In the

UNITED STATES COURT OF APPEALS for the

ELEVENTH CIRCUIT

LEROY PERNELL, ET AL.,

Plaintiffs-Appellees,

٧.

BRIAN LAMB, ET AL.,

Defendants-Appellants.

ADRIANA NOVOA, ET AL.,

Plaintiffs-Appellees,

٧.

MANNY DIAZ, JR., ET AL.,

Defendants-Appellants.

On Appeal from the United States District Court for the Northern District of Florida, Nos. 4:22cv304-MW/MAF & 4:22cv324-MW/MAF

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J*?*.1(.C@!*&!.&C\$(*-;'78'9())'3:))\$C'1*!,#;#*+B!PRP!S7J7!9RZ@!9ZR!<9QQ9=@!0#\$! J*3(\$?\$!6-%(0!3\$(?*00\$'!3.1*&0*//)!0-!4(*&+!1!E*()0!F?\$&'?\$&0!/1,*1.!,#1..\$&+\$!0-! 3(->*)*-&)!-/!0#\$!6#*.'!B-(&-+(13#C!B(\$>\$&0*-&!F,0!-/!5]]:@!5a!S7J767!T!99P5!);' &)A8!<d6BBFe=@!0#10!3(-#*4*0\$'!0#\$!3-))\$))*-&!-(!'*)0(*4%0*-&!-/!)\$0%1..C!\$03.*,*0!*?; 1+\$)!0#10!133\$1(\$'!0-!'\$3*,0!?*&-()@!\$>\$&!*/0#\$!*?1+\$)!2\$(\$!*&!/1,0!3(-'%,\$'!2*0#-%0!) %)*&+!?*&-()7!0D8!10!9R]7!"#\$!6-%(0!1..-2\$'!0#\$!3.1*&0*//)!0-!3(-,\$*'!2*0#10#\$*(!,#1.; .\$&+\$!;!2*0#-%0!#1>*&+!0-!3(->\$!1&!*??*&\$&0!0#(\$10!-/!3(-)\$,%0*-&!;!4\$,1%)\$!d1!.12! $*?3-)*\&+!,(*?*\&1.!3\$\&1.0*\$)!-\&!3(-0\$,0\$'!)3\$\$,\#!*)!1!)01(^!\$01?3.\$!-/!)3\$\$,\#!)%3;$ $3(\$))*-\&7e!0D8!10!9ZZ7!F\&'!1)!0\#\$!6-\%(0!3-*\&0\$'!-\%0!!d/\$2!.\$+*0*?10\$!m!)3\$1^*\$()!m!$ $2-\%.'!(*)^!'*)0(*4\%0*\&+!k?10\$(*1.1!*\&!-(!\&\$1(!0\#\$!\%\&,\$(01*\&!(\$1,\#!-/!0\#*)!.127e!0D8!F)!$

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0(1&)1,0*-&)!*)!.*^\$.C!0-!#1>\$!1&!->\$(1..!*?31,0!-&!,-??\$(,\$!1)!2\$..7!3))'Y#(I#+#!'3;!;)'>D8'*-'GC!("!\$<'78'Y#(I#+#!'1#;#P)+&'1*+&%")('1*%+\$#,B'0+\$8B!Z9P!\$7J7!\Za@!\:P!<5]\:=7!

K - (\$->\$(@!1)!21)!0#\$!,1)\$!2*0#!0#\$!)010%0\$!*&>1.*'10\$'!*&!9())'3:))\$C'1*!,#\$;#*+B!PRP!S7J7!9RZ@!)3\$1^\$()!,-%.'!/1*.!0-!@@?\$!@#\$!/*.*&+!-/!@#\$*(!.12)\@@0)!133(-3(*; 10\$.C!1&'!, -%.'!*&)0\$1'!2*&'!%3!4\$*&+!,(*?*&1..C!3(-)\$,%0\$'!%&'\$(!%&,-&)0*0%0*-&1.! .12)7!B(*-(!0-!0#\$!9())'3:))\$C'1*!,#;#*+!'\$,*)*-&@!)\$>\$(1.!*&'*>*'%1.)!#1'!4\$\$&! ,#1(+\$'!2*0#!1&'!, -&>*,0\$'!-/!/\$'\$(1.!/\$.-&*\$)!/-(!>*-.10*&+!0#\$!1,07!3))B')8I8B'2+#;)D' 3;!;)&'78'9*\B!9Za!E7R'!R]Z@R]a;]]!<P0#!6*(7!90Q5=g!2+#;)D'3;!;)&'78'/)+;*B!9R5!E7R'! 159!<Z0#!6*(7!9000=7!"#\$)\$!*&'*>*'%1.)!)#-%.'\$(\$'!0#\$!2\$*+#0C!4%('\$&!-/!'\$/\$&'*&+! 0#\$?)\$.>\$)!1+1*&)0!%&, -&)0*0%0*0*-&1.!,(*?*&1.!,#1(+\$)0!1)!2\$..!1)!)\$(>*&+!3(*)-&!)\$&; 0\$&,\$)!/-(!*&>1.*'!,-&>*,0*-&)@!4\$/-(\$!0#\$!.12!21)!'\$,.1(\$'!*&>1.*'7!3))'N)!I)('78' $2+\#; D'3; !; \&PP \le S7J7!550@!55 \le 3! \le 900 = ! \le -0*\& + !0#10!, (*?*\&1.!3(-)\$, \%0*-\&!)\%4;$ h\$,0)!'\$/\$&'1&0!0-!d\$?41((1))?\$&0@!\$03\$&)\$!1&'!-('\$1.!1&'!,-?3\$..*&+!#*?!0-!.*>\$! *&!1!, -&0*&%*&+!)010\$!-/!1&O*\$0C!1&'!*&)\$,%(*0C0!1)!2\$...!1)!\$&,*&+!0#\$!3-))*4*.*0C! 0#10!\$>\$&!0#-%+#!*&&-,\$&0!#\$!?1C!4\$!/-%&'!+%*.0Ce=7!F&'@!-&,\$!1&!*&'*>*'%1.!/1,\$)! ,(* ? *&1.!,#1(+\$)@!*0!*)!%&.*^\$.C!0#10!#\$!2*..!4\$!14.\$!0-!)\$31(10\$.C!,#1..\$&+\$!0#\$!/1,*1.! >1.*'*0C!-/!0#\$!.12!*&!1!,*>*.!)%*0!-(!0-!-0#\$(2*)\$!-401*&!(\$.*\$/!/(-?!3(-)\$,%0*-&7!3))' N*%+I)('78'=!((#&B!ZQ5!S7J7!R\!<5]\5=!<(\$f\%*(*&+!/\$'\$(1.!, -\%(0)!0-!14)01*&!/(-?!(\%.; *&+! %3-&! ,-&)0*0%0*-&1.! *))%\$)! 2*0#!)010\$! ,(*?*&1.! 3(-)\$,%0*-&)! 2#*.\$! 0#\$!)010\$!

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,(*?*&1.!,#1(+\$)!1(\$!3\$&'*&+=7!"#%)@!.*?*0*&+!1&0*,*310-(C!,#1..\$&+\$)!1)!1!>\$#*,.\$!/-(! >*&'*,10*&+!E*()0!F?\$&'?\$&0!(*+#0)!2-%.'!.\$1'!0-!0#\$!/*.*&+!-/!*

)01&'1('!*&!1&!->\$(.C!(\$)0(*,0*>\$!?1&&\$(@!/*&'*&+!)0%'\$&0!3.1*&0*//!L-#1&1!H1%3#*&! #1'!&-!)01&'*&+7!!

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S7!J7!Z]Q@!Z]a!<5]\P=!<*&0\$(&1.!f%-010*-&!?1(^)!-?*00\$'=7!F&!1..\$+10*-&!-/!/%0%(\$!

4*F)'78'9*(()&;)(@!R:a!E7!J%337!5RPP@!5RP\!&7!P!<K7H7!F.17!5]\Z=!<&-0*&+!d0#\$!,(*0; *,1.!(-.\$!-/!0#\$!E*()0!F?\$&'?\$&0i)!+%1(1&0\$\$!-/!/(\$\$!)3\$\$,#!1&'!-3\$&!'\$410\$!-&!1!

0#\$!(\$f%*(\$?\$&0!0-!.--)\$.C!133.C!0#\$!*&h%(C;*&;/1,0!(\$f%*(\$?\$&0!*&!E*()0!F?\$&'?\$&0!,1)\$)7!

[\$,1%)\$!0#\$!H*)0(*,0!6-%(0!(\$.*\$'!#\$1>*.C!%3-&!6!7#&0!1./G0!1&'!=!((),,0!2\$! 01^\$!1!,.-)\$(!.--^!10!0#\$!#-.'*&+)!*&!0#-)\$!,1)\$)!1&'!)#-2!2#C!0#\$C!1(\$!*&130!#\$(\$7!

