UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

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Re: Case No. 20-1076, *Miguel Perez v. Sturgis Public Schools, et al*
Originating Case No. : 1:18-cv-01134

Dear Counsel,

The Court issued the enclosed order today in this case.

Sincerely yours,

s/Cathryn Lovely
Case Manager

cc: Mr. Thomas Dorwin

Enclosure

No. 20-1076

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Apr 24, 2023
DEBORAH S. HUNT, Clerk

MIGUEL LUNA PEREZ,

Plaintiff-Appellant,

v.

STURGIS PUBLIC SCHOOLS; STURGIS PUBLIC SCHOOLS BOARD OF EDUCATION,

Defendants-Appellees.

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN AT GRAND RAPIDS

ORDER

ON REMAND FROM THE UNITED STATES SUPREME COURT

Before: BOGGS, STRANCH, and THAPAR, Circuit Judges.

On June 25, 2021, a divided panel of this court affirmed the district court's dismissal of Miguel Perez's complaint on the basis that he had failed to satisfy the exhaustion provision of the IDEA, 20 U.S.C. § 1415(*l*), and held that this failure barred his ADA claim. *See Perez v. Sturgis Public Schools*, 3 F.4th 236, 245 (6th Cir. 2021). The Supreme Court granted review and reversed our decision, holding that nothing in § 1415(*l*) precludes Perez's ADA lawsuit. *Luna Perez v. Sturgis Public Schools*, 143 S. Ct. 859, 865-66 (2023). In light of the Court's decision, we **VACATE** the judgment of the district court, and **REMAND** the case for further proceedings consistent with the opinion of the Supreme Court.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk