25-14053-CC

United States Court of Appeals for the Eleventh Circuit

HILARY AKIN JACOBS, et al.,

Appellants,

-against-

CHUCK CATLIN, et al.,

Appellees.

ON APPEAL FROM DENIAL OF INJUNCTION BY DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA IN CASE NUMBER 1:25-CV-01270-SDG

APPELLANTS' BRIEF (Corrected)

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CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

In accordance with 11th Cir. Local Rules 26.1-2, Plaintiffs-Appellants certify that the following have or may have an interest in the outcome of this case or appeal:

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Hon. Judge Steven Grimberg

Philip Matthew Jacobs

Hilary Akins Jacobs

Michael Weaver

Chuck Catlin

Sheriff Matt Gray

Mylean Jean

Melinda Wright

Douglas County, Georgia

Douglas County Sheriff's Office

Plaintiffs-Appellants further state that no publicly traded company or corporation has an interest in the outcome of this case or appeal.

/s/ Glen K. Allen
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Dated: March 02, 2026

STATEMENT REGARDING ORAL ARGUMENT

Appellants respectfully request oral argument. This appeal presents nuanced applications of the abstention doctrine as well as flagrant First Amendment violations. Moreover, several critical facts escaped the District Court's attention and Appellants seek to avoid the potential for such errors here.

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JURISDICTIONAL STATEMENT

The District Court on abstention grounds denied the Appellants' request for a preliminary injunction. This Court, accordingly, has appellate jurisdiction under 28 U.S.C. § 1292(a)(1).

The District Court had subject matter jurisdiction under 28 U.S.C. §§ 1331, 1343, and 1367. The Appellants sought vindication of their constitutional rights under 42 U.S.C. § 1983.

The District Court issued its order and judgment denying Appellants' request for an injunction and dismissing Appellants' complaint on November 5, 2025. DE 57; Apx.115. Appellants filed a timely notice of appeal to this Court on November 12, 2025. DE 58; Apx. 146.

STATEMENT OF THE ISSUES

Whether the District Court erred by refusing to find a bad faith exception to abstention where the state (Appellees) conceded: a) Appellants' flyers did not meet the Georgia statutory definition of "litter"; b) Appellants' flyers were not in fact thrown or left on the street or any public property; and c) the sheriff's deputies maliciously and intentionally misstated crucial facts about the nature and placement of the flyers in order to secure warrants?

Whether even a prima facie showing for abstention was made where all three *Middlesex County Ethics Committee v. Garden State Bar Ass'n*, 457 U.S. 423 (1982), factors were lacking in some respect?

Whether the District Court erred by failing to permit Appellants even a first amendment of their pleadings?

Whether injunctive relief should have been granted owing to both the manifestly bad faith prosecution and the robust showing of the four traditional factors for injunctive relief?

STATEMENT OF THE CASE

(A) Statement of Facts / Factual Allegations

On November 2, 2023, as they had done for several months, Appellants Philip Jacobs and Michael Weaver distributed Judeo-critical flyers exemplified by the documents attached as Exhibits 1 and 2 to the proposed Amended Complaint[1] to houses in residential sections of Lithia Springs, Georgia. DKT 43-1 (Amended Complaint), ¶¶ 17-24, Apx. 59-60; DKT 44-1 (Affidavit of Philip Jacobs) ¶¶ 1, 6, 9-13, Apx. 85-87; DKT 45 (Affidavit of Michael Weaver) ¶¶ 1, 7-11, Apx. 90-91.[2]

[1] The representative flyers can be found at DKT 43-1 (Amended Complaint), pp. 30-31, Apx. 83-84

[2] Appellant Hilary Jacobs did not even distribute any such flyers on November 2, 2023, though warrants would be secured for her arrest and she would be arrested alongside her husband, Philip Jacobs, the following day, on November 3, 2023. DKT 44-1 (Philip Jacobs Affidavit) ¶¶ 1, 6, 9, Apx. 86.

Each flyer had been singly wrapped in a Ziploc baggie and weighted by corn kernels to prevent it from blowing about the neighborhood like litter. DKT 44-1 (Philip Jacobs Affidavit) ¶¶ 9-12, Apx. 86-87. Each flyer consisted of the same kind of controversial message exemplified by Exhibits 1 and 2 (DKT 43-1 (Amended Complaint), pp. 30-31, Apx. 83-84, and each Ziploc baggie contained only a single flyer and the corn kernel ballast. Philip Jacobs Affidavit at ¶¶ 6,7, 10, 11, Apx. 86.

As to the manner of distribution, each flyer was thrown onto private property, usually a driveway or porch, or as close thereto as possible. DKT 44-1 (Philip Jacobs Affidavit) ¶ 12, Apx. 86. The flyers were not "thrown or left" on "public property," as falsely stated in the affidavits at DKT 39-2 (Arrest Warrants), e.g., Apx. 39.

Unlike litter, no Ziploc baggie contained a miscellany of items such as would be found if the flyers had been mere garbage – thus there were no random papers included in the baggies, and no discarded oddments such as old fruit, bits of food, used items, or damaged goods, etc. DKT 44-1 (Philip Jacobs Affidavit) ¶ 13, Apx. 87. Furthermore, at least some of the flyers expressly indicated that they were *not* abandoned or discarded litter or waste, *i.e.* "The charge that these packets are 'litter' or 'discarded waste' is woefully wrong. They are neither 'waste' nor 'discarded.' Each flyer has been meticulously crafted and designed. Their production has been

at no small expenses." DKT 43-1 (Amended Complaint), p. 30, Exhibits 1 and 2, Apx. 83-84.

Alerted by Appellants' past flyering activity (an inference arising from the fact that Appellants had conducted flyering for several months and had already drawn scrutiny from law enforcement prior to November 3, 2023 – see DKT 43-1 (Amended Complaint), ¶¶ 11, 24-25, 28, 29, 53-54, Apx. 58, 60-61, 65 -- Appellees settled on a policy of conspiring to suppress Appellants' free speech rights by abusing Georgia's littering statute. DKT 43-1 (Amended Complaint), ¶¶ 32-50, 53-54, 56, 87-89, Apx. 62-65, 70.

On November 2, 2023, at least two deputies of the Douglas County Sheriff's Office appear to have investigated the flyers that Appellants Philip Jacobs and Michael Weaver had distributed. DKT 39-2 (Arrest Warrants), Apx. 39-53. These were Appellees Catlin and Jean. DKT 43-1 (Amended Complaint), ¶¶ 32-36, Apx 62. They gathered numerous Ziploc baggies as evidence.

On November 3, 2023, Appellee Catlin swore out affidavits seeking the arrest of Appellants for allegedly violating the littering statute at Georgia Code § 16-7-43(M). See Addenda 1 and 2; DKT 43-1 at ¶ 37, Apx. 63. The affidavits were passed through another officer of the Douglas County Sheriff's Office identified as Appellant Wright, who, after reviewing the underlying evidence, used such

affidavits to secure arrest warrants for the alleged littering offense. DKT 43-1 (Amended Complaint), ¶¶ 45-48, Apx. 64.

That very day (November 3, 2023) Appellee Gray of the Douglas County Sheriff's office gathered at least eight other deputies and proceeded to Appellant Jacobs' premises, which consisted of a trailer home. DKT 43-1 (Amended Complaint), ¶¶ 63-76, Apx. 67-68; DKT 44-1 (Philip Jacobs Affidavit), ¶¶ 20-31, Apx. 87-89. Said deputies surrounded the home so that there was no danger of escape, and with guns drawn, served the warrants for littering. *Id.* On account of the littering charges, Appellant Philip Jacobs was arrested, placed in handcuffs, and taken away in his underwear with no opportunity to even dress himself. *Id.* Appellant Hilary Jacobs was also arrested, placed in handcuffs, and taken away. *Id.* The Appellees refused to show the Jacobs the arrest warrants, despite being requested to do so. *Id.* Appellant Philip Jacobs was assaulted by a jail guard while he was incarcerated. *Id.* Bail was set at $30,000 for each of the Jacobs, a total of $60,000 for "littering" – requiring the Jacobs to pay a nonrefundable fee of $4,000 to a commercial bonding agency to be released from jail. *Id.*

On November 6, 2023, Appellant Myrlene Jean swore out additional affidavits for the arrest of Appellants, again for allegedly violating the littering statute at Georgia Code § 16-7-43(M) by distributing flyers in Lithia Springs on November 2,

2023. DKT 39-2 (Arrest Warrants), Apx. 39-53. These too were passed through Appellant Wright as the prosecuting officer, who used them to secure arrest warrants for Appellants.