Davis v. FEC

6!7#&!*&>-.>\$'!1!X-%)\$!-/!8\$3(\$)\$&010*>\$!,1&'*'10\$_)!E*()0!F?\$&'?\$&0!,#1.;
.\$&+\$!0-!T!R5]!-/!0#\$![*31(0*)1&!61?31*+&!8\$/-(?!F,0!-/!9QQ9!<[68F=@!9!S7J767!T!

ZZ51;5<1=!<0#\$!K*..*-&1*(\$)_!F?\$&'?\$&0=7!PPZ!S7J7!\9Z7!S&'\$(!,\$(01*&!,-&'*0*-&)@!

T!R5]<1=!)\$0!1)C??\$0(*,1.!,-&0(*4%0*-&!.\$>\$.)!2#\$(\$4C!1!)\$./;/*&1&,*&+!,1&'*'10\$!
(\$?1*&\$'!)%4h\$,0!0-!0#\$!&-(?1.!.*?*010*-&)@!4%0!1!&-&;)\$./;/*&1&,*&+!,1&'*'10\$!,-%.'!
(\$,\$*>\$!*&'*>*'%1.!,-&0(*4%0*-&)!10!0(\$4.\$!0#\$!&-(?1.!.*?*07!J\$,0*-&!R5]<4=!(\$f%*(\$'!)\$./;/*&1&,*&+!,1&'*'10\$)!0-!/*.\$!1&!*&*0*1.!'\$,.1(10*-&!-/!*&0\$&0!(\$>\$1.*&+!0#\$!1?-%&0!
-/!3\$()-&1.!/%&')!0#\$!,1&'*'10\$!*&0\$&')!0-!)3\$&'!1&'!0-!?1^\$!1''*0*-&1.!'*),.-)%(\$)!
1)!0#\$!,1&'*'10\$_)!3\$()-&1.!\$03\$&'*0%(\$)!\$0,\$\$'!,\$(01*&!4\$&,#?1(^)7!0D7!10!\9a;

6-%(0!/*()0!/-%&'!H1>*)!#1'!)01&'*&+!0-!,#1..\$&+\$!T!<4=!1&'!0#\$&!0%(&\$'!0-!)\$,0*-&!T!

R5]<1=!)010*&+!0#100!dk01#\$!/1,0!0#10!H1>*)!#1)!)01&'*&+!0-!,#1..\$&+\$!T!R5]<4=!'-\$)!&-0!

&\$,\$))1(*.C!?\$1&!0#10!#\$!1.)-!#1)!)01&'*&+!0-!,#1..\$&+\$!0#\$!),#\$?\$!-/!,-&0(*4%0*-&!
.*?*010*-&)!0#10!133.*\$)!2#\$&!T!R5]!<1=!,-?\$)!*&0-!3.1C7e!0D7!10!\RR;

 $(\$h\$, 0\$' ! 0\#10! 1 (+\%? \$\&0!/*\& '*\& + ! 0\#10!\& - 0\#*\& + ! *\& ! 0\#\$! -> \$ (4(\$1'0\#!' - ,0(*\&\$!1..-2\$'!0\#\$! 3.1*\&0*//!0-!, \#1...\$\& +\$! 3(->*)*-\&)! 2\#-..C! %\& (\$.10\$'!0-!*0)! 1,0*>*0*\$)! 1\&'0! 0\#\$ (\$/-(\$0!61?3!\#1'!0-!'\$? -\&)0(10\$!0\#10!*0!\#1'!)\%)01*\&\$'0!-(!21)!*?? \$'*10\$.C!*\&!'1\& +\$ (!-/!0*)01*\&*& +0!1!'*(\$,0!*\&h\%(C!1)!0\#\$!(\$)\%.0!-/!\$1,\#!-/!0\#\$!3(->*)*-\&)!-/!0\#\$!E\$)0*>1.!V(; '*&1&,\$!0\#10!*0! 2 1&0\$'!0-!, \#1...\$& +\$7!0D7! 10!59 \ Z7!F,,-('*& +.C0!0\#*)!6-\%(0!1&1.CM\$'!61?3_)!)01&'*& +!/-(!\$1,\#!-/!0\#\$!3(->*)*-&)!*0!)-%+#0!0-!, \#1...\$& +\$7!8\$.$>1&0!#\$ (\$0!0\#\$!6-\%(0!&-0\$'!0\#10!dk 2 1\#10!1!3.1*&0*//!?\%)0!3(->\$!0-!\$)014.*)\#!)01&'*& +!j'3&')!-&!0\#\$! &10\%(\$!-/!0\#\$!, \#1...\$& +\$!0-!\#*)!-(!#\$(!)01&'*& +7_e!0D70!A%*; #+I!>*$C)&)'78'E*F+'*-'G*+\$)'0+,);0!ZQP!E7R'!]:Z0!] \: :!<550#!6*(7!9QQP=7!)$

