

DISTRICT COURT OF APPEAL, FIRST DISTRICT
2000 Drayton Drive
Tallahassee, Florida 32399-0950
Telephone No. (850) 488-6151

May 20, 2022

CASE NO.: 1D22-1470
L.T. No.: 2022 CA 0666

Secretary of State Laurel Lee	v.	Black Voters Matter Capacity Building Institute, Inc., Equal Ground Education Fund, Inc., League of Women Voters of Florida, Inc., League of Women Voters of Florida Education Fund, Inc., et al.
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Appellant / Petitioner(s),

Appellee / Respondent(s)

BY ORDER OF THE COURT:

This case is an appeal of a temporary injunction, a non-final order over which this court has jurisdiction for the purpose of review.

Based on a preliminary review, the court has determined there is a high likelihood that the temporary injunction is unlawful, because by awarding a preliminary remedy to the appellees' on their claim, the order "frustrated the status quo, rather than preserved it." *Planned Parenthood of Greater Orlando, Inc. v. MMB Properties*, 211 So. 3d 918, 925 (Fla. 2017); see also *Bowling v. Nat'l Convoy & Trucking Co.*, 135 So. 541, 544 (Fla. 1931) (explaining that a temporary injunction is erroneous if "its effect would be to change the status [quo]" or "to destroy the existing condition of the subject-matter of the suit"); *id.* (defining the "status quo" in a case as "the last actual, peaceable, noncontested condition which preceded the pending controversy").

Given the exigency of the circumstances and the need for certainty and continuity as election season approaches, on the court's own motion, the stay of the temporary injunction is reinstated pending the court's disposition of the motion for review of the trial court's vacatur of the automatic stay, which will be promptly forthcoming.

The secretary's motion to file a reply is granted, and the reply attached thereto will be docketed as of the date the motion was filed.

I **HEREBY CERTIFY** that the foregoing is (a true copy of) the original court order.

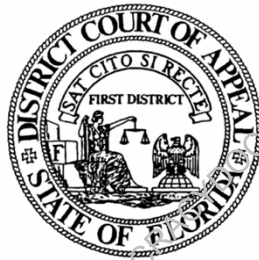
Served:

Andy V. Bardos
Bilal Ahmed Faruqui, AAG
Carlos Alberto Rey
Daniel Nordby
David M. Costello, AAG
Gary V. Perko
Henry Charles Whitaker
Jeffrey Paul DeSousa
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Michael R. Beato
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Hon. Gwen Marshall, Clerk

ds


KRISTINA SAMUELS, CLERK



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