Altogether, Appellees Catlin, Jean, and Wright swore out at least fifteen affidavits accusing Appellants of littering in violation of Georgia Code § 16-7-43(M). DKT 39-2 (Arrest Warrants), Apx. 39-53. But not a single one of those affidavits reveals that the "paper" described was in fact political or religious messaging – colportage, rather than the "discarded or abandoned" "Refuse, rubbish, junk, or other waste material" that is defined as litter under Georgia's statute, Georgia Code § 16-7-42(M). Instead, each and every affidavit gives the misleading statement that Appellants had thrown "plastic bags with paper inside the plastic bags." DKT 39-2 (Arrest Warrants), Apx. 39-53.

However, on a newscast on November 3, 2023, representatives of the Douglas County Sheriff's office acknowledged that the nature of the flyers consisted of political messaging, namely, the flyers were reported to "appear [] to be anti-semitic in nature." DKT 43-1 (Amended Complaint) ¶ 55, Apx. 66. The newscast also contained a significant admission about the placement of the flyers, which were reported to have been thrown on "driveways" — that is distributed on private property, not simply thrown on the streets. *Id.*

By affidavit sworn July 5, 2025, which was submitted in support of the motion for injunctive relief, Appellant Philip Jacobs attested that Appellees Catlin and Jean had executed false affidavits and had intentionally misstated that the contents of the Ziploc baggies were mere "paper" and trash" despite knowing that the contents were in fact political flyers that had not been discarded or abandoned. DKT 44-1 (Philip Jacobs Affidavit) ¶¶ 13-16, 18-19, Apx. 87. Furthermore, Appellant Philip Jacobs swore that the flyers were not in fact thrown or left on public property as falsely stated in the state's affidavits, but were instead thrown onto private property – "usually a driveway or porch, or as close thereto as possible." *Id.* ¶ 12, Apx. 86-87.

As to Appellant Michael Weaver, he has never been served with any warrants. DKT 43-1 (Amended Complaint), ¶¶ 79-84, Apx. 69-70; DKT 45 (Michael Weaver Affidavit) ¶¶ 18-24, Apx. 92-93. Law enforcement personnel from the Douglas County Sheriff's Office, however, proceeded to the apartment where he formerly lived clearly indicating they had a warrant for his arrest on or about November 3, 2023 and/or in the days thereafter. *Id.* Moreover, Plaintiff Weaver's father, while driving an automobile registered in Michael Weaver's name, has been pulled over multiple times by law enforcement personnel who informed that gentleman that there was a warrant issued for Michael Weaver's arrest. *Id.* Mr. Weaver has to this very day not been in a financial position to pay the $30,000 bail that was set for each

of the Jacobs and which would undoubtedly be imposed on him if he were to be ultimately arrested on these charges. *Id.*

Mr. Weaver has every reason to expect similar or even harsher treatment than that received by the Jacobs (including assault by a guard while in jail) if he were to be arrested and confined on the Defendants' spurious littering charges. *Id.* Mr. Weaver's arrest, accordingly, would result in his indefinite and perilous incarceration based on bad faith and blatantly unconstitutional charges of "littering," an outrageous consequence of his exercise of his long-established First Amendment right to distribute political flyers. *Id.* These circumstances have forced Mr. Weaver into reclusion, at great cost to his family and social relationships, his emotional health, and his ability to make a living. *Id.*

Appellees did not contest any aspects of the above Jacobs and Weaver affidavits on the motion for injunctive relief.

There has been no more flyering owing to the state court prosecutions and threat of prosecution. Appellants Hilary and Philip Jacobs have left the state of Georgia; Appellant Weaver, too, has left the state. DKT 43-1 (Amended Complaint), ¶¶ 4-6, 82-85, 96, 126, 134, 142, Apx. 56-57, 69-70, 72; DKT 44-1 (Jacobs Affidavit) ¶ 33, Apx. 89; DKT 45 (Weaver Affidavit) ¶ 24, Apx. 93. In addition to

the threat of prosecution, the resulting hardship includes loss of vocation and freedom of movement. *Id.*

(B) Course of Proceedings in Federal Court

Appellants filed their initial complaint on March 10, 2025. *See* District Court Docket Entries, Apx. 6; DKT 1, Apx. 8. Appellees filed a motion to dismiss on May 27, 2025. DKT 39, Apx. 36.

Appellants filed a motion to amend their complaint (together with a proposed Amended Complaint) and a motion for preliminary injunction on July 14, 2025. DKT 43 and DKT 44, Apx. 5, 54. In their Amended Complaint (as in their initial complaint), Appellants alleged causes of action for First Amendment Retaliation under 42 U.S.C. § 1983, Violations of Fourth and Fourteenth Amendments under 42 U.S.C. § 1983, Declaratory Judgment, Abuse of Process, 42 U.S.C. § 1985(3) Conspiracy, and Preliminary Injunctions. DKT 43, Apx. 54.

Appellees filed oppositions to both motions on July 28, 2025. DKT 48 and DKT 49, Apx. 6. Appellants filed replies in support of their motions on August 11, 2025. DKT 50 and DKT 51. *Id.* On November 5, 2025, the District Court issued its Opinion and Order denying on abstention grounds Appellants' motions to amend and for a preliminary injunction. DKT 57, Apx. 6-7, 115. Appellants filed their notice of appeal on October 12, 2025. DKT 58, Apx. 146.

(C) Course of Proceedings in State Court *Jacobs* Prosecution

The following chronology sets out key events in the Georgia state court prosecution of Philip and Hilary Jacobs, together with related key events.[3]

November 2, 2025: Arrest of Philip and Hilary Jacobs, as described in Complaint and Amended Complaint.

November 7, 2025: Arrest warrants docketed on state court docket. *See* Attachments C and D.

March 10, 2025: Appellants file initial complaint in federal court.

May 21, 2025: State files Accusations in state court.

July 29, 2025: Initial arraignment (rescheduled; Jacobs did not make appearance).

September 29, 2025: Appellants waive arraignment in document asserting *England* Reservation (DKE 56; Apx. 110-14).

December 3, 2025: Calendar call (rescheduled at Appellants' request)

December 19, 2025: Appellants file demurrer to indictment on statutory grounds, i.e., that Appellants' political flyers did not constitute "littering" under Georgia statute.

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[3] Snapshots of the Georgia state court dockets for the *Jacobs* prosecutions are attached to this brief as Attachments C and D. Appellants ask the Court to take judicial notice of them. See Fed. R. Evid. 201(b)(2); *Bilal v. Benoit*, 2025 WL 3240264 (11th Cir. Nov. 20, 2025) at * 7; *Lamoureux v. Florida,* 2024 WL 1460311 (11th Cir. Apr. 4, 2024) at * 1. The *Jacobs* dockets may be found online at this link https://courts.dcga.us/WebSearch/mainpage.aspx From this page, type "Jacobs" near the top of the page for the last name.

February 16, 2026: Calendar call scheduled.

STANDARD OF REVIEW

This Court reviews a District Court's decision to abstain on an abuse of discretion standard. *Tokyo Gwinnett, LLC v. Gwinnett County, Georgia,* 940 F.3d 1254, 1267 (11th Cir. 2019). In reviewing an abstention decision, however, the Court must be mindful that "[a]bstention from the exercise of federal jurisdiction is the exception, not the rule." *Id.* (citing *Colo. River Water Conservation Dist. v. United States*, 424 U.S. 800, 813 (1976)). In fact, "federal courts have a virtually unflagging obligation to exercise their jurisdiction except in those extraordinary circumstances where the order to the parties to repair to the State court would clearly serve an important countervailing interest." *Deakins v. Monaghan*, 484 U.S. 193, 203 (1988); *see also New Orleans Pub. Serv. Inc. v. Council of New Orleans,* 491 U.S. 350, 358-59 (1989) (noting "federal courts lack the authority to abstain from the exercise of jurisdiction that has been conferred" except with respect to the "carefully defined" areas in which "abstention is permissible")(quotation marks omitted).

This Court reviews a District Court's decision to allow an amended complaint under an abuse of discretion standard. *See Bryant v. Dupree*, 252 F.3d 1161, 1165 (11th Cir. 2001). Commonly understood, an abuse of discretion occurs when a

District Court commits a clear error of judgment, fails to follow the proper legal standard or process for making a determination, or relies on clearly erroneous findings of fact. *Gray ex rel. Alexander v. Bostic*, 613 F.3d 1035, 1039 (11th Cir. 2010).

SUMMARY OF ARGUMENT

This appeal raises questions about abstention and the denial of Appellants' request for a preliminary injunction within the context of First Amendment retaliation. Appellants seeks an injunction preventing Appellees from moving forward with a patently bad faith prosecution for littering, which prosecution is in fact squarely aimed at suppressing their First Amendment rights. The lower court was able to side with Appellees only by ignoring uncontested facts and the clear application of law.

