

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

MICHAEL A. MCGUIRE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:11-CV-1027-WKW
	)	(WO)
LUTHER STRANGE, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

This action is before the court on remand from the Eleventh Circuit Court of Appeals for resolution of a jurisdictional issue. On March 1, 2016, the Eleventh Circuit remanded the case “for the limited purpose” of this court “find[ing] the facts relevant to whether the challenges to the homeless provisions are moot.” (Doc. # 352.) On March 2, 2016, the court entered an Order that, no later than March 28, 2016, the parties should meet and confer and submit a joint report containing a list of agreed and stipulated facts and a list of disputed facts bearing on whether the challenges to the homeless provisions of ASORCNA are moot. (Doc. # 353.) On March 28, 2016, the parties jointly submitted the report. (Doc. # 354.)

In their joint filing, the parties stipulated to the following fact: “For purposes of the mootness doctrine, there is a reasonable expectation or demonstrated

probability that Plaintiff Michael A. McGuire will return to being homeless *at some point in the future.*” (Doc. # 354 at 2 (emphasis added).) However, in Plaintiff’s statement of position as to disputed facts, Plaintiff states that he is *currently* homeless as of March 25, 2016. (Doc. # 354 at 4.)

Accordingly, it is ORDERED that, **on or before April 8, 2016**, Defendants shall state, in writing, whether they dispute Plaintiff’s assertion that he is currently homeless. Further, if Defendants contend that Plaintiff is not currently homeless, they shall submit an affidavit or other evidentiary material to support that contention.

DONE this 4th day of April, 2016.

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