

FILED
United States Court of Appeals
Tenth Circuit

October 20, 2011

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

JOHN DOE,
Plaintiff - Appellee,

v.

CITY OF ALBUQUERQUE,
Defendant - Appellant.

No. 10-2102

ORDER FOR SUPPLEMENTAL BRIEFING

Before **BRISCOE**, Chief Judge, **EBEL** and **O'BRIEN**, Circuit Judges.

It has come to the attention of the Court that the “Administrative Instruction” of the City of Albuquerque banning registered sex offenders from using any of its public libraries may have been rescinded in favor of a new substantively different Administrative Instruction. That presents the possibility that this case, and this appeal, may have been rendered moot.

The Court requests simultaneous briefing from both parties providing the Court with a copy of the revocation of the original Administrative Instruction and a copy of the new Administrative Instruction, together with the date when the original Administrative Instruction was rescinded and the date when the new Administrative Instruction was enacted.

In addition, the Court orders the parties to provide legal briefing on whether this action may have mooted the case and the appeal.

The legal briefs shall not exceed ten pages in length and they should be due simultaneously by the close of business on Tuesday, November 29, 2011.

Entered for the Court,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a long horizontal flourish.

ELISABETH A. SHUMAKER, Clerk