The lower court erred in failing to find a bad faith exception where it was uncontested that: a) Appellants' flyers did not meet the Georgia statutory definition of "litter"; b) Appellants' flyers were not thrown or left on public property; and c) the sheriff's deputies maliciously and intentionally misstated crucial facts about the nature and placement of the flyers in order to secure warrants for "littering." Thus, even if abstention were otherwise indicated, the bad faith exception would render intervention appropriate.

Under either the *Middlesex County Ethics Committee v. Garden State Bar Ass'n*, 457 U.S. 423 (1982) factors analysis or the exceptional circumstances exception, manifest bad faith destroys the argument for abstention.

With abstention out of the way, Appellants clearly meet the factors for injunctive relief. Indeed, the bad faith of the state actors would, by that fact alone, render injunctive relief compelling; but in any event all four traditional factors for an injunction were also present.

Finally, it is axiomatic that Appellants should have been given at least one chance to amend their pleadings. The sole reason the District Court gave for refusing to permit Appellants to amend was its abstention finding. With that finding disposed of, so is the rationale for refusing Appellants' amendment.

ARGUMENT

I. MANIFEST BAD FAITH DEFEATS ABSTENTION AND WARRANTS INJUNCTIVE RELIEF.

Three crucial facts that were uncontested with regard to the Appellants' motions are dispositive under the exacting review applicable here:

a) Appellants' flyers manifestly did not meet the statutory definition of "litter" because they were obviously not "discarded" or "abandoned" "refuse, rubbish, junk, or other waste material." DKT 44-1 (Jacobs Affidavit) ¶¶ 9-11, 13-15, Apx. 86-87; DKT 43-1 (Amended Complaint) ¶¶ 17-23, 87-90, Apx. 59-60, 70-

71; and see flyers attached to DKT 43-1 (Amended Complaint) p. 30-31, Apx. 83-84*; cf.* § 16-7-42 of the Georgia Code (Attachment A);

b) Appellants' flyers were not in fact thrown or left on public property. DKT 44-1 (Jacobs Affidavit) ¶ 12, Apx. 86-87; DKT 43-1 (Amended Complaint) ¶ 18, Apx. 60; and

c) The sheriff's deputies maliciously and intentionally misstated crucial facts about the nature and placement of the flyers in order to secure warrants for "littering." DKT 44-1 (Jacobs Affidavit) ¶¶ 14-15, 18, Apx. 87; DKT 43-1 (Amended Complaint) ¶¶ 32-43, Apx. 62-63.

It is difficult to see how these facts have been repeatedly missed by both law enforcement and the District Court. For example, the flyers themselves explicitly indicate they are not abandoned or discarded litter or waste. They state: "The charge that these packets are 'litter' or 'discarded waste' is woefully wrong. They are neither 'waste' nor 'discarded.' Each flyer has been meticulously crafted and designed. Their production has been at no small expenses." DKT 43-1 (Amended Complaint) p. 30-31 (Exhibits 1 and 2), Apx. 83-84.

The District Court appears to have disposed of these crucial facts by simply ignoring them. Thus, in the several pages where it analyzed whether Appellants had made a showing of bad faith (DKT 57 (District Court Opinion and Order) pp. 22-

29, Apx. 136-43) it scrupulously avoids acknowledging the three crucial facts above. As in *For Your Eyes Alone, Inc. v. City of Columbus, GA*, 281 F.3d 1209 (11th Cir. 2002), we might say "The district court's entire abstention analysis… was predicated on an inaccurate factual scenario." *Id.* at 1216.

In any event, with those three facts conceded, there is no doubt that bad faith is present. The very definition of bad faith is a prosecution brought without any reasonable expectation of obtaining a valid conviction. *Kugler v. Helfant*, 421 U.S. 117, 1126 n.6 (1975); *Rowe v. Griffin*, 676 F.2d 524, 527-28 (11th Cir.1982). If that is not precisely what Appellees are up to, they would at least have attempted to explain their misuse of the Georgia littering statute at § 16-7-42 of the Georgia Code.

Instead, there was not even the attempt to square their use of the statute with the facts here. See DKT 49 (Appellees' Opposition to Appellants' motion for a preliminary injunction). To the contrary, Appellees conceded both the abuse of the Georgia littering statute *and* the malicious and willful misstatement of facts in order to secure warrants for littering. Contrary to the District Court's misleading footnote at DKT 57 p. 23, n. 31, Apx. 137, Appellees' concession was not limited to the motion to dismiss, for they refused to contest any facts sworn to on the motion for injunctive relief at DKT 44-1 (Jacobs Affidavit).

