

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
NORTHERN DIVISION  
AT ASHLAND

CIVIL ACTION NO. 15-44-DLB

APRIL MILLER, et al.

PLAINTIFFS

vs.

ORDER

KIM DAVIS, individually and  
in her official capacity, et al.

DEFENDANTS

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On July 13, 2015, the United States Court of Appeals for the Sixth Circuit entered an Order granting Appellant Kim Davis' Motion to Dismiss for Lack of Jurisdiction (Doc. # 179). In that Motion, Davis noted that Kentucky Senate Bill 216 ("SB 216"), which removes the name of the County Clerk from marriage license forms, would take effect before the Sixth Circuit was scheduled to hear oral argument in the case. Davis suggested, and Appellees agreed, that the implementation of SB 216 would render the consolidated appeals moot. Accordingly, the Sixth Circuit dismissed the appeal and remanded the matter to the Court "with instructions to vacate its August 12, 2015 preliminary injunction order and its September 3, 2015 order modifying that injunction."<sup>1</sup> (*Id.*). The mandate having now issued (Doc. # 180), and the Court being otherwise sufficiently advised,

**IT IS ORDERED** that the Court's Order of August 12, 2015 (Doc. # 43), granting Plaintiffs' Motion for Preliminary Injunction, and the Court's Order of September 3, 2015,

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1) The Sixth Circuit noted that the Court's September 3, 2015 contempt order "does not meet the requirements for vacatur under *Munsingwear* and its progeny, and it is therefore not vacated." (Doc. # 179).

modifying the injunction (Doc. # 74) be, and are, hereby **VACATED**.

This 18th day of August, 2016.



**Signed By:**

**David L. Bunning**

*DB*

**United States District Judge**

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