will allilla vota Eddcation I dild, et al. v. Detzilei

200. 2

United States Court of Appeals

ELEVENTH CIRCUIT

MONTGOMERY, AL 36101-0867

JOEL F. DUBINA CHIEF JUDGE P.O. BOX 867 TELEPHONE (334) 954-3560

July 17, 2012

Ms. Sheryl L. Loesch Clerk United States District Court United States Courthouse 401 West Central Boulevard, Room 2100 Orlando, FL 32801

Dear Ms. Loesch:

Enclosed for filing is a Designation of a Three-Judge Court Order.

7 1

ordially.

Joel F. Dubina CHIEF JUDGE

JFD:dv Encl.

c: Honorable Charles R. Wilson Honorable James D. Whittemore Honorable James S. Moody, Jr. James P. Gerstenlauer, Esq. John P. Ley, Esq.

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION

MI FAMILIA VOTA EDUCATION FUND, as an organization, MURAT LIMAGE, and PAMELA GOMEZ,) No. 2:11-CV-107-WKW)	
Plaintiffs,) 1. <u>Requesting Judge</u>	
v.) Honorable James D. Whitten	nore
KEN DETZNER, in his official capacity, as Florida Secretary of State, Defendant.) 2. <u>District Judge</u>	
) Honorable James S. Moody,	Jr.
) 3. <u>Circuit Judge</u>	
) Honorable Charles R. Wilson	n

DESIGNATION OF THREE-JUDGE COURT [42 U.S.C. § 1973c and 28 U.S.C. § 22284]

ORDER

The Requesting Judge, Honorable James D. Whittemore, to whom an application for relief has been presented in the above cause, having notified me that the action is one required by Act of Congress to be heard and determined by a District Court of three judges, I, Joel F. Dubina, Chief Judge of the Eleventh Circuit, hereby designate Circuit Judge Charles R. Wilson and District Judge James S. Moody, Jr. to serve with the Requesting Judge, James D. Whittemore, as members of the said court to hear and determine the action.

This designation and composition of the three-judge court is not a prejudgment, express or implied, as to whether this is properly a case for a three-judge court rather than a one-judge court. This is a matter best determined by a three-judge court as this enables a simultaneous

appeal to the Court of Appeals and to the Supreme Court without the delay, awkwardness, and administrative inefficiency of proceeding by way of mandamus from either the Court of Appeals, the Supreme Court, or both, directed against the Chief Judge of the Circuit, the presiding district judge, or both. The parties will be afforded the opportunity to brief and argue all questions before the three-judge court, either preliminarily or on the trial of the merits, or otherwise, as the court thinks appropriate.

DATED this 17th day of July, 2012.

CHIEF JUDGE

United States Court of Appeals
For the Eleventh Circuit