ A++2(6.(63\ S+,c(*-C'*6c,--21)$

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/+-,HI/+128, /,6.D().1(c.FCCID6): '(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' 28,1-*9) * +21.(26 20 .', CCID>: '

F16 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 .', /2.21 8, '(c-, *67 .1*00(c-*:) 20 .'()).*.,>*67 8(2-*.(26) 20 .', C(.9 20 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.)))]).1(c.)

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

F36 T', A7 / (6().1*.(8, 000(c, 20 C241.)))**--+128(

 $^{^{1\%}}$ I6 (.) ,6.(1,.9> S,c.(26 B +128(7,)):

+128(7, 021+12), c4.(63*..216,9)>* c-,1@>*67*)4(.*<-, <4(-7(63 021.', CCID (60,1(21 c241...ld. 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.) * +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.', 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./,6.200241)+,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,...

1:. 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 & 1 & 2 & 4 ('1|5x1 O.. 906 O 2 | 9 (, 1-)2.. 4 O 9 & O (*x) 912. x8x0 0 0 & 013)1 90 .*)9 & 0 2 9 7 (8)(-9).2966 & <, c*4), H24), B(-- 1020> S, c.(26 B> -*c@) *6, H+1,)) 1(3'...2*++,*-012/.', CCID c241...2 .',)4+,1(21 c(1c4(. c241...

&25. F(6*-9) S*467,1) *--,3,7 S,c.(26 %#1#105F26() 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...

&32. F(1) > .', c'*6c, --21c24-762.0(67.', ;47(c(*-#*++2(6./,6.).*.4.,)) 8(2-*.,7 A1.(c-, C))S,c.(26) 153 *67 1C5> 20.', M())())(++(C26).(.4.(26. T', c'*6c, --21*31, 7: (.'.', C241.20 A++, *-) : '(c' A : ',6 0*c,7 : (.' *)(/(-*1 *134/,6. .'*. S,c.(26 \%#1\#105 : *) 46c26).(.4.(26*-A7,.,1/(6,7.'*. S,c.(26 1C5:*) 62..', =,Hc-4)(8, /,c'*6()/? 021 *++2(6.(63)+,c(*-;473,). M*D%+, v. M*D%+, > K50 S2. 27 11K2> 11KD FM()). C.. A++. 20026. M21,28,1>.', c'*6c,--211,c236(I,7>*) * .'1,,#;473, 7().1(c. c241. +*6,-7(7 (6 1%%3 . '*. S,c.(26 \%#1\#1055) -(/(.,7 *++2(6.(8, +2:,1=1,0-,c.) 62.'(63 /21, .'*6 *)-(3'. 328,16 / ,6. (6 M())())(++(.? P'**e**0 &' v. M % **b** KB0 F. S4++. B2K> B35 FN.D. M()). 1%%36. =NT0', L, 3()-*.41, '*)*--+2-(.(c*-+2:,162.7,6(,7<9.',).*.,216*.(26*-c26).(.4.(26)N.0?)W1 ee, e'' v. S1 % +9e> 213 M()). 3DB> BO2> 5D S2. 27 2CD> 2KO F1%52G. A67 0(67(63 62 1, -, 8*6. -(/(.*.(26))).', c'*6c, --2114-, 7.', L, 3()-*.41, c24-7, H., 67*++2(6./, 6.*4.'21(.9)).2.', C'(,0 J4).(c, 467,1 <2.' S,c.(26 \| #1 \| #105 \| *67 H24), B(-- 1020 \| S,c.(26 1. &33. T', $c'*6c, -21 \ 041.', 1, /+'*)(I, 7, 6, (.', 1).*.4., c1, *.,) *77(.(26*-+, 1/*6, 6.))$;473,)'(+). 16).,*7><9.',(11,)+,c.(8,.,1/)>.', *++2(6./,6.)*1,.,/+21*19*67<*),726 ,H(3,6. c(1c4 /).*6c,) *67 7(7 62. 7(-4., .', +2:,1 21 74.(,) 20.', ,-,c.,7 H(67) C246.9 c(1c4(.;473,).

&3B. A) .2.', CCID(60,1(21c241.>.', c'*6c,--211,;,c.,7 S*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 *++, *->

 $: '(-,+,1'*+) \ 62. \ (7,*->72,) \ 62. \ 6,c,))(.*.,..'*..',1,,H().) \ 621(3'.20*++,*-.? T',CCID) \ (60,1(21c241.'*).',)*/,;41()7(c.(26*)/46(c(+*-c241.).2',*1*677,.,1/(6,+1,-(/(6*19*67c1(/(6*-/*...,1).A672.',1>*-1,*79,H().(63).*.4.219-*:+,1/(.)*6926,*7;47(c*.,734(-.9<9*/46(c(+*-c241..2*++,*-.2.',c246.9c241.>21(0.',1,()62c246.9c241..2.',c(1c4(.c241..M()).C27,A66.J11#51#K1FR,8.201%6.B,c*4),H24),B(--1020>S,c.(26B>c*6<,1,*)26*<-91,*7:(.'2.',1,H().(63-*:.2+128(7,*1(3'..2*++,*-012/.',CCID)c241..2*c26).(.4.(26*-c241.>.',c'*6c,--2114-,7S*467,1)c24-762.)'2:.',CCID c241.() 46c26).(.4.(26*-c241.>.',c'*6c,--2114-,7S*467,1)c24-762.)'2:.',CCID c241.() 46c26).(.4.(26*-$

: 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.(26021*+1,-(/(6*19(6;46c.(26*677()/()))(63 S*467,1)5) c2/+-*(6. *67*/,67,7 c2/+-*(6. 0217,c-*1*.219*67(6;46c.(8,1,-(,0.

9-) %))-\$&

&3C. O6*++,*-> 241 34(7(63 +1(6c(+-, () 241).*67*17 201,8(,:. A67 1,3*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.

&3D. T'() C241. =*7',1,N)0 .2 .', 14-, .'*. 26, :'2*))*(-) *-,3()-*.(8,,6*c./,6./4).

28,1c2/,.',).1263 +1,)4/+.(26 20 8*-(7(.9*67)4c'*))*(-*6./4). +128, '() c26c-4)(26 *00(1/*.(8,-9)*67 c-,*1-9,).*<-()'(.<,9267*1,*)26*<-,724<..? L% e! v. M& .P-: . Se'v.

C% (;!> 2D% S2. 27 C3C> CB0 FM()). 1%D3G. I6 1,8(,:(63 *..*c@) 26 74-9 ,6*c.,7 -,3()-*.(26>=N*0--724<. /4). <,1,)2-8,7 (60*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<.) (60*821 208*-(7(.9.? I. .Fc(.(63 B. .%) E. -*.v. S'+'e E. -*. F&. C% (;!>2B3 M()). DK2> 13K S2. 27 %12 F1%C26G.

1. CC19 1&3+#-\$# C\$%#(

&3K. W, 0(1). *++-9.'()).*67*17.2.', 6, : CCID (60,1(21 c241.. A67 (672(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.

A. A'"&, e <, Se*'&4 4=>, % '1 e M& & \$\$&C% '&-'&4 . &e*' '1 e Le/&,+'-'e''%e'+:,&1 &)e''&''** + ! e*e +'7.

&B0. A1.(c-, C> S,c.(26 1D2> 20 .', M())())(++(C26).(.4.(26 72,) 62. /,1,-9+,1/(.<4. *c.4*--9 directs .', L,3()-*.41, .2 ,).*<-()' *67 *<2-()' (60,1(21 c241.) *) 6,,7,7. M()). 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., $7-,3()-*.(26() <math>8*-(7.\ L\%\ e!)$ 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*67 046c.(26*) * / 46(c(+*-c241. A*67 1,)2-8(63*69 724<. (6 0*821 20 .', CCID c241.5) 8*-(7(.9)*) :, /4). A:, c26c-47, .', L,3()-*.41, (6.,67,7*++,*-) 012 / .'() (60,1(21 c241..2+12c,,7;4).-(@, .9+(c*-/46(c(+*-c241.*++,*-).²2)))))))))

D. T1e 88&'&/ +\$\$e+, \$'\%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 .', c(1c4(. c241.. Id. R,c236(I(63 .'(),H().(63 *++,*-)+12c,)) *++-(,) .2 .', CCID (60,I(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 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 20 .', validity 20 *).*.4.,.? F, /+'*)() *77,766.