"#\$!6-%(0!3.1,\$'!61?3_)!,#1..\$&+\$)!*&!02-!4%,^\$0)?!E*()0!*0!1''(\$))\$'!,#1.; .\$&+\$)!0-!3\$(?*0!3(->*)*-&)!0#10!,-&/\$((\$'!0--!?%,#!'*),(\$0*-&!2*0#!0#\$!+->\$(&*&+!4-'C7!61?3!1(+%\$'!0#10!4\$,1%)\$!*0!#1'!133.*\$'!/-(!3\$(?*0)!*&!0#\$!31)0!1&'!*&0\$&'\$'!0-!133.C!/-(!3\$(?*0)!*&!0#\$!/%0%(\$\(\frac{0}{0}\)!*0!21)!)%4h\$,0!0-!0#\$)\$!3(-,\$'%(1.!(\$+%.10*-&)!1&'!#1'!)01&'*&+!0-!,#1..\$&+\$!,\$(01*&!3(->*)*-&)!-&!0#\$!41)*)!0#10!\$1,#!-/!0#\$?!>\$)0\$'!%&4(*'.\$'!'*),(\$0*-&!*&!1!+->\$(&?\$&0!-//*,*1.!->\$(!2#\$0#\$(!0-!3\$(?*0!-(!'\$&C!\$03(\$);)*>\$!1,0*>*0C7!"#\$!6-%(0!1+(\$\$'!0#10!61?3!#1'!)01&'*&+!1)!0-!0#\$)\$!,.1*?)!4\$,1%)\$\(\frac{0}{0}\)!\$ dk01#\$! J%3(\$?\$!6-%(0!#1)!j.-&+!#\$.'!0#10!2#\$&!1!.*,\$&)*&+!010%0\$!1..\$+\$'.C!>\$)0)!\$ %&4(*'.\$'!'*),(\$0*-&!*&!1!+->\$(&?\$&0!-//*,*1.!->\$(!2#\$0#\$(!0-!3\$(?*0!-(!'\$&C!\$03(\$);)*)*>\$!1,0*>*0C7!"#\$!6-%(0!#1)!j.-&+!#\$.'!0#10!2#\$&!1!.*,\$&)*&+!010%0\$!1..\$+\$'.C!>\$)0)!\$ %&4(*'.\$'!'*),(\$0*-&!*&!1!+->\$(&?\$&0!-//*,*1.!->\$(!2#\$0#\$(!0-!3\$(?*0!-(!'\$&C!\$03(\$);)*)*>\$!1,0*>*0C0!-&\$!2#-!*)!)%4h\$,0!0-\(0!-(!2*..!*??*&\$&0.C!4\$!)%4h\$,0!0-!0#\$!.12!#1)!\$ 01&'*&+!0-!,#1..\$&+\$!*0!/1,*1..C!2*0#-%0!0#\$!&\$,\$))*0C!-/!/*(0!133.C*&+!/-(\(0!1&'!4\$*&+!-)*&***(1!1..\$,\$&)\$7_e!0D7!10!59\Z\(0!\$#;#+I

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W\$000!0#\$!6-%(0!,-&)*'\$(\$'!B.1*&0*//_)!1(+% ?\$&0!0#10!*0!#1'!)01&'*&+!0-!,#1.;
.\$&+\$!/*>\$!%&(\$.10\$'!3(-,\$'%(1.!3(->*)*-&)!%&(\$.10\$'!0-!,-&0\$&0!1)!%&,-&)0*0%0*-&1.!
3(*-(!(\$)0(1*&0)!-&!)3\$\$,#7!!A&!1&1.CM*&+!61?3_)!)01&'*&+!2*0#!(\$+1('!0-!0#\$)\$!,.1*?)0!
0#\$!6-%(0!&-0\$'!0#10!0#\$!,.1*?)!'*'!&-0!*?3.*,10\$!,-&,\$(&)!->\$(!0#\$!%)\$!-/!)#*/0*&+!-(!*..\$+*0*?10\$!,(*0\$(*1!/-(!31(0