Next, the District Court proceeded from flawed factual predicate to faulty legal analysis. Having sidestepped that Appellants' flyers were obviously not litter within the definition of the Georgia statute and were not simply thrown onto the street, the court misread *Statesboro Pub. Co. v. City of Sylvania*, 516 S.E.2d 296, 300 (Ga. 1999), *Martin v. City of Struthers*, 319 U.S 141 (1943), and *Schneider v. State*, 308 U.S. 147, 162 (1939).

The lower court's disregard of *Statesboro Publishing. Co.* was particularly striking. DKT 57 p. 27-28, Apx. 140-41. The only significant difference between that case and this lies in the fact the *Statesboro Publishing* flyers were commercial in nature (*Statesboro Publishing,* 516 S.E.2d at 297), a factor which under some jurisprudence merits less protection than core political and religious speech presented by Appellants. Contrary to the District Court, the flyers in both instances were distributed in exactly the same manner. *C*ompare *Statesboro Publishing,* 516 S.E.2d at 297 to DKT 44-1 ¶ 12, Apx. 86-87 and DKT 43-1,¶ 18, Apx. 60. Yet after noting that the Georgia Supreme Court had ruled against the state's attempt to prohibit plaintiffs from distributing the flyers in such manner, the District Court inexplicably declares that: "S*tatesboro* does not clearly permit Plaintiff's conduct." DKT 57 p. 28, Apx. 142. But it does: in both instances you have speakers distributing free printed material in yards, driveways or porches. *Statesboro*

Publishing, 516 S.E.2d at 92; DKT 44-1 ¶ 12, Apx. 86-87 and DKT 43-1 ¶ 18, Apx. 60.

Statesboro rested on *Martin v. City of Struthers*, 319 U.S 141 (1943), and *Schneider v. State*, 308 U.S. 147, 162 (1939), both long-settled precedents. Again the District Court simply asserts that neither case supports Appellants' distribution of literature "by tossing it in people's yards or driveways." DKT 57 p. 27, Apx. 141. But they do: the holding of *Schneider v. State* was that each of the four ordinances in question (which had prohibited distributing flyers while on public streets *and* canvassing with flyers on private property, *Schneider,* 308 U.S. at 153-59), were violative of the First Amendment. *Id.* at 165. Unlike the District Court, *Schneider v. State* arrived at its holding mindful of the fact that anti-littering ordinances, however legitimate, could not be construed in a manner which eroded the First Amendment, *e.g.* "As we have pointed out, the public convenience in respect of cleanliness of the streets does not justify an exertion of the police power which invades the free communication of information and opinion secured by the Constitution." *Id.* at 163. Thus, under *Schneider* the state could deal with litter by narrowly targeting people who actually tossed papers in the street. What it could not do was target people who distributed flyers to others while on public property or

canvassed on private property simply because more litter resulted when others tossed the papers away or they blew away.

As for *Martin*, it upheld the right to knock and summon a homeowner to the door in order to receive literature, a right which was assumed to be more intrusive than the simple distribution of flyers. *Martin,* 319 U.S. at 142-43 (Black, J. *majority opinion*) and 155-56 (Reed, J. *dissenting*).

Moving on, it is of no moment that "the Supreme Court itself has never applied the bad-faith/harassment exception." DKT 57 p. 22-23, Apx. 136-37. The Eleventh Circuit certainly has, *e.g., Rowe v. Griffin*, 676 F.2d 524, 525 (11th Cir.1982) (bad faith prosecution where brought after assurances of immunity to defendant); *Leonard v. Alabama State Board of Pharm*., 61 F.4th 902, 912 (11th Cir. 2023) (noting continued viability of bad faith exception "in the context of retaliation against core constitutionally protected rights" even where there is some possibility of obtaining a conviction).

And the Eleventh Circuit's precedent mirrors that of at least two other circuits, *e.g.*, *Cullen v. Fliegner*, 18 F.3d 96 (2d Cir. 1996) (bad faith and harassment for exercise of First Amendment rights); *Lewellen v. Raff*, 843 F.2d 1103, 1109–10 (8th Cir. 1988) (same). Moreover, the Eleventh Circuit's Fifth Circuit predecessor set forth the same principle. *Shaw v. Garrison*, 467 F.2d 113, 119–21 (5th Cir. 1972).