&BD. B4. .', 7()),6. (3621,) .'() 7(1,c.(8,. 16 0*c. (. 72,) .', 2++2)(.,. 1. 1,*7) .'() 74-9, 6*c.,7).*.4., : (.' *6,9, .2:*17) 0(67(63 (. invalid A '46.(63 021 * 1,*)26 .2 .'12: (. 24.. 1. 72,))2 <9 1,)2-8(63 724<. *3*(6). .',).*.4., *67 6,3*.(8,-9+1,)4 / (63 .', L,3()-*.41, (6.,67,7 .',1, <, no right to appeal from a CCID court, ever. W(.' 1,)+,c. 021 .', 7()),6.> 241 -*: 021<(7) .'() *++12*c'.

²² 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,..

&50. T', CCID $(60,1(21\text{ c}241.\ *-)2\ ,6;29)\ *77(.(26*-c,1.(21*1(1,8(,:467,1\text{ M}())())(++(C27,S,c.(2611#51#%5FR,8.201%6.\ T'*.),c.(2631*6.),H+1,))>c26.12--(63*4.'21(.9.2.',c(1c4(.c241...21,8(,:;473/,6.)<9=*--.1(<46*-)(60,1(21.2.',c(1c4(.c241.?.'1243'..',+12c,741,20:1(.20c,1.(21*1(.Id.\ A67..'()-263#,).*<-()',7).*.4.219/,c'*6()/021c,1.(21*1(1,8(,:20(60,1(21c241.),H().)=:',.',1*6*++,*-<,+128(7,7<9-*:012/.',+1473/,6.)243'..2<,1,8(,:,72162..?\ Id.$

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

II. A00\$-&(; +&(\$3 S0+ -a, T+; 0\$#a#. J%'''+)

&55. S*467,1)5) 2.',1c26).(.4.(26*-c'*--,63,02c4),) 26.', C'(,0J4).(c,5) *++2(6./,6. 20)+,c(*-.,/+21*19;473,). S*467,1) *134,) <2.' H24), B(--1020) S,c.(261) *67 S,c.(26 %#1#105F268(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*69 7().1(c.(6.'() S.*.,)'*--> 021*69 1,*)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

T',), S, c.(26 1 -0.96031.289.154 -30.72 T d G(c)-1.29779(.)-0.311424(()-0.31(.)-0.480159(.)-0.310292(')-0.91020(-)-0.9

S,c.(26 1;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,

 $<1243'.26 < 9.', CO"ID#1% +*67, / (c.^{20})$

&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.(26 15) /*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.(26 20 .', c241.5) 72c@,...?

B. U & / Se*' & 53434@42>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) cl(/, +12<-,/....'*./*9<,.',,-,+'*6.(6.', 122/><4.:,58, 32.* cl(/, +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,). cl(/,() 62.)413(63 (6 J*c@)26.

&C%. A 7().1(c.;473, (6*+*1*--,-+12c,,7(63 c'*--,63(63 H24), B(--1020 (60,7,1*-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'.-97,01,*),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).,/.?^{2D} W, /,6.(26.'()<,c*4),;4).*).',

^{2C} See supra 6.1C.

