No. 25-13711-H

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

DERRICK SINGLETON, RAY TRAYLOR, and DEANDRA WHITEHEAD,
on behalf of themselves and all similarly situated individuals,

Plaintiffs-Appellants,

v.

JOHN Q. HAMM, et al., *in their individual capacities*,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Alabama
Case No. 1:24-cv-01081 (Honorable Corey L. Maze)

PLAINTIFFS-APPELLANTS' OPENING BRIEF

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CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

The undersigned hereby certifies the following list of trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that may have an interest in the outcome of this appeal:

Alabama Bureau of Pardons and Paroles, Interested Party;

Alabama Bureau of Pardons and Paroles, Legal Division, Firm for Defendants-Appellees;

Alabama Department of Corrections, Interested Party;

Alabama Office of the State Attorney General, Firm for Defendants-Appellees;

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LaCour, Edmund G., Interested Party;

Littleton, Darryl, Defendant-Appellee;

Lovelace, Gregory, Defendant-Appellee;

Marshall, Steve, Interested Party;

Maze, Corey L., United States District Judge;

McGuire, Joseph Mitchell, Counsel for Plaintiffs-Appellants;

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Singleton, Derrick, Plaintiff-Appellant;

Spurlock, Dwayne, Defendant-Appellee;

Terry, Alcornelia, Defendant-Appellee;

Traylor, Ray, Plaintiff-Appellant;

Ward, Sen. Cam, Defendant-Appellee;

Whitehead, Deandra, Plaintiff-Appellant;

Willford, Jr., Gary L., Counsel for Defendants-Appellees.

Pursuant to Eleventh Circuit Rule 26.1-3, the undersigned further certifies that no publicly traded company or corporation has an interest in the outcome of the case or appeal.

Dated: December 16, 2025

Respectfully Submitted,

s/ Gregory Cui

STATEMENT REGARDING ORAL ARGUMENT

Plaintiffs-Appellants respectfully request oral argument in this case. Oral argument is necessary to assist this Court in evaluating the district court's erroneous application of the *Heck* doctrine, which was incorrect for multiple independent reasons and will leave hundreds of people who are over-detained beyond the end of their prison sentences with no legal recourse. Oral argument will also aid this Court in confirming that Plaintiffs have standing to sue Defendants at the Alabama Bureau of Pardons and Paroles, who play several important roles in the process that led to Plaintiffs-Appellants' over-detention.

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INTRODUCTION

Alabama is experiencing an over-detention crisis. Each year, hundreds of people are kept in prison for days, weeks, and even months past the mandatory end of their prison sentences. Under an Alabama law known as the Mandatory Release Law, prison sentences for crimes occurring after January 30, 2016, are automatically reduced by a fixed number of months, and people serving those sentences must be released from prison to community supervision at the end of their reduced prison terms. Calculating the date by which a prison sentence must end is as simple as subtracting three, six, or twelve months from the original end of the sentence, depending on the length of the sentence. But Defendants at the Alabama Department of Corrections ("Department of Corrections") and Alabama Bureau of Pardons and Paroles ("Parole Bureau") systematically fail to release people on time due to their unlawful policies and practices, as well as their sheer failure to take the necessary steps to ensure that people are not detained beyond the end of their sentences.

The scale of this crisis is staggering. More than one in every four people that have been transferred from prison to community supervision since 2020 should have been released from prison earlier under the Mandatory Release Law. In human terms, 1,648 people released under this law have collectively been forced to endure more than 66,000 days—approximately 182 years—in prison beyond the end of their sentences. On top of that, more than 2,000 people have been entirely denied release

to community supervision under the Mandatory Release Law, resulting in approximately 941 years of collective over-detention time.

Among the people harmed by this over-detention crisis are Plaintiffs Derrick Singleton, Ray Traylor, and Deandra Whitehead. Under the Mandatory Release Law, each Plaintiff's original prison sentence was automatically reduced by six or twelve months, and each Plaintiff was given a mandatory release date by which the state needed to transfer them to community supervision. But Defendants caused Plaintiffs to be over-detained for a total of 187 days after the ends of their sentences, more than half a year of time in prison beyond what their sentences authorized.

Representing the class of people harmed by the over-detention crisis, Plaintiffs brought federal constitutional claims under 42 U.S.C. § 1983, as well as state-law claims, to seek relief for the "unjustified incarceration beyond the end" of their sentences. *Morrow v. Fed. Bureau of Prisons*, 610 F.3d 1271, 1272 (11th Cir. 2010). Similar claims have been recognized in courts across the country, including the Fifth Circuit, which has addressed a similar epidemic of over-detention in Louisiana. *See Hicks v. LeBlanc*, 81 F.4th 497, 510 (5th Cir. 2023) ("The problem is endemic in Louisiana, where . . . roughly one in four inmates released will have been locked up past their release dates—for a collective total of 3,000-plus years.").

Rather than evaluate Plaintiffs' claims on the merits, the district court dismissed them based on two threshold determinations. First, the court concluded

that Plaintiffs' claims may not be brought under Section 1983 pursuant to the *Heck* doctrine, which requires a state prisoner to bring claims that "would necessarily imply the invalidity of his conviction or sentence" first through a petition for a writ of habeas corpus. *Heck v. Humphrey*, 512 U.S. 477, 487 (1994). Second, the district court held that Plaintiffs lack standing to sue the Parole Bureau Defendants because, in the court's view, Plaintiffs cannot trace their injuries to those Defendants' actions.

Both of the district court's determinations were wrong. The *Heck* doctrine does not apply for two independent reasons. First, as the district court noted, "Plaintiffs are not challenging the 'validity of their convictions or sentences.'" Doc. 46 at 11. Rather, they are challenging only the unlawful detention "beyond the end" of their sentences. *Morrow*, 610 F.3d at 1272. That alone means *Heck* does not apply. Second, Plaintiffs were released from custody before they brought this suit, which means they could not seek habeas relief. As a result, "§ 1983 must be" available to ensure their claims may be heard in federal court. *Harden v. Pataki*, 320 F.3d 1289, 1299 (11th Cir. 2003). Finally, Plaintiffs have sufficiently traced their over-detention to the Parole Bureau Defendants, as those Defendants are integrally involved in the process for releasing people in multiple ways, and their failures contributed to the delays in releasing Plaintiffs.

For these reasons, this Court should reverse the district court's decision.

STATEMENT OF JURISDICTION

Plaintiffs-Appellants filed this suit in the Northern District of Alabama, alleging that Defendants violated the Eighth and Fourteenth Amendments, the *Ex Post Facto* Clause, and Alabama law. The district court had jurisdiction over the federal claims under 28 U.S.C. §§ 1331 and 1343(a), and supplemental jurisdiction over the state-law claims under 28 U.SC. § 1367. The district court issued a final judgment and order granting in part Defendants' motion to dismiss and declining to exercise supplemental jurisdiction over Plaintiffs' remaining claims on September 22, 2025. Doc. 47. Plaintiffs timely filed a notice of appeal on October 21, 2025. Doc. 48. This Court has jurisdiction under 28 U.S.C. § 1291.

STATEMENT OF THE ISSUES

1) Whether the *Heck* doctrine requires that Plaintiffs' claims concerning Defendants' over-detention of Plaintiffs beyond the end of their prison sentences must be brought through a petition for a writ of habeas corpus, even though, as the district court acknowledged, Plaintiffs "are not challenging the 'validity of their convictions or sentences,'" and Plaintiffs were not in custody when they brought suit. Doc. 46 at 11.

2) Whether Plaintiffs have standing to sue Defendants at the Alabama Bureau of Pardons and Paroles for their role in Plaintiffs' over-detention.

STATEMENT OF THE CASE

I. Factual Background

A. Alabama Enacts The Mandatory Release Law To Mandate Earlier Release To Community Supervision For Eligible Sentences.

In 2014, Alabama faced severe overcrowding in its prison system due to the declining use of parole. Doc. 1 ¶ 29. Although its prisons were built to incarcerate about 13,000 people, those same facilities were packed with more than 26,000 people. *Id.* This massive imbalance was not due to increasing crime; in fact, between 2009 and 2014, the rates of crime, arrests, and felony sentencings had all declined. *Id.* ¶ 30. Instead, it was due to the plummeting use of parole, which had fallen by 30%. *Id.* ¶ 31.

In response, Alabama enacted the Mandatory Release Law, codified at Alabama Code § 15-22-26.2, to mandate that people serving qualifying prison sentences be released from prison earlier and transferred to community supervision. Doc. 1 ¶¶ 40-43. By easing the overcrowding in Alabama's prisons, the law aimed to save Alabama taxpayers money while also reducing recidivism through the increased use of community supervision. *Id.* ¶ 44. The law went into effect on January 30, 2016. *Id.* ¶ 43.

The Mandatory Release Law prescribes a simple formula for calculating new, mandatory release dates. It divides eligible prison sentences into three tiers: (1) sentences of five years or less, (2) sentences of more than five years but less than

ten years, and (3) sentences of ten years or more. For someone serving a sentence in the first tier, the law requires that he or she be released "no less than three months" before the original end of the person's sentence. Ala. Code § 15-22-26.2(a)(1). For someone serving a sentence in the second tier, the law requires that he or she be released "no less than six months" earlier. *Id.* § 15-22-26.2(a)(2). And for someone serving a sentence in the third tier, the law initially required that he or she be released "no less than 12 months prior to the defendant's release date." Doc. 1 ¶ 45.

Each Plaintiff's offenses occurred while the original version of the law was in effect. *Id.* ¶ 217. Beginning in 2023, an amended version of the law went into effect, moving the mandatory release date for sentences in the third tier back so that someone serving a qualifying sentence was required to be released "no less than 10 months prior to the defendant's release date." *Id.* ¶¶ 56-57; Ala. Code § 15-22-26.2(a)(3).

The Mandatory Release Law uses mandatory language—"shall be released"—to make clear that people serving eligible sentences must be released by the prescribed release dates. Ala. Code § 15-22-26.2(a); *see* Doc. 1 ¶ 47. The law also provides that people serving eligible sentences "may" be released earlier, but under no circumstances does the law permit people to be released later than the mandatory release date set for each tier. Doc. 1 ¶ 48.

Both the Department of Corrections and the Parole Bureau[1] play important roles in an individual's release under the Mandatory Release Law. At the outset, the Department of Corrections must determine a person's "mandatory release eligibility date based on the . . . statutory ranges."[2] In advance of that date, the Department of Corrections must coordinate with the Parole Bureau "to prepare for release to supervision."[3] For example, the Parole Bureau must conduct "a validated risk and needs assessment" to "determine the level of supervision required." Ala. Code § 15-22-26.2(d)(2). The Parole Bureau also reviews and approves each individual's plan for where they will live, also known as their "home plan." Doc. 1 ¶ 151; *see* Doc. 31-6. Meanwhile, the Department of Corrections is responsible for notifying "the victim and interested parties through the victim notification system." Ala. Code § 15-22-

[1] Before the district court, the Parole Bureau Defendants argued that their agency is properly titled the Parole "Board," rather than the Parole "Bureau." Doc. 31 at 9. Plaintiffs' Complaint used the title "Bureau" because that is how Defendants described their agency on their public website. *See* Ala. Bureau of Pardons & Paroles, https://paroles.alabama.gov/ (last visited Dec. 11, 2025). The Board of Pardons and Paroles ("Parole Board") refers to a group of officials within the Parole Bureau who are tasked by statute with supervising all individuals released under the Mandatory Release Law. Doc. 1 ¶ 24. This brief follows the naming conventions in the Complaint.

[2] *Institutional Parole Services*, Ala. Bureau of Pardons & Paroles, https://paroles.alabama.gov/about-us/board-operations/institutional-parole-services/ (last visited Dec. 11, 2025).

[3] *Id.*

26.2(c). That online system[4] was developed by a joint task force that included members of both the Parole Bureau and the Department of Corrections. *Id.* § 15-22-26.2(a).

Finally, no later than an individual's mandatory release date, the Department of Corrections must transfer the individual "to an intensive program under the supervision of the Board of Pardons and Paroles." Ala. Code § 15-22-26.2(d)(1). The Department of Corrections has no legal authority to refuse to transfer an individual by that date; he or she "shall be released by the department." *Id.* § 15-22-26.2(a)(1)-(3). By the same token, the Parole Bureau has no legal authority to refuse to accept an individual for community supervision by that date; the person must be taken under "the supervision of the Board of Pardons and Paroles." *Id.* § 15-22-26.2(d)(1).

B. Alabama's Parole Bureau And Department Of Corrections Systematically Fail To Release People In Accordance With The Mandatory Release Law.

Since the Mandatory Release Law went into effect in 2016, the Parole Bureau and Department of Corrections have failed to release thousands of individuals to community supervision by their mandatory release dates. Doc. 1 ¶ 91. These

[4] *What is the Victim Notification System?*, Ala. Victim Notification Sys., https://victims.alabama.gov/wfContent.aspx?ID=plhVictimNotificationFAQ (last visited Dec. 11, 2025).

violations occur year over year and have resulted in tens of thousands of days of imprisonment beyond the maximum allowable time authorized by people's sentences. *Id.* ¶¶ 91-105.

For example, in the first eleven months of 2023, out of 2,141 people released early to community supervision, 684 people were released after their mandatory release dates. Doc. 1 ¶ 92. In other words, approximately 32% of the people released to community supervision were over-detained past their mandatory release dates. *Id.* Altogether, these 684 people were over-detained for 10,745 days, with an average over-detention period of 28 days. *Id.*

On top of these individuals, during the same period, 185 people were not released early at all—they were detained until the end of their original, unmodified sentences. Doc. 1 ¶ 99. Approximately 41% of the people who were released during that period at the end of their original sentences should have been released earlier under the Mandatory Release Law. *Id.* These people were over-detained for a total of 29,517 days, with an average over-detention period of 160 days. *Id.*

The same pattern had played out for years:

Year	Number of People Detained Past Mandatory Release Date	Total Days of Over-Detention	Number of People Detained For Entire Original Sentence	Total Days of Over-Detention
2022	162	11,718	357	79,469
2021	316	17,928	351	83,354
2020	440	26,212	994	131,854

Doc. 1 ¶¶ 93-105.

One key reason for these widespread violations of the Mandatory Release Law is that Defendants at the Department of Corrections[5] and Parole Bureau[6] have failed to implement an adequate system for calculating and tracking mandatory release dates. Doc. 1 ¶¶ 113-20, 126. Defendants know that their agencies are subject to the Mandatory Release Law, and they have received hundreds of calls notifying them that they are over-detaining people past their mandatory release dates. *Id.* ¶¶ 106-08. Yet Defendants fail to identify upcoming mandatory release dates and ensure that people are timely released in compliance with the Mandatory Release Law. *Id.* ¶ 114.

[5] Defendants Hamm, Dunn, Lovelace, and Terry are current and past members of the Department of Corrections' Executive Leadership Team. Doc. 1 ¶ 17.

[6] Defendants Ward, Gwathney, Littleton, Simmons, Davidson, and Spurlock are current and past members of the Parole Bureau. *Id.* ¶ 18. In these roles, these Defendants personally supervise the Parole Bureau's activities and are responsible for adopting the rules, regulations, procedures, and standards governing Alabama's administration of the parole system. *Id.* ¶¶ 25-28. As Chair of the Parole Bureau, Defendant Gwathney also personally supervises the Parole Board. *Id.* ¶ 24.

These systematic violations are also caused by actions and omissions by Defendants at the Department of Corrections. For example, because the Department of Corrections fails to calculate and track mandatory release dates, it also fails to provide timely notice to victims and other interested parties in advance of mandatory release dates, as required by the Mandatory Release Law. Doc. 1 ¶¶ 137-38; Ala. Code § 15-22-26.2(c). Under the law, "notice of the release" must be provided "[p]rior to the defendant's release to supervision pursuant to this section." Ala. Code § 15-22-26.2(c). Despite this statutory obligation, the Department of Corrections "does not even begin the process" of notifying the relevant parties until after a person's mandatory release date has passed. Doc. 1 ¶ 141. The Department of Corrections then treats its own failure to provide timely notice as a reason to deny release. *Id.* ¶ 139.

The actions and omissions of Defendants at the Parole Bureau also cause people to be over-detained because the Department of Corrections refuses to release people "unless and until" the Parole Bureau completes certain steps. *See, e.g.*, Doc. 1 ¶ 151. For instance, the Department of Corrections refuses to release people "unless and until" the Parole Bureau approves their home plans. *Id.* But the Parole Bureau Defendants regularly fail to timely review and approve an individual's home plan in advance of his or her mandatory release date. *Id.* ¶ 154. The Department of Corrections then treats this failure as a reason to deny release. *Id.* ¶ 156.

In addition, Defendants at both the Department of Corrections and the Parole Bureau refuse to approve people for release to community supervision if they have previously violated parole or probation, contrary to the Mandatory Release Law's plain text. Doc. 1 ¶ 147. The law applies to anyone "sentenced to a period of confinement under the supervision of the Department of Corrections," subject only to enumerated exceptions for people already released to probation or released on parole, people sentenced to life imprisonment, or people convicted of a sex offense involving a child. Ala. Code § 15-22-26.2(a), (b). The law makes no exception for people who previously violated parole or probation. Yet the Department of Corrections refuses to release people on that basis, and the Parole Bureau refuses to accept them for the same reason. Doc. 1 ¶ 147.

On top of this, the Parole Bureau and Department of Corrections have publicly announced that they will only release people to community supervision two times per month: "on the first and fourth Tuesday of each month." Doc. 1 ¶ 139. The Parole Bureau and Department of Corrections do not release people, however, on the relevant Tuesday prior to their mandatory release date. *Id.* ¶ 160. As a result, for anyone whose mandatory release date does not happen to fall on one of these two days, Defendants detain the individuals beyond their mandatory release dates until the next qualifying Tuesday, at the earliest. *Id.* ¶ 161.

Finally, for Plaintiffs whose sentences fall in the Mandatory Release Law's third tier, the law purports to apply the harsher mandatory release date ("no less than 10 months" prior to the original release date) that went into effect in 2023, even if the offenses at issue occurred before then, when the more lenient mandatory release date ("no less than 12 months" prior) governed. Doc. 1 ¶ 55. Specifically, the law provides that the harsher mandatory release date applies "without regard to when" a person "was sentenced for or committed the crime." *Id.* ¶ 57. For people like Mr. Singleton and Mr. Traylor, who were sentenced for crimes occurring between January 30, 2016, and January 31, 2023, the law purports to retroactively extend their mandatory release date by two months. *Id.* ¶¶ 55, 181, 183. Defendants at the Parole Bureau and Department of Corrections refuse to release these people in accordance with the mandatory release dates set by the original version of the Mandatory Release Law that governed at the time of the offenses. *Id.* ¶¶ 179-80.

For these reasons, Defendants over-detained approximately 26% of the people they eventually released to community supervision, forcing 1,648 people to endure 66,603 days—approximately 182 years—of unlawful detention beyond their mandatory release dates. Doc. 1 ¶ 96. In addition, for the same reasons, Defendants denied mandatory release altogether to 2,067 people, forcing them to endure a total of 343,664 days—approximately 941 years—of unlawful detention beyond their

mandatory release dates. *Id.* ¶ 104. At least six people died in custody while Defendants held them past their mandatory release dates. *Id.* ¶ 105 & n.47.

C. Among The Thousands Of People That Defendants Detained Past Their Mandatory Release Dates Are Plaintiffs Derrick Singleton, Ray Traylor, and Deandra Whitehead.

Plaintiffs are among the thousands of people Defendants over-detained in violation of the Mandatory Release Law. Derrick Singleton's sentence fell in the law's third tier, and as a result, he was required to be released "no less than 12 months prior" to his original release date, Ala. Code § 15-22-26.2(a)(3)—*i.e.*, by December 28, 2023, Doc. 1 ¶ 181. But Defendants over-detained him for 61 days and did not release him until February 27, 2024. *Id.*

Ray Traylor's sentence also fell in the third tier, making his mandatory release date December 24, 2023. Doc. 1 ¶ 182. Defendants over-detained him for two days and did not release him until December 26, 2023. *Id.*

Finally, Deandra Whitehead's sentence fell in the law's second tier, meaning she was required to be released "no less than six months" before her original release date, Ala. Code § 15-22-26.2(a)(2)—*i.e.*, by October 12, 2023, Doc. 1 ¶ 183. Defendants over-detained her for 124 days and did not release her until February 13, 2024. *Id.*

The following chart summarizes Plaintiffs' over-detention:

Plaintiff	Mandatory Release Date	Actual Release Date	Length of Over-Detention
Derrick Singleton	December 28, 2023	February 27, 2024	61 days
Ray Traylor	December 24, 2023	December 26, 2023	2 days
Deandra Whitehead	October 12, 2023	February 13, 2024	124 days

II. Procedural History

Following their release, on August 8, 2024, Plaintiffs filed this Section 1983 suit against Defendants, alleging federal constitutional and state-law claims based on Defendants' failure to release Plaintiffs and other similarly situated individuals in accordance with the Mandatory Release Law. Doc. 1 ¶¶ 194-247. In response, Defendants moved to dismiss. Doc. 46 at 7.

The district court dismissed Plaintiffs' claims on two grounds. First, as to the Department of Corrections Defendants, the court concluded that Plaintiffs' claims must be brought first through a petition for a writ of habeas corpus, rather than a Section 1983 suit, pursuant to *Heck* and *Preiser v. Rodriguez*, 411 U.S. 475 (1973). Doc. 46 at 10. The court interpreted those cases to bar a Section 1983 suit challenging the deprivation of good-time credits that would "necessarily imply the invalidity of the deprivation" and thus get the plaintiff "out of prison 30 days sooner." *Id.* The district court acknowledged, however, that Plaintiffs do not challenge the "validity of their convictions or sentences." *Id.* at 11. In addition, the

court recognized that Plaintiffs were not in custody when they brought suit, *id.*, and thus were not seeking release or even eligible to seek habeas relief. But in the court's view, "that doesn't matter." *Id.* The court theorized that Plaintiffs could have sought release while they were still in custody, and thus they were forever barred from bringing their current suit. *Id.* In support, the court cited a dissent from a Fifth Circuit decision called *McNeal v. LeBlanc*, 90 F.4th 425 (5th Cir. 2024). *Id.* In that case, however, the Fifth Circuit held that materially identical over-detention claims were not subject to *Heck* and *Preiser*. *McNeal*, 90 F.4th at 431 (recognizing over-detention claim did not "challenge [the plaintiff's] conviction or attendant sentence, but rather the 41 days he was imprisoned *beyond* his release date").

Second, as to the Parole Bureau Defendants, the court concluded that Plaintiffs lack standing because the Department of Corrections had custody over them immediately prior to their release, and therefore "only DOC—not the Board—could have caused Plaintiffs' alleged overdetention." Doc. 46 at 7. The court relied on the Mandatory Release Law's requirement that eligible individuals "shall be released by the department to supervision by the Board" to conclude that "the Board does not play an enforcement role under the Mandatory Release Law." *Id.* at 7-8.

Finally, because the court dismissed Plaintiffs' federal constitutional claims, the court declined to exercise supplemental jurisdiction over Plaintiffs' remaining state-law claims. *Id.* at 12.

III. Standard of Review

This Court reviews *de novo* a dismissal under the *Heck* doctrine. *See Hall v. Merola*, 67 F.4th 1282, 1290 (11th Cir. 2023). This Court also reviews *de novo* a dismissal for lack of standing. *Glynn Env't Coal., Inc. v. Sea Island Acquisition, LLC*, 26 F.4th 1235, 1240 (11th Cir. 2022).

SUMMARY OF ARGUMENT

I. Plaintiffs properly brought their over-detention claims under Section 1983. The district court erred by concluding that Plaintiffs' claims are subject to the *Heck* doctrine, which applies only when a state prisoner brings a claim that "would necessarily imply the invalidity of his conviction or sentence." *Heck*, 512 U.S. at 487. That doctrine does not apply for two independent reasons.

I.A. First, as this Court held in *Morrow*, a claim of over-detention "in no way implies the invalidity" of a conviction or sentence. 610 F.3d at 1272. Rather, such claims are premised on the fact that the plaintiff has completed his or her prison sentence and seeks to challenge only the "allegedly unjustified incarceration beyond the end" of the sentence. *Id.*

Here, Plaintiffs accept the validity of their convictions and sentences, and Plaintiffs completed their maximum prison sentences under the Mandatory Release Law. As a result of Defendants' failures, however, Plaintiffs were collectively detained for an additional 187 days beyond the ends of their sentences. Doc. 1

¶¶ 181-83. As the district court expressly acknowledged, "Plaintiffs are not challenging the 'validity of their convictions or sentences.'" Doc. 46 at 11. Instead, Plaintiffs seek relief based on the "unjustified incarceration beyond the end" of their sentences. *Morrow*, 610 F.3d at 1272. That means the *Heck* doctrine does not apply.

The district court incorrectly reasoned that the Supreme Court's decisions in *Preiser* and *Edwards v. Balisok*, 520 U.S. 641 (1997), "foreclose Plaintiffs' § 1983 claims." Doc. 46 at 11. Neither case governs here. *Preiser* does not apply because Plaintiffs do not seek "immediate release or a speedier release" from imprisonment. 411 U.S. at 500. Indeed, Plaintiffs were not in custody at all when they brought suit. *See* Doc. 1 ¶¶ 181-83. Thus, *Preiser* explicitly recognized that their "damages action" may be "brought under the Civil Rights Act in federal court." *Preiser*, 411 U.S. at 494.

Edwards also does not apply because Plaintiffs' claims do not "necessarily imply the invalidity" of any conviction or sentence. 520 U.S. at 648. In *Edwards*, a state prisoner challenged disciplinary sanctions that resulted in the denial of good-time credits. *Id.* at 644. The Court held that these claims would "necessarily imply the invalidity of the punishment imposed" by those proceedings. *Id.* at 648. Here, in contrast, Plaintiffs' claims would not undermine any disciplinary sanction, conviction, or sentence. As a result, they are not governed by the *Heck* doctrine.

I.B. Second, the *Heck* doctrine does not apply because Plaintiffs were not in custody when they brought suit, so they were ineligible to seek habeas relief. *Heck* addressed claims by state prisoners who had the ability to seek relief either through Section 1983 or "the federal habeas corpus statute, 28 U.S.C. § 2254." *Heck*, 512 U.S. at 480. *Heck* sought to channel those claims to habeas corpus to ensure that state prisoners did not use Section 1983 as an "end-run" around the special restrictions on habeas corpus. *Dyer v. Lee*, 488 F.3d 876, 880 (11th Cir. 2007).

For plaintiffs who cannot pursue habeas relief, "§ 1983 must be" available because it is the only option for bringing claims in federal court. *Harden v. Pataki*, 320 F.3d 1289, 1299 (11th Cir. 2003). "Otherwise, *Heck* would deny any federal forum" entirely. *Id.* at 1298.

