

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

LUTHER SCOTT, JR., and LOUISIANA
STATE CONFERENCE OF THE NAACP

CIVIL ACTION NO. 2:11-00926
JTM - JCW

v.

TOM SCHEDLER in his official capacity
as the Louisiana Secretary of State,
SUZY SONNIER, in her official capacity
as Secretary of the Louisiana Department
of Children & Family Services, and
BRUCE D. GREENSTEIN, in his official
capacity as Secretary of the Louisiana
Department of Health & Hospitals¹

NOTICE OF APPEAL

Notice is hereby given that Tom Schedler, in his official capacity as Louisiana Secretary of State (“Schedler”), defendant in the above named case, hereby appeals to the United States Court of Appeals for the Fifth Circuit from:

(1) ORDER granting in part and denying in part Motions to Dismiss Case (Doc 71);

(2) Order and Reasons (Doc 212) filed May 3, 2012, granting Plaintiffs’ Cross Motion

For Summary Judgment;

¹The Complaint was originally filed as “ROY FERRAND, LUTHER SCOTT, JR., and LOUISIANA STATE CONFERENCE OF THE NAACP, for themselves and all other persons similarly situated v. TOM SCHEDLER in his official capacity as the Louisiana Secretary of State, RUTH JOHNSON, in her official capacity as Secretary of the Louisiana Department of Children & Family Services, and BRUCE D. GREENSTEIN, in his official capacity as Secretary of the Louisiana Department of Health & Hospitals”. Caption was changed by Order of District Court dated December 3, 2012 (Doc 435).

(3) “Findings of Fact and Conclusions of Law” (Doc 436) signed January 22, 2013, and filed January 23, 2013; and

(4) “Permanent Injunction” (Doc 437) rendered January 23, 2013.

Schedler further intends to move for a stay of the district court judgment pending appeal.

Respectfully Submitted:

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing "Notice of Appeal" was sent electronically or via U.S. First Class Mail, postage prepaid, to the following:

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Baton Rouge, Louisiana, this 19th of February, 2013.

s/Celia R. Cangelosi
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