

**United States Court of Appeals**  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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NEW ORLEANS, LA 70130

June 22, 2017

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing  
or Rehearing En Banc

No. 16-60477 Rims Barber, et al v. Phil Bryant  
16-60478 Campaign for S. Equality V Bryant  
USDC No. 3:16-CV-417  
USDC No. 3:16-CV-442

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Enclosed is a copy of the court's decision. The court has entered judgment under FED R. APP. P. 36. (However, the opinion may yet contain typographical or printing errors which are subject to correction.)

FED R. APP. P. 39 through 41, and 5TH Cir. R.s 35, 39, and 41 govern costs, rehearings, and mandates. **5TH Cir. R.s 35 and 40 require you to attach to your petition for panel rehearing or rehearing en banc an unmarked copy of the court's opinion or order.** Please read carefully the Internal Operating Procedures (IOP's) following FED R. APP. P. 40 and 5TH CIR. R. 35 for a discussion of when a rehearing may be appropriate, the legal standards applied and sanctions which may be imposed if you make a nonmeritorious petition for rehearing en banc.

Direct Criminal Appeals. 5TH CIR. R. 41 provides that a motion for a stay of mandate under FED R. APP. P. 41 will not be granted simply upon request. The petition must set forth good cause for a stay or clearly demonstrate that a substantial question will be presented to the Supreme Court. Otherwise, this court may deny the motion and issue the mandate immediately.

Pro Se Cases. If you were unsuccessful in the district court and/or on appeal, and are considering filing a petition for certiorari in the United States Supreme Court, you do not need to file a motion for stay of mandate under FED R. APP. P. 41. The issuance of the mandate does not affect the time, or your right, to file with the Supreme Court.

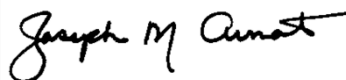
Court Appointed Counsel. Court appointed counsel is responsible for filing petition(s) for rehearing(s) (panel and/or en banc) and writ(s) of certiorari to the U.S. Supreme Court, unless relieved of your obligation by court order. If it is your intention to file a motion to withdraw as counsel, you should notify your client promptly, **and advise them of the time limits for filing for rehearing and certiorari.** Additionally, you MUST confirm that

this information was given to your client, within the body of your motion to withdraw as counsel.

The judgment entered provides that plaintiffs-appellees pay to defendants-appellants the costs on appeal.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Joseph M. Armato, Deputy Clerk

Enclosure(s)

Mr. Michael James Bentley  
Mr. Daniel Bradshaw  
Ms. Sibyl C. Byrd  
Ms. Kimberlee Wood Colby  
Ms. Justine M. Daniels  
Ms. Deborah Jane Dewart  
Mr. John Allen Eidsmoe  
Mr. Tommy Darrell Goodwin  
Mr. Jacob Wayne Howard  
Ms. Roberta Ann Kaplan  
Mr. Joshua David Kaye  
Mr. Scott A. Keller  
Mr. Charles C. Lifland  
Ms. Elizabeth Littrell  
Mr. George Andrew Lundberg  
Mr. James William Manuel  
Mr. Joshua Adam Matz  
Mr. Robert Bruce McDuff  
Ms. Alysson Leigh Mills  
Mr. Jonathan F. Mitchell  
Mr. Andrew O'Connor  
Mrs. Beth Levine Orlansky  
Mr. Mack Austin Reeves  
Ms. Nicole Erica Schiavo  
Mr. Drew Landon Snyder  
Ms. Susan L. Sommer  
Mr. Diego Armando Soto  
Mr. Kevin Hayden Theriot  
Mr. Jeffrey Samuel Trachtman  
Mr. James H.R. Windels