^{2D} 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

C'(,0J4).(c, 4.(-(I,7S,c.(26%#1#105F26.2 / 2<(-(I, *77(.(26*-;473,) 741(63.', CO"ID#1% +*67, / (c).', C'(,0J4).(c, '*) 7()cl,.(26*19).*.4.219*4.'21(.9.2*++2(6.., / +21*19))+,c(*-;473,)>*)'()+1,7,c,))21)'*8,>.2*))(). c26.(64(63<*c@-23)*67 / 246.(63 c1(/,+12<-,/).
&D0. I6',1*..,/+..2 c41.*(-.'()*4.'21(.9>S*467,1)(6)().):,/4).1,*7(6.2 S,c.(26 %#1#

4.0.5)F2G)2F1.297/7.9(4)/-(1.*9.6061921))+0.99(7-7.9(¢)+92/1399B(36)+0.64B1939B19243.40)8(46)722966679(60)36971329B60B3-B139

;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. W1ee,e"v. S'eO+"))DKK S2. 27 3KC) 3%2 FM()). 20016 Fc(.(63 DeW& v. T1% \$ %)>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.):',6 26-9+12)+,c.(8, (6;46c.(8, 1,-(,0 ())243'.>*67 62. /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(*-(*-(*-(*-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

 $^{^{2}K}$ W, , /+'*)(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,1 021 *6 *c. 21 2 / ())(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()(26A)2/,..'(63/4c')7(00,1,6...**602-2:(63*6,6*c.,7-*:..***.()*--,3,7.2<,46c26).(.4.(26*-...***)B9)4(63.', C'(0,0)4).(c, *) * 7,0,67*6.(6*6*c.(26)2-,-9*(/,7*.'*8(63).*.4.,))&K0. 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 .2 7,0,67 '(/),-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)(,) *<24. * -*:5) /,*6(63 21 (.) c26021/*6c, .2 .', F,7,1*- *67 S.*., C26).(.4.(26)) not to "age battle as contestants in the parties#litigation.? W1 %e W% +!; He+, '1 v. J+*9 % > 5%5 U.S. 30> B0> 1B2 S. C.. 522> 211 L. E7. 27 31C F20216 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@).', 1.5).*.4., *67*-(.(3*6.: '2*...*c@).', 1.5).*.4., *67*-(.(3*6.: '2*...*c@)...*.4., *67*-(.(3*6.:c26).(.4.(26*-(.9 20 .',).*.4.,.5? I. . FM42.(63 P-,,&+(\rightarrow 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) \$*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(lc4/).*6c,). A67 :, '2

20 .', ;47(c(*- 6*.41, 20 .',(1 1,)+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/+-,H I/+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 cl,*.,7 =(60,1(21 c241.?*) c26., /+-*.,7 <9.', M())())(++(C26).(.4.(26. See

M46(c(+*-c241.)*1, -,3()-*.(8,-9c1,*.,7(60,1(21c241.).'*.*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. 20206.³¹ $H_{1,1}$, '2: ,8,1>: '(-, H24), B(--1020 / *9), , / .2 c*18, .', ;41()7(c.(2620.', CCID &KK. c241. F* c1(/ (6*-.1(*-c241.6012 / ...**.20..., c(1c4(.c241.62)...*.4.219 / ,c...**6() / 2+,1*..)).2 +-*c, .', CCID c241. 467,1.', c26.12--(63 *4.'21(.9 20 .', c(1c4(. c241.. T'() () * 0*.*c26).(.4.(26*-7.0)(c(.6c9.'*.c*662.<,1,c.(0(.7<9.',.47)(c(*-<1*6c'20328,16/.6..T',/*;21(.9>: '(-, 0(67(63.'*..', *<),6c, 20*6, H+-(c(.1(3'..2*++,*-()=+,1'*+)62.(7,*->? '2-7) .'*. .'() C241. c*6 c26).14, .',).*.4.219 1(3'. 20 *++,*- 012 / /46(c(+*- c241. *) *++-(c*<-, .2 .', CCID c241.. M*;. O+. & B3. I. 041.',1 '2-7) .'*. .', -(/(.,7 certiorari /, c'*6() / 012 /; 4).(c, c241. .2 c(1c4(. c241. 02467 (6 M())())(++(C27, S,c.(26 11#51#%3 FR.8. 201% 6*67, H., 67, 7.2 (60,1(21.1(<46*-) (6 M())())(++(C27, S,c.(26.11#51#%5 FR.8. 201%62+,1*.,)*)*)400(c(,6./,*6)20c26).(.4.(26*-)4+,18()(26.1 7()*31, .. W, 72 62. '*8, .', c26).(.4.(26*- *4.'21(.9 .2 */,67 .',).*.4.219 &K%. $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)

 $^{^{31}}$ 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.