Harrell v. Fla. Bar

A&! = !((),, 0! 1&! 100 - (&\$C!, #1..\$&+\$'!>1(*-%)! 3(->*)*-&)! - !E. - (*'1_)! .12)! (\$;)0(*,0*&+!,\$(01*&!/-(?)!-/!100 - (&\$C!1'>\$(0*)*&+!1)!4\$*&+!*?3\$(?*))*4.C!>1+%\$!1&'!>*; -.10*>\$!-/!#*)!E*()0!F?\$&'?\$&0!(*+#0)?!:Qa!E7R'!59Z57!"#\$!6-%(0!4\$+1&!*0)!)01&'*&+! 1&1.C)*)!4C!&-0*&+!0#10!, -&0(-..*&+!,1)\$!.12!'*,010\$'!0#10!*0!133.C!0#\$!*&h%(C;*&;/1,0!(\$f%*(\$?\$&0!.--)\$.C!)*&,\$!E*()0!F?\$&'?\$&0!(*+#0)!2\$(\$!*&>-.>\$'0!-0#\$(2*)\$!/(\$\$!)3\$\$,#!?*+#0!4\$!,#*..\$'!\$>\$&!4\$/-(\$!0#\$!.12!*)!\$&/-(,\$'7!0D7!10!59PZ0!\$#;#+I'=!,,!+\$D!,)'G(*-)&&#*+!,'9#()'9#IC;)(&'@*\$!,'UUVW'78'=!,,!+D!,)B']99!E79'!\P:0!\:Q!<550#!6*(7!5]]5=7!"#\$!6-%(0!&-0\$'!0#100!d*0!*)!2\$..;\$)014.*)#\$'!0#10

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-&!0#$!%)$!-/!>1(*-%)!1'>$(0*)*&+!0$,#&*f%$)0!#$!2-%.'!%)$!0#-)$!0$,#&*f%$)!*&!#*)!

1'>$(0*)$?$&0)7!"#$!6-%(0!2(-0$0!!

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dk#11>*&+!,-&)*'$(*&+!0#$!0$00!-/!0#$!/*>$!/-($+-*&+!(%.$)!m!1&'!0#$!

$>*'$&,$!3($)$&0$'!4C!X1(($..!-/!0#$*(!*&,-&)*)0$&0!133.*,10*-&0!2$!1($!)10*)/*$'!0#10!X1(($..!#1)!?1'$!1&!1'$f%10$!0#($)#-.'!)#-2*&+!-/!>1+%$;

&$))!*&!0#$!133.*,10*-&!-/!0#$!(%.$)!0-!#*)!3(-3-)$'!1'>$(0*)$?$&0)0!)-!

0#10!#$!?1C!,($'*4.C!,.1*?!0-!#1>$!)%//$($'!1&!*&h%(C;*&;/1,0!*&!0#$!/-(?!-/!)$./;,$&)-()#*37e!!
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0D7!10!59P:;P\7!F)!0-!0#\$!-0#\$(!(%.\$)!0#\$!6-%(0!/-%&'!0#10!X1((\$..!#1'!d&-0!)#-2&!1&!

&h%(C;&;/1,00e!)010*&+!0#10!d#\$!0#\$(\$/-(\$!.1,^k\$'1!)01&'*&+!0-!,#1..\$&+\$!0#\$?7!J3\$;

,*/*,1..C0!#\$!k#1'1!&-0!\$03.1*&\$'0!\$*0#\$(!0\$00%1..C!-(!4C!\$01?3.\$0!#-2!0#\$(\$!*)!1&C!

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 $<550\#! 6*(7!9Q5] = !A\%*; #+I'> *$C)\&)'78'E*F+'*-'G*+$)'0+,); @!ZQP!E7R'!]:Z@!] \Z!<550#! 6*(7!9QQP=7!!!)$

F4)\$&0!/(-?!=!((),,!*)!1&C!'*),%))*-&!-/!2#C!0#\$!d)\$31(10\$e!3(->*)*-&)!2\$(\$! 1'h%'*,10\$'!)\$31(10\$.C7!!:Qa!E7R'!10!59PQ7!!X-2\$>\$(0!*0!*)!&-014.\$!0#10!X1((\$..!'*'!&-0!1(+%\$!0#\$)\$!(%.\$)!2\$(\$!31(0!-/!1!)*&+.\$!),#\$?\$0!1&'!#\$!'*'!&-0!,-&0\$)0!1..!-/!0#\$!(\$; 00(*,0*-&)0!2#*,#0!%&.*^\$!#\$(\$0!2\$(\$!,-'*/*\$'!1,(-))!1!),100\$(*&+!-/!(%.\$)7!!"#%)0!=!(\$(),,!*)!&\$*0#\$(!*&/-(?10*>\$!&-(!'*)3-)*0*>\$!-/!0#\$!)01&'*&+!f%\$)0*-&!#\$(\$7!!!

