

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EVAN MILLIGAN, et al.,

Plaintiffs,

v.

WES ALLEN, et al.,

Defendants.

No. 2:21-cv-01530-AMM

**PLAINTIFFS’ MOTION FOR EMERGENCY STATUS CONFERENCE
REGARDING THE LEGISLATURE’S MAY 4, 2026 SPECIAL SESSION**

On August 7, 2025, this Court “order[ed] Secretary Allen, and his successors in office, to administer Alabama’s congressional elections using Special Master Remedial Plan 3 . . . until Alabama enacts a new congressional districting plan based on 2030 census data.” Injunction and Order, Doc. 510 at 1. The Court’s “mandatory injunction” expires only upon the enactment of a 2030 plan. *Id.* The Court “retain[ed] jurisdiction over this case until the expiration of the mandatory injunction for the purpose of enforcing this judgment and ruling on appropriate post-trial applications.” *Id.* at 2. And, in trying to evade Section 3(c) relief, Defendants Senator Steve Livingston and Representative Chris Pringle repeatedly “represent[ed] in good faith that neither they nor leadership for either chamber of the Alabama Legislature have any intention of passing any additional congressional district maps before

receiving 2030 census data.” Doc. 493 ¶¶ 3, 5-6; *see also* Order, Doc. 509 at 3 (Aug. 7, 2025) (accepting these representations as a basis for denying relief to Plaintiffs).

Despite this Court’s order and Defendants’ representations to this Court—upon which this Court relied—on Friday May 1, 2026, Defendant Allen attested to a proclamation by the Governor calling for a special session starting at 4:00pm central *today*, Monday May 4th, 2026. Ex. A. The Legislature intends to “consider legislation to provide for a special primary election for electing members of the United States House of Representatives . . . whose boundary lines are altered by a court issuing a judgment, vacating an injunction, or otherwise ordering or permitting an alteration in the boundaries of such districts.” *Id.*

The *Milligan*, *Caster*, and *Singleton* Plaintiffs respectfully request that this Court hold an emergency status conference as soon as possible today to discuss whether Defendants’ actions in participating in the scheduled Special Session violate the injunction or whether their actions otherwise show any bad faith by Defendants. Counsel for Plaintiffs are available at any time today.

For the forgoing reasons, Plaintiffs respectfully request a status conference to discuss the Special Session and any other related matters in this case.

Respectfully submitted this 4th of May 2026.

/s/ Deuel Ross

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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2026, a copy of the foregoing has been served on all counsel of record through the Court's CF/ECF system.

/s/ Deuel Ross

Deuel Ross

Counsel for Milligan Plaintiffs