

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

**SYLVIA DIFFENDERFER; ROBERT
McCARROLL**, Plaintiffs on behalf of
themselves and as representatives of the class
herein defined

Plaintiffs

V.S.

RAMÓN E. GÓMEZ-COLÓN, individually
and in his official capacity as President of the
State Election Commission of the
Commonwealth of Puerto Rico; **GERARDO
A. CRUZ-MALDONADO**, individually and
in his official capacity as Electoral
Commissioner of the Popular Democratic
Party; **JUAN DALMAU-RODRÍGUEZ**;
individually and in his official capacity as
Electoral Commissioner of the Puerto Rican
Independence Party; **NELSON ROSARIO-
RODRÍGUEZ**, individually and in his official
capacity as Electoral Commissioner of the
Puerto Ricans for Puerto Rico Party; **EDWIN
MUNDO-RÍOS**, individually and in his
official capacity as Electoral Commissioner of
the New Progressive Party; **WALTER
VÉLEZ-RODRÍGUEZ**, individually and in
his official capacity as Secretary of the State
Election Commission of the Commonwealth of
Puerto Rico; **THE JOHN DOE
DEFENDANTS**, a fictions name for
defendants whose identity is unknown at this
time

Defendants

CIVIL CASE NO.: 08-1918 (JAF)

VOTING RIGHTS

NOTICE OF INTERLOCUTORY APPEAL

TO THE HONORABLE COURT:

COMES NOW co-defendant Gerardo A. Cruz-Maldonado, through the undersigned
counsels and very respectfully **SETS FORTH** and **PRAYS**:

Notice is given that co-defendant Gerardo A. Cruz-Maldonado hereby appeals before
the United States Court of Appeals for the First Circuit, from the injunction entered by this
Honorable Court, in open court, on August 27, 2008. See Docket Number 33.

The aforementioned order is immediately appealable as per 28 U.S.C. § 1292(a)(1),
which allows immediate review of orders “granting, continuing, modifying, refusing or

dissolving injunctions, or refusing to dissolve or modify injunctions”. The First Circuit does not require an order granting an injunction to be labeled as such before assuming jurisdiction under § 1292(a)(1). See e.g. Rosselló-González v. Calderón-Serra, 398 F.3d 1, 14 n. 27 (1st Cir. 2004).

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that the instant document has been filed with the Court’s CM/ECF System, which will simultaneously serve notice on all counsels of record, to their registered e-mail addresses. Any non-registered attorneys and/or parties will be served via regular mail.

In San Juan, Puerto Rico this 28th day of August, 2008.

RESPECTFULLY SUBMITTED,

LAW OFFICES OF PEDRO ORTIZ ÁLVAREZ, PSC

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