"#\$(\$!*)!&-!'*)3%0\$!0#10! 2#\$&!E*()0! F ? \$&' ? \$&0!(*+#0)!1(\$!*&>-.>\$'0!, -%(0)! 133.C!0#\$!*&h%(C;*&;/1,0!(\$f%*(\$?\$&0!?-)0!.--)\$.C7!X-2\$>\$(0!1!":'1&'!>*\$C)&)'0\$...! %)!0#10!\$>\$&! 2*0#*&!0#\$!d.--)\$!133.*,10*-&e!)01&'1('0!2#10!1!3.1*&0*//!?%)0!3(->\$!0-!\$)014.*)#!)01&'*&+!'\$3\$&')!-&!0#\$!&10%(\$!-/!0#\$!,.1*?)7! N#\$&!0#\$(\$!*)!1!(*)^!-/!)\$./; ,\$&)-()#*30!1)!*)!3(\$)\$&0!#\$(\$0!1!3.1*&0*//!?\$(\$.C!&\$\$')!0-!\$)014.*)#!0#10!#\$!*)!d)%4h\$,0! 0-!0#\$!.127e!"#%)0!1&C!3(-/\$))-(!2#-!0\$1,#\$)!-&!,-&,\$30)!(\$.10*&+!0-!(1,\$!*)!d)%4h\$,0! 0-!0#\$!.12e

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41)\$'!, -&,\$30)!1)!1!2#-.\$!/-(!0#\$!3%(3-)\$!-/!1&1.CM*&+!)01&'*&+!1)!3(*-(!,1)\$!.12!*)!

'*)0*&+%*)#14.\$7!X-2\$>\$(0!\$>\$&!*/!0#\$!6-%(0!/-..-2)!0#\$!+(1&%.1(!\$01?*&10*-&!-/!\$1,#!3.1*&0*//!0-!\$1,#!, -&,\$300!0#\$!6-%(0!)#-%.'!&-&\$0#\$.\$))!/*&'!)01&'*&+!/-(!\$1,#!3.1*&0*//!0-!,#1..\$&+\$!\$1,#!-/!0#\$!, -&,\$30)0!4\$,1%)\$!0#\$!3.1*&0*//)!?\$(\$.C!&\$\$'!0-!'\$?-&)0(10\$!0#10!0#\$C!1(\$!d)%4h\$,0!0-!0#\$!.127e!F..!3.1*&0*//)!\$0,\$30!H(7!H%&&!#1>\$!?\$0!0#10!)01&'1('7!!

N*0#*&!0#\$!%&*>\$()*0C!)\$00*&+@!*0!*)!1..!0#\$!?-(\$!,(*0*,1.!0#10!3(-/\$))-()!1&'!
)0%'\$&0)!4\$!14.\$!0-!,#1..\$&+\$!.12)!0#10!2-%.'!&\$+10*>\$.C!*?31,0!0#\$!-33-(0%&*0C!/-(!-3\$&!'\$410\$7!!!!

Date: June 23, 2023

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1. This document complies with the word limit of FRAP 29(b)(4) because, excluding the parts of the document exempted by FRAP 32(f) and 11th Cir. R. 32-4, this document contains 6,403 words.

2. This document complies with the typeface requirements of FRAP 32(a)(5) and the type-style requirements of FRAP 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word with 14-point Times New Roman font.

Date: June 23, 2023

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RANDAZZA LEGAL GROUP, PLLC

<u>/s/ Jay M. Wolman</u> Jay M. Wolman

Attorney for Amicus Curiae

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I HEREBY CERTIFY that on this 23rd day of June 2023, a true and correct copy of the foregoing was filed with the Clerk of the Court using the CM/ECF system which will send notice of electronic filing to all counsel of record.

Date: June 23, 2023 RANDAZZA LEGAL GROUP, PLLC

<u>/s/ Jay M. Wolman</u> Jay M. Wolman