Here, Plaintiffs were released months before they filed suit, which rendered them categorically ineligible for habeas corpus. Because Plaintiffs cannot pursue habeas relief for Defendants' over-detention of them, "§ 1983 must be" available. *Id.* at 1299.

II. The district court also erred by concluding that Plaintiffs lack standing to sue the Parole Bureau Defendants for their role in Plaintiffs' over-detention.

II.A. Plaintiffs adequately traced their injuries to the Parole Bureau Defendants by alleging that the Parole Bureau Defendants play a number of important roles in the release process, and that their failures contributed to the delays

in releasing Plaintiffs. First, the Parole Bureau Defendants undertake preparations that the Department of Corrections treats as prerequisites to release, such as reviewing and approving a person's home plan for community supervision. Doc. 1 ¶¶ 151-52. By failing to complete these steps on time, the Parole Bureau Defendants caused delays in release that resulted in over-detention. *Id.* ¶¶ 154, 156. Second, the Parole Bureau Defendants make substantive determinations that affect whether the Department of Corrections will release someone, such as determining that a person should be denied release based on a prior violation of parole or probation. *Id.* ¶¶ 146-47. By making these determinations, the Parole Bureau Defendants also caused over-detention. Finally, the Parole Bureau Defendants jointly adopted several policies with the Department of Corrections Defendants, such as their policy of releasing people only on the second and fourth Tuesdays of each month. *Id.* ¶ 160. By refusing to release people on any other day, regardless of their mandatory release dates, the Parole Bureau Defendants further contributed to over-detention. *Id.* ¶ 164. These roles create "a sufficient causal connection" to Plaintiffs' injuries for Article III standing. *Loggerhead Turtle v. Cnty. Council of Volusia Cnty.*, 148 F.3d 1231, 1249 (11th Cir. 1998).

II.B. The district court erroneously concluded that Plaintiffs' injuries trace only to the Department of Corrections Defendants because they had physical custody of Plaintiffs immediately prior to their release, and because, in the district court's

view, the Department of Corrections is charged with "enforcement" of the Mandatory Release Law. Doc. 46 at 7-9. But neither physical custody nor enforcement authority is necessary for traceability under Article III.

Therefore, this Court should reverse the district court's dismissal of Plaintiffs' federal claims. In addition, this Court should vacate the district court's dismissal of Plaintiffs' state-law claims, which was premised on the erroneous dismissal of the federal claims.

ARGUMENT

I. Plaintiffs Properly Brought Their Over-Detention Claims Under Section 1983.

Plaintiffs' claims that they were unlawfully detained beyond the legally mandated end of their prison sentences fall squarely within the federal constitutional claims that may be brought under Section 1983. In holding otherwise, the district court erroneously invoked the *Heck* doctrine, which provides that a state prisoner may not bring claims for damages under Section 1983 without first pursuing habeas relief "if 'a judgment in favor of the plaintiff would necessarily imply the invalidity' of a punishment." *Dixon v. Hodges*, 887 F.3d 1235, 1237 (11th Cir. 2018) (per curiam) (quoting *Edwards*, 520 U.S. at 643).

That doctrine does not apply "to a case like this one" for two independent reasons. *Morrow*, 610 F.3d at 1272. First, Plaintiffs' "action—even if decided in [their] favor—in no way implies the invalidity" of their convictions or sentences. *Id.*

As a result, it does not implicate *Heck*'s concern that a Section 1983 suit will displace habeas corpus as the traditional means for invalidating a criminal conviction or sentence. Second, Plaintiffs are "not in custody," and thus do not have the option of filing a petition for a writ of habeas corpus. *Id.* Therefore, applying the *Heck* doctrine would not channel Plaintiffs' claims from Section 1983 to habeas corpus, as *Heck* intended; it would simply deny Plaintiffs a federal forum for their claims entirely.

Relying on both of these grounds, this Court has already concluded that over-detention claims like Plaintiffs' are not subject to the *Heck* doctrine. *See id.* This Court should hold the same here and reverse the district court's decision.

A. The *Heck* Doctrine Does Not Apply Because Plaintiffs Do Not Challenge The Validity Of Any Conviction Or Sentence.

As the district court expressly recognized, "Plaintiffs are not challenging the 'validity of their convictions or sentences.'" Doc. 46 at 11. That means that Plaintiffs' claims are not subject to the *Heck* doctrine. As this Court has explained, "if the district court determines that the plaintiff's action, even if successful, will not demonstrate the invalidity of any outstanding criminal judgment against the plaintiff, the action should be allowed to proceed." *Harrigan v. Metro Dade Police Dep't Station #4*, 977 F.3d 1185, 1192 (11th Cir. 2020) (cleaned up) (quoting *Heck*, 512 U.S. at 487).

By its clear terms, the *Heck* doctrine applies only to claims "challeng[ing] the validity of a conviction or sentence." *Nance v. Ward*, 597 U.S. 159, 167 (2022).

In *Heck*, the Supreme Court held that a claim for damages under Section 1983 must be brought first through a petition for a writ of habeas corpus if "a judgment in favor of the plaintiff would necessarily imply the invalidity of his conviction or sentence." 512 U.S. at 487. *Heck* channeled certain claims brought by prisoners to habeas corpus in order to ensure that Section 1983 did not create an "end-run" around habeas as the traditional means for invalidating a conviction or sentence. *Dyer*, 488 F.3d at 880.

If a claim does not challenge the validity of a conviction or sentence, then it does not threaten an end-run around habeas corpus. Such a claim falls "outside habeas's core" and serves different purposes than habeas does. *Nance*, 597 U.S. at 168. As a result, *Heck* allows these claims to be brought directly pursuant to Section 1983. *See, e.g.*, *Skinner v. Switzer*, 562 U.S. 521, 534 (2011) (holding that "Skinner has properly invoked § 1983" because "[s]uccess in his suit . . . would not 'necessarily imply' the invalidity of his conviction"); *Wilkinson v. Dotson*, 544 U.S. 74, 82 (2005) (permitting claims under Section 1983 because "a favorable judgment will not 'necessarily imply the invalidity of [their] conviction[s] or sentence[s]'" (quoting *Heck*, 512 U.S. at 487)).

A claim challenging over-detention—*i.e.*, wrongful detention beyond the maximum term of confinement authorized by a sentence—does not challenge the validity of a conviction or sentence. Rather, such a claim "accepts the validity of the

maximum sentence imposed." *Herrera v. Agents of Pa. Bd. of Prob. & Parole*, 132 F.4th 248, 257 (3d Cir. 2025). An over-detention claim challenges only the period of detention "beyond that sentence" because such detention exceeds the sentence's limited term. *Id.* Thus, "far from attacking" the sentence, a claim of over-detention "seeks to vindicate it." *Courtney v. Butler*, 66 F.4th 1043, 1051 (7th Cir. 2023).

This Court has already recognized this principle and held that claims of over-detention are not subject to the *Heck* doctrine. In *Morrow*, a former federal prisoner brought a suit for damages because he had been detained for about ten days "beyond the end of his lawful sentence." 610 F.3d at 1272. The plaintiff did not "attack his sentence"; rather, he alleged that the Bureau of Prisons miscalculated the date on which his sentence was mandated to end by "putting down the wrong date as the start of his incarceration." *Id.* This Court reversed the district court's dismissal based on *Heck*, explaining that "not every civil action by [a] former prisoner for damages tied in some way to his incarceration involves *Heck*'s application." *Id.* The plaintiff's over-detention claim could proceed because his "action—even if decided in his favor—in no way implies the invalidity of his conviction or of the sentence imposed by his conviction." *Id.*

Every other Circuit to address claims of over-detention has similarly concluded that they are not subject to the *Heck* doctrine. *See Herrera*, 132 F.4th at 257 ("*Heck* does not apply when a prisoner alleges that he and the state agree on

the appropriate maximum release date, yet he was held beyond that date."); *McNeal*, 90 F.4th at 431 ("'*Heck* is no bar' where success on a § 1983 claim is based on the period a prisoner 'was held beyond his original sentence [because] it would not invalidate the conviction or its attendant sentence.'" (quoting *Hicks*, 81 F.4th at 506)); *Courtney*, 66 F.4th at 1050 ("*Heck* and *Edwards* 'do not affect litigation about what happens after the [adjudicated offense] is completed.'" (quoting *Gilbert v. Cook*, 512 F.3d 899, 901 (7th Cir. 2008))); *Harris v. McSwain*, 417 F. App'x 594, 595 (8th Cir. 2011) (permitting Section 1983 claims where the plaintiff "had been detained beyond the date that his lawful sentence had ended"). For example, in addressing an "endemic" problem of "overdetention in Louisiana prisons," the Fifth Circuit held that such claims "are specifically *beyond* the 'core' of habeas" because they seek no judgment that would be "at odds with [the prisoner's] conviction or with the State's calculation of time to be served." *Hicks*, 81 F.4th at 509. As a result, "*Preiser* and its progeny do not implicate" over-detention claims. *Id.*

For the same reason, Plaintiffs' over-detention claims are not subject to the *Heck* doctrine. Plaintiffs take no issue with the validity of their sentences. *See* Doc. 1 ¶¶ 181-83. Instead, like the plaintiff in *Morrow*, Plaintiffs challenge Defendants' failure to properly identify their mandatory release dates and take the steps necessary to ensure that they were released by those dates. *See, e.g.*, *id.* ¶¶ 110, 114. Indeed, Defendants have not just miscalculated the mandatory release dates, as the

defendants in *Morrow* did, but in many cases failed to calculate them at all. *Id.* ¶ 119. Defendants have also affirmatively implemented policies and practices that prevented Plaintiffs and others from being timely released in accordance with the Mandatory Release Law. *Id.* ¶¶ 140, 149, 156, 164, 180. Plaintiffs' claims challenge only the additional days of detention "beyond the end" of their sentences to which Defendants subjected them. *Morrow*, 610 F.3d at 1272. Thus, Plaintiffs' "action—even if decided in [their] favor—in no way implies the invalidity" of their convictions or sentences. *Id.* That means the *Heck* doctrine does not apply.