.', $C'(0, 14).(c, 20.', M())()(++(S4+1, /, C241..^{33} A77(.(26*-9) *67 46-(@, *69))))$ M())())(++(/46(c(+*-c241.>+,1)26) c268(c.,720/()7,/,*621) (6.', CCID c241.c*6<,+-*c,7 (6.', c4).279 20.',).*., +1()26)9)., / *..', C,6.1*- M())())(++(C211,c.(26*-F*c(-(.9. H24), B(-1020), -, c.(8, -9*72+.) c, 1.*(6+128()(26) 20.', /46(c(+*-c241.).*.4.,<4. '*) 2.',1 c'*1*c.,1().(c) .'*. c260-(c. :(.'.',)*/,).*.4.,>*6 *++12*c'(/+2))(<-, (0 (... : ,1,> <9 0467*/,6.*-2+,1*.(26>*/46(c(+*-c241...))&%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). -(0, .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()). 2011G Fc(.(63) R- e, v. S'+'e 231 M()). 1DC %B S2. 27 %1C %1D F1%5DG. =T'() C241. 0c*662....*77.2 .', +-*(6 / ,*6(63 20 .',).*.4.,.N50? I. . *. 1030 FM42.(63 H& W+7 H% e , I!*., v. M& . G+(&/ C% (;!> D33 S2. 27 DCB> DC% FM()). 1%%%66. T', +1,)4/+.(26 20 c26).(.4.(26*-(.9

63136(**1)**4**24**(*)-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 (66,720*'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 c1,*.,

 $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\%G.$

&%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)),)),720*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<93(8(63.',c26).(.4.(26*-c241.c26.12--(63*4.'21(.9 20 1,8,1)*-> 1,8()*-> c211,c.(26)*677(1,c.(2628,1.',6,:c241....? E8\$+'"eT-*9e'')1CB M()). 20>1B3 S2. D00> D01 F1%3266.

&101. T', certiorari /,c'*6() / 20 S,c.(2611#51#%3 /*67*.,).'*.=.', Nc(1c4(.0 c241.)'*-

<, c260(6,7.2.', ,H* / (6*.(26 20 M4,).(26) 20 -*: *1()(63 21 *++,*1(63 26 .', 0*c, 20 .', 1,c217 *67 +12c,,7(63).? T'() -(/(.*.(26 +1,c-47,) .', c(1c4(. c241.5) ,H,1c(), 20 =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.</td>

&102. Certiorari

/*@, certiorari 1,8(,: +*1.(c4-*1-9 *++12+1(*.,>)4c' *) .'*. =.', C241. 20 A++,*-) '*) 1,67,1,7*7,c()(26:'(c'()(6c260-(c.:(.'*+1(c4-*1-

 $021.',)*/, cl(/, (6/46(c(+*-21;4).(c, c241..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(7,1*/2.21().: '2().(c@,..,7021*..^{3C}C26)(1...), ', '6216: (.'(6.', <2467*1(,) 20.', CCID. T', <2467*1(,) 20.', TCID. T', '200(c,1)* c24-7 *+-,-c... 2 /*@, .', ', '(c@,...,1,416*<-, .2.', J*c@)26 / 46(c(+*-c241...), ', CCID. c241...', ';4).(c, c241...) 21..', '(c246...) 21..', '246... 2241... 21..', '4).(c, c241...) 21..', '246... 2241... 21$

() (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,6.30)))))))))))

&10D. I6 +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%%6\$ M& . E(\$. Se*. C% (;! v. C%, & > C2% S2. 27 5DC FM()). 1%%36\$ M&, v. C1- '*10 e, M%%'C% 15B M()). C31> 122