Indeed, under precedent followed by this circuit[4] the consequences of the bad faith flow beyond abstention to weigh heavily in favor of injunctive relief as well. *See Shaw v. Garrison,* 467 F.2d at 119–21. The Second Circuit, too, has followed this same path, noting that "a showing of retaliatory or bad faith prosecution establishes irreparable injury for the purposes of the *Younger* doctrine, and the expectations for success of the party bringing the action need not be relevant." *Cullen v. Fliegner,* 18 F.3d at 104 (*citing, inter alia, Shaw v. Garrison).*

Such being the case, both issues – abstention (or rather its lack) and the necessity of injunctive relief – were essentially dictated by the bad faith of the state actors.

II. THERE WAS NO CLEAR JUSTIFICATION FOR ABSTENTION IN THE FIRST PLACE GIVEN THE GAMESMANSHIP OF APPELLEES, THE LACK OF STATE INTEREST IN ABUSING ITS LITTER STATUTES, AND THE *ENGLAND RESERVATION*.

In *Tokyo Gwinnett, LLC,* this Court underscored that abstention is a narrowly applied exception, not the rule, and reiterated that "'[o]nly the clearest of justifications merits abstention." 940 F.3d at 1267-68 (quoting *Jackson-Platts v. Gen. Elec., Capital Corp*., 727 F.3d 1127, 1140 (11th Cir. 2013). It then reversed the District Court and denied abstention when only two of the three *Middlesex County*

[4] Namely, *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981) (*en banc*).

factors[5] were present. *Id.* at 1258 and 1268. The absence of a single factor left the Court without the "clear justification" upon which abstention must be predicated. *Id.* at 1267 (quoting *Jackson-Platts,* 727 F.3d at 1140). Here all three factors are lacking in some degree, which should have triggered the District Court's nearly unflagging obligation to hear the case before it. *Id.* (quoting *Deakins v. Monaghan*, 484 U.S. 193, 203 (1988)).

The first *Middlesex* factor is whether "there is an 'ongoing' state-court proceeding at the time of the federal action." *Id.* at 1268. Moreover, as this Court noted in *For Your Eyes Alone, Inc. v. City of Columbus, Ga.*, 281 F.3d 1209, 1219 (11th Cir. 2002), the first factor itself must be considered with an eye to whether there has been gamesmanship by a state actor (*viz.*, defining the first factor too narrowly risks vesting the state rather than the aggrieved citizen with the power to choose the forum and nature of the proceeding in which the constitutional claim will be litigated. *Id.*) Here there are indications of precisely that: Appellees appear to have been spurred to move to file an accusation – at long last— only by the filing of the federal action itself. DKT 44-1 ¶ 32, Apx. 89; DKT 43-1 ¶¶ 65-66, 77-78, Apx. 67-69.

[5] As Appellants acknowledge, "*Younger* abstention applies…. in three 'exceptional circumstances'," one of which is when there are "ongoing state criminal prosecutions." *Tokyo Gwinnett, LLC,* 940 F.3d at 1267. When such is the case, this Court turns to weigh the *Middlesex* factors. *Id.* at 1268.

The District Court parsed Appellants' argument on whether the state court proceedings were on-going, but refused to consider whether there was evidence of Appellees' gamesmanship. DKT 57 pp. 6-16, Apx. 119-29. Nevertheless, here the "embryonic reading" of a pending state court action did have the effect of rewarding gamesmanship by abusive state authorities, which bears the precise markings of the "reverse removal power" that animates federal concerns with abstention in the first place. See *For Your Eyes Alone,* 281 F.3d. at 1219. Thus, under the unique facts of this case, this factor should be deemed illusory, or at least weighed negligibly, in light of Appellees' considerable burden of proof. See *Tokyo Gwinnett,* 940 F.3d at 1267 (quoting *Jackson-Platts,* 727 F.3d at 1140).

The second *Middlesex* factor is whether "the state proceeding implicates an important state interest." *Tokyo Gwinnett,* 940 F.3d at 1268. But there is no state interest in abusing statutory laws to suppress constitutional rights. When such is the case, it is manifest that the state lacks a *bona fide* interest: "Abstention would serve no purpose because a state cannot have a legitimate interest in discouraging the exercise of constitutional rights, or, equally, in continuing actions otherwise brought in bad faith, thereby reducing the need for deference to state proceedings." *Cullen v. Fliegner,* 18 F.3d at 104 (citing *Lewellen v. Raff*, 843 F.2d 1103, 1110 (8th Cir. 1988)).