In ruling to the contrary, the district court erroneously concluded that *Preiser* and *Edwards* "foreclose Plaintiffs' § 1983 claims." Doc. 46 at 11. In the court's view, those cases held that "a prisoner who sues to get out of jail (or get out of jail sooner) must use the specific remedy Congress enacted for that purpose: Habeas." *Id.* at 10 (quoting *McNeal v. LeBlanc*, 93 F.4th 840, 843 (5th Cir. 2024) (Oldham, J., dissenting from denial of rehearing en banc)).

Neither *Preiser* nor *Edwards* governs here because Plaintiffs are not suing "to get out of jail (or get out of jail sooner)." *Id.* In *Preiser*, the Supreme Court held that several state prisoners seeking injunctions to restore good-time credits needed to bring their claims first in petitions for a writ of habeas corpus. 411 U.S. at 486-87. The prisoners were serving sentences of indeterminate length, and under state law, they could earn credits for good behavior "toward reduction of the maximum term"

of their sentences. *Id.* at 477. Prison officials denied several credits, however, based on disciplinary violations, and the plaintiffs challenged the validity of those denials. *Id.* at 478. The Supreme Court held that their claims fell within the "traditional scope of habeas corpus" because a judgment in their favor either would require "immediate release from physical custody" or would have "shortened the length of their confinement" by reducing the maximum terms of their sentences. *Id.* at 487-88. Because the relief the plaintiffs sought would alter "the fact or duration" of their confinement, the Court concluded that their claims were "as close to the core of habeas corpus as an attack" on their convictions. *Id.* at 489.

Preiser was explicit that its holding was "limited" to claims seeking release from prison, and thus did not apply to suits for damages. 411 U.S. at 494. Only because the prisoners in *Preiser* were seeking an injunction that would have resulted in their release did their claims "challenge . . . the fact or duration" of their confinement and thus fall within the traditional scope of habeas. *Id.* at 489; *see Wilkinson*, 544 U.S. at 81 ("*Preiser* found an implied exception to § 1983's coverage where the claim seeks—not where it simply 'relates to'—'core' habeas corpus relief, *i.e.*, where a state prisoner requests present or future release."). In contrast, "[i]f a state prisoner is seeking damages, he is attacking something other than the fact or length of his confinement, and he is seeking something other than immediate or more speedy release." *Preiser*, 411 U.S. at 494. Damages are not "appropriate or

available" as a remedy in habeas corpus proceedings. *Id.* Thus, *Preiser* expressly held that a damages action "could be brought under the Civil Rights Act." *Id.*

Here, Plaintiffs are not seeking any equitable relief that would require "present or future release." *Wilkinson*, 544 U.S. at 81. Indeed, Plaintiffs had already been released by the time they brought suit. Doc. 1 ¶¶ 181-83. Rather, Plaintiffs seek damages to compensate them for the time they were detained beyond the end of their sentences. *See id.*, Prayer for Relief ¶¶ 2-5. *Preiser* does not apply to such claims. *See Heck*, 512 U.S. at 481 ("This case is clearly not covered by the holding of *Preiser*, for petitioner seeks not immediate or speedier release, but monetary damages, as to which he could not 'have sought and obtained fully effective relief through federal habeas corpus proceedings.'" (quoting *Preiser*, 411 U.S. at 488)).

Edwards also does not govern Plaintiffs' claims because that case concerned claims for damages that "would, if established, necessarily imply the invalidity of the deprivation" of good-time credits. 520 U.S. at 646. Challenges to the deprivation of good-time credits can implicate *Heck*'s concern for the integrity of convictions if they challenge "prison disciplinary determinations" that result in a "disciplinary judgment." *Davis v. Hodges*, 481 F. App'x 553, 554 (11th Cir. 2012) (per curiam); *see Hall v. Porfert*, No. 22-12184, 2023 WL 6274833, at *2 (11th Cir. Sept. 26, 2023) (per curiam) ("Because the *Edwards* plaintiff's success would have 'necessarily impl[ied] the invalidity of' the internal disciplinary conviction, the

Supreme Court held that *Heck* barred the claim." (quoting *Edwards*, 520 U.S. at 646) (alteration in original)). Such claims can also implicate *Heck*'s concern for the integrity of criminal sentences if they would necessarily imply that the plaintiff is "entitled to have the misconduct finding reversed and his gain time restored, which would result in a shorter sentence." *Miller v. Sanford*, 257 F. App'x 246, 248 (11th Cir. 2007) (per curiam); *see Muhammad v. Close*, 540 U.S. 749, 751 (2004) (per curiam) (channeling claims that "imply the invalidity" of "a particular ground for denying release *short of serving the maximum term of confinement*" (emphasis added)).

None of those concerns are present here because success in Plaintiffs' suit would not undermine any conviction or sentence. Plaintiffs' claims have nothing to do with any prison disciplinary conviction, nor do Plaintiffs' claims implicate any good-time credits that could "result in a shorter sentence." *Miller*, 257 F. App'x at 248. Unlike the prisoners in *Edwards*, Plaintiffs' do "not seek to challenge the validity" of their sentences, nor do they "seek to affect the time [they] would serve related to" those sentences. *Nelson v. Jimenez*, 178 F. App'x 983, 985 (11th Cir. 2006). Instead, the central premise of Plaintiffs' claims is that they fully completed their prison sentences under the Mandatory Release Law. Defendants, moreover, have conceded that the Mandatory Release Law makes release to community supervision at the end of a person's reduced sentence mandatory. *See* Doc. 31 at 11

(noting the law "directed" them to "release" people); Doc. 33 at 2 (recognizing that "ADOC was required to release" people pursuant to the law). As a result, *Edwards* does not govern Plaintiffs' over-detention claims.

Finally, the district court erroneously reasoned that Plaintiffs "could have sought immediate release" during their periods of over-detention, and because they failed to do so, they are forever barred from seeking damages through Section 1983. Doc. 46 at 11.[7] The district court derived this theory from a dissent from the denial of rehearing en banc by Judge Oldham in the Fifth Circuit. *See id.*

This theory fails for multiple reasons. To start, it is not the law even in the Fifth Circuit. In *Crittindon v. LeBlanc*, 37 F.4th 177 (5th Cir. 2022), for example, the Fifth Circuit addressed over-detention claims by plaintiffs who "were detained months past their release date" and concluded that they could bring claims for damages following their release because they did "not challenge their underlying

[7] The district court suggested that Plaintiffs could bring a state habeas corpus petition, a federal post-judgment habeas petition under 28 U.S.C. § 2254, or a federal petition under 28 U.S.C. § 2241. *Heck*, however, addressed only the "intersection of . . . 42 U.S.C. § 1983, and the federal habeas corpus statute, 28 U.S.C. § 2254." *Heck*, 512 U.S. at 480; *see also Preiser*, 411 U.S. at 477 (addressing Section 2254). Plaintiffs' ability to bring a habeas corpus petition pursuant to 28 U.S.C. § 2254—which requires the petitioner to be "in custody pursuant to the judgment of a State"—ended as soon as their sentences expired—the same moment when their claims of over-detention began. *See, e.g.*, *Walker v. Florida*, 345 F. App'x 458, 459 (11th Cir. 2009). Plaintiffs' claims of over-detention have therefore never fallen "at the intersection" of Section 1983 and Section 2254, even while Plaintiffs were being over-detained. *Heck*, 512 U.S. at 480.

conviction nor the length of their sentence." *Id.* at 190. Similarly, in *McNeal*, the plaintiff was detained for 41 days "*beyond* his release date," and he was allowed to seek damages "based on his alleged overdetention." 90 F.4th at 431. In neither case did the Fifth Circuit recognize a bar on seeking damages after release based on the possibility of seeking release during the period of over-detention.

The Fifth Circuit rejected Judge Oldham's theory for good reason, as such a rule would be inconsistent with *Heck* and its progeny, which have allowed suits for damages to proceed under Section 1983 regardless of whether the plaintiff could have sought release during his confinement. For example, in *Muhammad v. Close*, a state prisoner brought a Section 1983 suit for damages based on a retaliatory disciplinary charge that caused him to spend six days in special prehearing detention. 540 U.S. at 752-53. The Supreme Court held that the plaintiffs' suit could proceed because his suit for "damages for the physical, mental and emotional injuries sustained during the six days of prehearing detention" did not necessarily imply the invalidity of his conviction or sentence. *Id.* at 753-54 (internal quotation marks omitted). The Court never asked whether the plaintiff could have or should have sought release during the period of detention. *See id.* It simply concluded that the *Heck* doctrine did not apply because the plaintiff's damages action could not "be construed as seeking a judgment at odds with his conviction or with the State's calculation of time to be served in accordance with the underlying sentence." *Id.*

at 754-55. Because the same is true here, any speculation about the possibility of a habeas petition during the period of over-detention is irrelevant.

On top of this, the premise of the district court's reasoning was mistaken, as Plaintiffs could not have obtained habeas relief during the period of over-detention. In *Morrow*, this Court noted that the plaintiff's ten-day period of over-detention was "obviously of a duration that a petition for habeas relief could not have been filed and granted." 610 F.3d at 1272. Mr. Traylor was over-detained for even less time—just two days—and thus had no opportunity even to file a habeas petition, much less receive relief. Doc. 1 ¶ 182; *see also Powers v. Hamilton Cnty. Pub. Def. Comm'n*, 501 F.3d 592, 601 (6th Cir. 2007) (noting that incarceration for one day was "too short to enable him to seek habeas relief"). Mr. Singleton and Ms. Whitehead were over-detained for longer periods—61 days and 124 days, respectively—but they too would not have had time to seek and obtain habeas relief. *See Rastelli v. Warden*, 782 F.2d 17, 20 (2d Cir. 1986) (finding period of 31 to 119 days "too short to allow litigation of the issue"). Even if they managed to file petitions in that time, those petitions would have become moot as soon as they were released. *See Djadju v. Vega*, 32 F.4th 1102, 1108 (11th Cir. 2022) ("Since we can offer Djadju no relief, we find ourselves with a class case of mootness."); *Corgain v. Miller*, 708 F.2d 1241, 1246 (7th Cir. 1983) (finding mootness even where plaintiffs were transferred out of defendants' custody in violation of the federal rules); *see also* Doc. 1 ¶¶ 92-95

(noting that from 2020 to 2022, the average length of over-detention ranged from 28 days to 76 days). Thus, any possibility of habeas relief was illusory.

Ultimately, the *Heck* doctrine does not apply because Plaintiffs' suit does not do the key thing the *Heck* doctrine requires: "necessarily imply the invalidity" of a conviction or sentence. *Heck*, 512 U.S. at 487. Therefore, Plaintiffs' suit may proceed under Section 1983.

B. The *Heck* Doctrine Also Does Not Apply Because Plaintiffs Are Not In Custody And Thus Cannot Be Channeled To Habeas Corpus.

The *Heck* doctrine does not apply to Plaintiffs' claims for a second, independent reason: Plaintiffs are "not in custody," so their claims cannot be channeled to habeas corpus as *Heck* intended. *Morrow*, 610 F.3d at 1272. All three Plaintiffs were released by February 27, 2024, and they filed suit on August 8, 2024. *See* Doc. 1 ¶¶ 181-83. Because Plaintiffs are not in custody, they are categorically ineligible for habeas relief. *See, e.g.*, *Diaz v. State of Fla. Fourth Judicial Circuit ex rel. Duval County*, 683 F.3d 1261, 1264 (11th Cir. 2012) ("Diaz's state sentence had fully expired at the time he filed his § 2254 petition and therefore deprived the district court of jurisdiction to decide the petition's merits."). Therefore, there is no risk that proceeding under Section 1983 will create an "end-run" around habeas corpus. *Dyer*, 488 F.3d at 880.

The *Heck* doctrine applies to suits brought by "state prisoner[s]" because, by virtue of being in custody, they have the ability to bring constitutional claims under

either Section 1983 or federal habeas corpus. *Edwards*, 520 U.S. at 643. For example, in *Heck*, the plaintiff was an Indiana state prisoner who sued under Section 1983 while his direct criminal "appeal from his conviction was pending." *Heck*, 512 U.S. at 478-79. The Supreme Court noted that people in custody fall "at the intersection" of Section 1983 and the federal habeas corpus statute, 28 U.S.C. § 2254, because they can make use of both causes of action to "provide access to a federal forum for claims of unconstitutional treatment." *Id.* at 480. Habeas relief under Section 2254, however, was subject to stricter requirements than Section 1983, such as the requirement of exhausting state remedies. *Id.* In order to prevent prisoners from circumventing those requirements by using Section 1983 instead of Section 2254, the Court fashioned the *Heck* rule, channeling claims that "would necessarily imply the invalidity" of a conviction or sentence to habeas corpus first. *Id.* at 487.

The *Heck* doctrine does not apply to plaintiffs who cannot pursue habeas relief at all. In *Harden*, this Court held that the *Heck* doctrine did not apply to a plaintiff seeking to challenge the legality of his extradition from Georgia because the plaintiff was no longer in Georgia state custody, and therefore had no habeas remedy as to his extradition. *See* 320 F.3d at 1299 ("[A] person forcibly abducted from one state without warrant or authority of law and placed in the demanding state's custody does not have a claim for release in habeas corpus."). Once the plaintiff was transferred

out of Georgia's custody, any habeas claim he may have had became "moot" because the legality of his detention was "no longer at issue." *Id.* This Court concluded that "because federal habeas corpus [was] not available," "§ 1983 must be." *Id.* Otherwise, *Heck* would operate not to channel claims into the correct legal vehicle, but rather to "deny any federal forum" entirely. *Id.* at 1298; *see Powers*, 501 F.3d at 603 ("*Heck*'s favorable-termination requirement cannot be imposed against § 1983 plaintiffs who lack a habeas option for the vindication of their federal rights.").[8]

Here, Plaintiffs completed their sentences and were released from custody months before they filed suit, meaning they could not seek habeas relief. Their claims therefore do not lie "at the intersection" of Section 1983 and habeas corpus. *Heck*, 512 U.S. at 480. Allowing them to proceed under Section 1983 will not circumvent the requirements for habeas relief; habeas relief is simply unavailable.

[8] *See also Leather v. Eyck*, 180 F.3d 420, 424 (2d Cir. 1999) (permitting Section 1983 claims because the plaintiff was "not and never was in the custody of the State," and therefore had "no remedy in habeas corpus"); *Cohen v. Longshore*, 621 F.3d 1311, 1316-17 (10th Cir. 2010) ("If a petitioner is unable to obtain habeas relief—at least where this inability is not due to the petitioner's own lack of diligence—it would be unjust to place his claim for relief beyond the scope of § 1983."); *Abusaid v. Hillsborough Cnty. Bd. of Cnty. Comm'rs*, 405 F.3d 1298, 1316 n.9 (11th Cir. 2005) (recognizing that in *Spencer v. Kemna*, 523 U.S. 1 (1998), "five justices—four concurring and one dissenting—expressed the view that § 1983 claims are barred only when the alternative remedy of habeas relief is available").

And "because federal habeas corpus is not available," "§ 1983 must be." *Harden*, 320 F.3d at 1299.[9] Accordingly, Plaintiffs properly brought their claims under Section 1983, and the district court erred in dismissing Plaintiffs' claims.

II. Plaintiffs Have Standing To Sue The Parole Bureau Defendants For Their Role In Plaintiffs' Over-Detention.

Plaintiffs have Article III standing to sue the Parole Bureau Defendants for their role in Plaintiffs' over-detention. Plaintiffs have standing if they satisfy three elements: (1) they have "suffered an injury in fact," (2) they have established "the existence of a causal connection between the injury and the conduct complained of," and (3) they have shown that the injury is "likely" to "be 'redressed by a favorable judicial decision.'" *Lujan v. Defs. Of Wildlife*, 504 U.S. 555, 560-61 (1992) (cleaned up). At the motion to dismiss stage, "general factual allegations of injury resulting from the defendant's conduct may suffice" to establish standing. *Id.* at 561.

In this case, neither the district court nor Defendants disputed that Plaintiffs have pleaded the injury-in-fact and redressability elements. *See* Doc. 46 at 7;

[9] The Supreme Court has granted certiorari on this question in *Olivier v. City of Brandon*, No. 24-993, which will be decided this Term and could affect the Court's resolution of this issue. However, this Court need not decide this issue if it concludes that Plaintiffs' claims do not necessarily imply the invalidity of any conviction or sentence. That provides an independent basis for determining that the *Heck* doctrine does not apply and reversing the district court's decision.

Doc. 33 at 12-14; Doc. 31 at 20-30. Only the second element—causation, or "traceability"—is at issue.

The district court erroneously held that Plaintiffs failed to plead that their injuries were traceable to the Parole Bureau Defendants. Doc. 46 at 7. That was wrong because the Parole Bureau Defendants are alleged to play multiple important roles in the process that resulted in Plaintiffs' over-detention. That is all that is required to satisfy Article III.

