

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

FUTURE MAE JEFFERS; MARY JEFFERS; PLAINTIFFS
HENRY PEACOCK; SHIRLEY HARVELL;
REV. RONALD WILLIAMS; PEGGY R. WRIGHT;
LAURA LOVE; FRANK SHAW; C.W. CAMPBELL;
LEO CHITMAN; ETTA CAMPBELL; PLEZ LUCAS;
VICKIE ROBERTSON; JOSEPH PERRY; ELBERT SMITH;
SANDRA BAGLEY; NIKKI DISMUKE; ALICE W. VALLEY;
LAKETHA BROWN FLUKER; KATRINA HARRELL;
CHESTER HARRELL; EDDIE O'NEAL; CHRISTOPHER
FRANKLIN; and JACK BERNARD CRUMBLY

v. No. 2:12CV00016 JLH

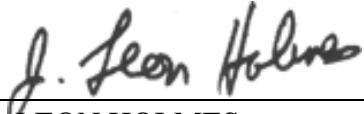
MIKE BEEBE, in his capacity as Governor of Arkansas
and Chairman of the Arkansas Board of Apportionment;
MARK MARTIN, in his capacity as Secretary of State
of Arkansas and as a member of the Arkansas Board
of Apportionment; DUSTIN MCDANIEL, in his
capacity as Attorney General of Arkansas and a member
of the Arkansas Board of Apportionment; and
ARKANSAS BOARD OF APPORTIONMENT DEFENDANTS

ORDER

The Court takes note that the plaintiffs have requested a three-judge panel in the present action. The relevant statute provides that the district judge must immediately notify the chief judge of the circuit unless the district judge determines that the plaintiffs are not entitled to a three-judge panel. 28 U.S.C. § 2284; *see also Bone Shirt v. Hazeltine*, 444 F. Supp. 2d 992 (D.S.D. 2005), *aff'd*, 461 F.3d 1011 (8th Cir. 2006). The Court therefore orders the parties to submit briefs on the issue of whether the plaintiffs are entitled to a three-judge panel. The plaintiffs' brief must be filed no later than 5:00 p.m. on January 31, 2012. The defendants' brief, if they oppose a three-judge panel, must be filed by 5:00 p.m. on February 3, 2012. The Clerk of Court is directed to send a copy of

this Order to the Honorable Dustin McDaniel, Attorney General for the State of Arkansas, by CM/ECF and by facsimile.

IT IS SO ORDERED this 25th day of January, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE