

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,
BRUCE ODELL, ELIZABETH ERSOFF,
ALBERT CAISSIE, DANIEL WEIR,
JOYCE LACOUR, CANDY CARROLL
PEAVY, TANYA WHITNEY, MIKE
JOHNSON, GROVER JOSEPH REES,
ROLFE MCCOLLISTER,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity
as Secretary of State for Louisiana,

Defendant.

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

ROBINSON INTERVENORS' MOTION TO VACATE

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Robinson Intervenors hereby move to vacate the order issued by this Court on April 30, 2026 (Doc. 261) because it is inconsistent with the U.S. Supreme Court's stay of this Court's April 30, 2024 injunction (Doc. 198). Because the judgement of the Supreme Court has yet to issue, the stay remains in effect. On May 15, 2024, the Supreme Court issued an order staying this Court's injunction. The Supreme Court's order instructs that

Should the jurisdictional statement be timely filed, this order shall remain in effect pending this Court's action on the appeal. If the appeal is dismissed, or the judgment affirmed, this order shall terminate automatically. *In the event jurisdiction is noted or postponed, this order will remain in effect pending the sending down of the judgment of this Court.*

See 144 S. Ct. 1171 (2024) (emphasis added).

The Supreme Court noted probable jurisdiction in this case on November 4, 2024. Therefore, the termination of the stay is governed by the stay order's final sentence, which provides for termination of the stay *only* upon the Court issuing its judgment. That is, until the judgment issues, the stay of this Court's injunction remains in place. The Supreme Court issued its opinion on April 29, 2026, but it has not yet sent down its judgment. Accordingly, the stay is currently in effect, and the April 30, 2026 Order, which assumes injunction is no longer stayed, should be vacated.

In the ordinary course, the judgment would issue 32 days after the opinion was issued, or on May 31, 2026. Supreme Court Rule 45.3. There is currently an application to expedite the issuance of the judgment pending before the Supreme Court. See *Callais v. Louisiana*, No. 25A1197 (2026). The Supreme Court called for a response but has not yet acted on the application. Until it does, or until the 32-day period provided for in Supreme Court Rule 45.3 has expired, the injunction remains stayed.

Accordingly, this Court should vacate its April 30, 2026 order pending the Supreme Court's sending down of the judgment.

DATED: April 30, 2026

Respectfully submitted,

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