A. Plaintiffs Established Traceability Because The Parole Bureau Defendants Play Important Roles In The Release Process That Resulted In Plaintiffs' Over-Detention.

To establish traceability, Plaintiffs "must allege that their injuries are 'connect[ed] with the conduct of which [they] complain.'" *Wilding v. DNC Servs. Corp.*, 941 F.3d 1116, 1125 (11th Cir. 2019) (quoting *Trump v. Hawai'i*, 138 S. Ct. 2392, 2416 (2018)). This is "not an exacting standard." *Walters v. FastAC, LLC*, 60 F.4th 642, 650 (11th Cir. 2023). Traceability does not require, for example, that Defendants be the sole or proximate cause of Plaintiffs' harm. *See Wilding*, 941 F.3d at 1125; *Walters*, 60 F.4th at 650. It requires only that Defendants have "a sufficient connection" to Plaintiffs' injuries. *Schultz v. Alabama*, 42 F.4th 1298, 1316 (11th Cir. 2022).

For example, in *Strickland v. Alexander*, 772 F.3d 876 (11th Cir. 2014), this Court held that a plaintiff had standing to sue a court clerk based on the clerk's role

in the process resulting in the garnishment of the plaintiff's wages. *Id.* at 880, 885. In that case, the plaintiff sued several creditors, their counsel, and the court clerk, alleging due process violations because the plaintiff was unable to access his worker's compensation funds. *Id.* at 880-81. Although the creditors—not the court clerk—decided whether to garnish the plaintiff's wages, this Court concluded that the plaintiff also had standing to sue the clerk because the clerk was responsible for "docketing the garnishment affidavit, issuing the summons of garnishment, depositing the garnished property into the court registry, and holding the property." *Id.* at 885-86. These connections were sufficient under Article III even though the clerk did not make the ultimate decision to garnish the wages. *Id.* at 886. Because the clerk played a role in the process resulting in the plaintiff's inability to access the funds, that injury was "'fairly traceable' to [the clerk's] actions." *Id.*

Similarly, in *Loggerhead Turtle*, this Court found traceability based on the defendant's authority to make determinations that affected the plaintiffs' injuries. In that case, the plaintiffs traced injuries to endangered sea turtles to Volusia County's failure to regulate the use of beachfront lighting. 148 F.3d at 1237, 1247. In response, the county argued that the plaintiffs' injuries could not be traced to the county because several non-party municipalities possessed "regulatory authority and enforcement control" over beachfront lighting in their jurisdictions, and as a result, the county could not "regulate and enforce" restrictions in those municipalities. *Id.*

at 1237. Indeed, as to two of the municipalities, the county did not "possess any control over the actual, day-to-day enforcement measures" relating to beachfront lighting. *Id.* at 1250. This Court rejected the county's narrow view of the traceability requirement, explaining that a defendant does not need to have "*enforcement* control" to have caused the plaintiff's injury. *Id.* Instead, it was sufficient that the county played its own role with respect to the plaintiffs' injuries—for example, the county made regulatory determinations that exempted the municipalities from having to comply with county-wide standards. *Id.* at 1253. As a result, the plaintiffs' harm was traceable to the county, even though "the actions or inactions of those third parties not before the court may be another cause of the harm." *Id.* (internal quotation marks omitted).

Here, Plaintiffs' over-detention is traceable to the Parole Bureau Defendants because they are alleged to play several important roles in the failure to release people in accordance with their mandatory release dates. Indeed, the Mandatory Release Law expressly contemplates that the Department of Corrections must coordinate with the Parole Bureau "to prepare for release and supervision." Ala. Code § 15-22-26.2(d)(2); *see also* Doc. 31-4 at 1-2 (noting the Parole Bureau's and Department of Corrections' agreement to coordinate "in advance" of a mandatory

release date).[10] During this coordinated process, the Parole Bureau Defendants affected Plaintiffs' release in multiple ways. *See Hope v. Harris*, 861 F. App'x 571, 577 (5th Cir. 2021) ("[Plaintiff] goes on to allege that '[e]ach of the Defendants in one capacity or another work together to ensure [he] continues to be subjected to these inhumane conditions and have done so for a prolonged period of time.'").

First, like the clerk in *Strickland*, the Parole Bureau Defendants are responsible for a number of steps to facilitate or "process" Plaintiffs' release to community supervision. *See Strickland*, 772 F.3d at 885-86. For example, to prepare for release, the Parole Bureau Defendants undertake a review of each individual's home plan. Doc. 1 ¶ 151.[11] Although a home plan is not required by the Mandatory Release Law, the Department of Corrections treats it as a necessary precondition to release, and it will not release anyone "unless and until" the Parole Bureau approves an individual's home plan. *Id.* ¶ 153 ("Pursuant to the Home Plan Approval Policy, the Board refuses to accept onto supervision any individual until it has approved the individual's home plan."); *see also* Doc. 31-6 (Parole Bureau's form for "Mandatory Release Home Plan"); Doc. 31-2 at 4-6 (prohibiting release prior to the receipt of a

[10] *Institutional Parole Services*, Ala. Bureau of Pardons & Paroles, https://paroles.alabama.gov/about-us/board-operations/institutional-parole-services/ (last visited Dec. 15, 2025).

[11] *See also* Doc. 31-5 at 2-3 (noting the Parole Bureau Defendants also "set those eligible to a parole hearing date if there is enough time" or assign them an institutional parole officer and begin "to prepare for release to supervision").

"Parole Certificate" approved by the Parole Bureau). The Parole Bureau Defendants regularly fail to complete these preparatory steps in time, however, because they have not implemented a system to adequately identify and track people's mandatory release dates. Doc. 1 ¶¶ 113-20, 126. The Parole Bureau Defendants' delays, in turn, lead to over-detention. *Id.* ¶ 154; *see Doe v. Shibinette*, 16 F.4th 894, 902-03 (1st Cir. 2021) (finding standing to sue a defendant who caused the plaintiffs' detention by "failing to ensure" that a probable cause hearing was "held as soon as they contend that it must be"); *Armstrong v. Davis*, 275 F.3d 849, 863-64 (9th Cir. 2001) (finding standing to sue California Board of Prison Terms based on policies and practices that prevented people with disabilities from obtaining parole hearings even though they were entitled to parole and thus "resulted in significant periods of unwarranted incarceration").[12]

Second, like the county in *Loggerhead Turtle*, the Parole Bureau Defendants are responsible for several "determination[s]" that affect whether individuals like Plaintiffs are over-detained. *Loggerhead Turtle*, 148 F.3d at 1253. Some of these determinations are prescribed by statute: For example, the Mandatory Release Law expressly directs the Parole Bureau Defendants to "determine the level of

[12] *See also Cahaba Riverkeeper v. U.S. EPA*, 938 F.3d 1157, 1163 (11th Cir. 2019) (finding traceability to the EPA because the EPA failed to commence proceedings that, if they had been commenced, would have averted the plaintiffs' harm).

supervision required for an offender based on the results of a validated risk and needs assessment." Ala. Code § 15-22-26.2(d)(2); *see* Doc. 31 at 10 (noting that the Parole Bureau has "power over parole decision-making"). That includes determining whether electronic monitoring is required, and if so, paying for the "costs of electronic monitoring." Ala. Code § 15-22-26.2(e). These determinations must occur prior to a person's mandatory release date so that the person can be timely "released to the supervision of the Board." *Id.* § 15-22-26.2(d)(1). By failing to properly make these determinations, the Parole Bureau Defendants cause people to be over-detained. *See Kitchen v. Whitmer*, 106 F.4th 525, 534-35 (6th Cir. 2024) (finding standing against Department of Corrections and Parole Board officers because they "oversee enforcement of Michigan's parole statute").

In addition, both the Department of Corrections and Parole Bureau Defendants refuse to approve people for release to community supervision if they have previously violated parole or probation, contrary to the Mandatory Release Law's plain text. Doc. 1 ¶ 147. By determining that people are ineligible for release on this basis, the Parole Bureau Defendants also cause over-detention. *See Bennett v. Spear*, 520 U.S. 154, 169-70 (1997) (finding traceability based on "the virtually determinative effect of [the defendant's] biological opinions").

Finally, the Parole Bureau Defendants made several joint decisions with the Department of Corrections Defendants that affect release. For instance, the Parole

Bureau and Department of Corrections announced as "partner[s]" that they had adopted a policy of releasing people only on the "first and fourth Tuesday of each month." Doc. 1 ¶ 139. This policy results in over-detention for anyone whose mandatory release date does not happen to fall on one of these days, as Defendants force them to stay detained until the next qualifying Tuesday, at the earliest. *Id.* ¶ 161. None of Plaintiffs' mandatory release dates fell on one of Defendants' chosen Tuesdays. *See id.* ¶¶ 181-83 (noting mandatory release dates on December 24, 2023 (Sunday), December 28, 2023 (Thursday), and October 12, 2023 (Thursday)).

These connections to Plaintiffs' over-detention are more than sufficient to "link the injury to the complained-of conduct." *Strickland*, 772 F.3d at 885. As a result, Plaintiffs have standing to sue the Parole Bureau Defendants.

B. The District Court Erroneously Narrowed The Traceability Requirement To Those With Physical Custody And Enforcement Authority.

In reaching its contrary conclusion, the district court erroneously reasoned that Plaintiffs' harm traces only to the Department of Corrections for two reasons: because those Defendants have physical "custody" over people eligible for release, and because, in the court's view, the Parole Bureau "does not play an enforcement role under the Mandatory Release Law." Doc. 46 at 7-8. But neither custody nor enforcement authority is required for a defendant to cause a plaintiff's injuries for purposes of Article III standing.

The district court's focus on physical custody reflected an erroneous assumption that "[t]he Board merely receives released inmates," and therefore "the Board did not—and could not—overdetain Plaintiffs." Doc. 46 at 7-8. But as explained above, the Parole Bureau is much more than a passive recipient of individuals being released: The Parole Bureau Defendants play several important roles in the release process that contributed to Plaintiffs' over-detention. That is all that is required for traceability. *See supra* § II.A.

As this Court has recognized, there is no physical custody requirement for standing. *See Schultz*, 42 F.4th at 1310 (noting suit against not just the sheriff with custody over the plaintiffs, but also the circuit clerk, several magistrate judges, and several district judges who played roles in the bail process); *Doe*, 16 F.4th at 902-03 (tracing detention-related harms to the commissioner of health and human services even though the commissioner did not have custody over the plaintiffs). For this reason, several over-detention cases from other Circuits proceeded against parole boards and other similarly situated defendants. *E.g.*, *Herrera v. Agents of Pa. Bd. of Probation & Parole*, 132 F.4th 248 (3d Cir. 2025) (suit against the state's department of corrections and parole board); *Huff v. Att'y Gen. of Va.*, No. 07-cv-744, 2008 WL 4065544 (E.D. Va. Aug. 26, 2008) (suit against state parole board chairman, attorney general, and others).

By focusing solely on physical custody immediately prior to release, the district court "wrongly equate[d] injury 'fairly traceable' to the defendant with injury as to which the defendant's actions are the very last step in the chain of causation." *Bennett*, 520 U.S. at 168-69 (quoting *Lujan*, 504 U.S. at 560-61). This Court has expressly rejected that type of proximate-cause requirement for standing. *See Loggerhead Turtle*, 148 F.3d at 1251 n.23 ("[N]o authority even remotely suggests that proximate causation applies to the doctrine of standing."). Plaintiffs "need not show (or, as here, allege) that 'the defendant's actions are the very last step in the chain of causation.'" *Wilding*, 941 F.3d at 1126 (quoting *Bennett*, 520 U.S. at 168-69). "[E]ven harms that flow indirectly from the action in question can be said to be 'fairly traceable' to that action for standing purposes." *Id.* at 1125. As a result, a defendant who did not have physical custody of the plaintiff can still cause the plaintiff's harm, as the Parole Bureau Defendants did here. *See Mendia v. Garcia*, 768 F.3d 1009, 1012-15 (9th Cir. 2014) (holding that a person in state custody whose immigration detainer prevented him from obtaining a bail bond established traceability against federal immigration officers).

The district court also erred by treating enforcement authority as dispositive, as this Court has made clear that enforcement authority is not required for traceability. *See, e.g.*, *Ga. Latino Alliance for Hum. Rts. v. Governor of Ga.*, 691 F.3d 1250, 1260 & n.5 (11th Cir. 2012) (finding standing despite defendants'

argument that they "lack enforcement authority"). In *Loggerhead Turtle*, for example, this Court specifically rejected the defendant's argument that because it lacked "*enforcement* control," it could not have caused the plaintiff's injury. 148 F.3d at 1250. What mattered was that the defendant was responsible for taking actions and making determinations that contributed to the plaintiffs' harms. *Id.* at 1250-51. So too here.

In support of its narrow view focused on enforcement, the district court cited this Court's decisions in *Lewis v. Governor of Alabama*, 944 F.3d 1287 (11th Cir. 2019), and *City of South Miami v. Governor of Florida*, 65 F.4th 631 (11th Cir. 2023). The court interpreted those cases to turn on the defendant's lack of authority to enforce a challenged statute and concluded that "Plaintiffs have the same traceability problem." Doc. 46 at 8.

Plaintiffs do not have the same traceability problem as the litigants in *Lewis* and *City of South Miami* because Plaintiffs are not suing to enjoin enforcement of a statute. In *Lewis*, the defendant attorney general's enforcement authority was critical because the plaintiffs sought to prevent the attorney general from enforcing a challenged statute against them. *See Lewis*, 944 F.3d at 1292. The attorney general's enforcement authority was thus the key alleged connection between the defendant and the plaintiffs' harms. *See id.* at 1295 (citing the attorney general's "broad authority to interpret and enforce" the law); *id.* at 1296-97 (describing the plaintiffs'

"*ex post*" theory that the attorney general harmed them by "enforcing" the law, threatening to enforce the law, or failing to indicate "his intent not to enforce" it). This Court rejected the plaintiffs' enforcement theory based on particular features of the law at issue, which did not "require (or even contemplate) 'enforcement' by anyone, let alone the Attorney General." *Id.* at 1299. Accordingly, this Court concluded that "the plaintiffs' *ex post*, enforcement-related traceability theory does not withstand scrutiny." *Id.* at 1301. Because the plaintiffs offered no other sufficient connection to the attorney general, this Court concluded that "the Attorney General didn't do (or fail to do) anything that contributed to plaintiffs' harm." *Id.*

Here, Plaintiffs are not pursuing an enforcement-related theory of traceability. Plaintiffs have instead connected the Parole Bureau Defendants to their harms based on actions the Parole Bureau Defendants have taken, determinations they have made, and preparations they have failed to perform. Unlike the attorney general in *Lewis*, the Parole Bureau Defendants have done, and failed to do, numerous things "that contributed to plaintiffs' harm." *Lewis*, 944 F.3d at 1301. By ignoring these concrete causal connections and focusing solely on the absence of an entirely different theory of standing, the district court erred.

City of South Miami is even further afield than *Lewis*, as it not only concerned an inadequate enforcement-based theory of standing, but also suffered from a complete lack of injury-in-fact. As in *Lewis*, the plaintiffs in *City of South Miami*

sued the attorney general and the governor to "enjoin [them] from enforcing" a challenged law. *City of South Miami*, 65 F.4th at 635. To establish standing, the plaintiffs alleged that they would have to divert resources to respond to the defendants' "unlawful detention, transportation, and enforcement" under the law. *Id.* at 635-36. This Court rejected that theory for two reasons. First, its premise was flawed, as it was "improbable" that there would actually be any imminent law enforcement activities relating to the law that would justify diverting resources. *Id.* at 637-40. Therefore, the plaintiffs had not suffered any injury-in-fact. *Id.* Second, this Court noted that it was "no surprise, in a case that so profoundly fails to establish an injury in fact based on highly speculative harm, that traceability and redressability are also lacking." *Id.* at 640. In particular, this Court rejected the plaintiffs' theory that "the governor or attorney general has enforced or threatened to enforce [the law]" against them based on the district court's findings. *Id.* at 641. Because that was the theory of standing the plaintiffs put forward, this Court concluded that they lacked standing. *Id.* Even so, this Court emphasized that the plaintiffs' "failure to produce any evidence to trace any injury to the governor and attorney general does not foreclose the possibility that these officials could be proper defendants on a different record." *Id.* at 643.

Here, there is no dispute that Plaintiffs have suffered an injury-in-fact that would be redressable by the relief they seek, and Plaintiffs have alleged a number of

connections between Defendants and their harms that do not depend on Defendants' authority to enforce the Mandatory Release Law. That suffices to establish standing.

For these reasons, the district court erred by dismissing Plaintiffs' claims. The decision below should be reversed.

* * *

Because the district court erred in dismissing Plaintiffs' federal claims, the dismissal of Plaintiffs' state-law claims should also be vacated. *See Huggins v. Sch. Dist. of Manatee Cnty.*, 151 F.4th 1268, 1286-87 (11th Cir. 2025) (vacating the district court's denial of supplemental jurisdiction "[b]ecause the district court based its decision not to exercise supplemental jurisdiction over the state claims on its dismissal of all of Huggins's federal claims"). The district court declined to exercise supplemental jurisdiction over Plaintiffs' state-law claims on the assumption that "all federal claims" were properly dismissed. Doc. 46 at 12. That assumption was wrong. Accordingly, Plaintiffs' state-law claims should be reinstated. *See Snow ex rel. Snow v. City of Citronelle*, 420 F.3d 1262, 1271 (11th Cir. 2005) ("Because we reinstate Snow's federal claims, we must vacate the discretionary dismissal of the state-law claims.").

CONCLUSION

For the foregoing reasons, this Court should reverse the district court's decision.

Dated: December 16, 2025

Respectfully Submitted,

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Date: December 16, 2025

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I hereby certify that on December 16, 2025, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

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