The District Court chides Appellants for focusing on the misapplication of the littering statute, rather than the state's *bona fide* interest in controlling litter. DKT. 57 pp. 16-17, Apx. 130-31. But Appellants respectfully suggest it is the District Court that is misfocused. Indeed, the District Court has put the cart before the horse: if this were a *bona fide* case about littering, there would have been some attempt by Appellees to claim they had at least been faithful to the statutory definition of litter. Instead, they conceded their willful abuse of the littering statute.

Neither *Boyd v. Georgia*, 512 F. App'x 915, 918 (11th Cir. 2013) nor *New Georgia. Project, Inc. v. Att'y Gen., State of Ga.*, 106 F.4th 1237 (11th Cir. 2024) is apposite authority. Cf. DKT 57 p. 17, Apx. 131. This Court gave no hint in *Boyd v. Georgia* that the state was abusing its criminal laws, which immediately distinguishes it from the facts conceded here. Likewise with *New Georgia Project, Inc.*: although Stacy Abrams' non-profit did argue that the Georgia election law at issue chilled First Amendment rights, there was no showing whatsoever of outright abuse. *New Georgia*, 106 F.4th at 1246. Indeed, this Court made quick work of any such implication: "The evidence here gives rise to no compelling inference that the state was strategically seeking to evade federal-court jurisdiction; rather, the state seems simply to have been pursuing its enforcement action in the normal course, from investigation to prosecution." *Id.*

Finally, the third *Middlesex* factor is whether "the state proceeding affords the federal plaintiff an adequate opportunity for judicial review of his or her federal constitutional claims." *Tokyo Gwinnett,* 940 F.3d at 1268. Here, Appellants have argued that there is no such opportunity due to their *England Reservation* (*i.e., England v. Louisiana State Board of Medical Examiners*, 375 U.S. 411 (1964)). The District Court found Appellants' argument "misplaced" (DKT 57 p. 19, Apx. 133), reasoning that:

> *England* says nothing about the situation presented here—which is squarely governed by *Younger*—and Plaintiffs have not shown that they are procedurally barred from raising their federal defenses in the Georgia criminal proceeding.
>
> DKT. 57 p. 20, Apx. 134.

But respectfully, it is the District Court's argument that is misplaced: *England* does in fact address a situation where abstention has occurred. Indeed, *England* was decided under circumstances where, in effect, it was conceded that the prior course of abstention *had* been proper. *England,* 375 U.S. at 413, n.2. Yet the Supreme Court still decided that the *England* appellants were entitled to their federal forum. *Id*. at 415. Indeed, it was decided that the *England* appellants were entitled to their federal forum despite having raised (and lost) their constitutional contentions in the state court. *Id.* at 413-14. Clearly, the *England* appellants were not procedurally barred from raising their federal defenses in the state proceeding. (Cf. DKT 57 p.

18, Apx. 132 (citing *Johnson v. Florida,* 32 F.4th 1092, 1101 (11th Cir. 2022) and *Pompey v. Broward Cnty*., 95 F.3d 1543, 1551 (11th Cir. 1996) – two cases which did not feature *England* Reservations whatsoever.)

The only way to read the holding of *England v. Louisiana State Board of Medical Examiners*, which has never been overturned, is that where a proper reservation is made, the state court simply does *not* provide "an adequate opportunity for judicial review of federal constitutional claims." Were it otherwise, the Supreme Court would not have permitted the *England* appellants to return to the District Court to determine contentions that had already been rendered against them in the state court.

In sum, none of the three *Middlesex* factors is present in any substantial sense, yet the absence of even one is fatal to the "clear justification" upon which abstention must be predicated under this Court's precedents, *e.g., Tokyo Gwinnett* and *Jackson-Platts v. Gen. Elec. Capital Corp*.

III. THE COURT SHOULD REMAND WITH SOME INJUNCTIVE RELIEF ALREADY IN PLACE.

In this case, the District Court refused to move beyond the first factor for injunctive relief because the court was intent on abstaining. DKT 57 pp. 5 n.11 and 29, Apx. 119, 143. But if its abstention finding is clear error, it is manifest that Appellants meet all four factors for injunctive relief. Indeed, injunctive relief would

be warranted under either the traditional four factors or the holding of *Shaw v. Garrison*, 467 F.2d at 119–21, where bad faith alone goes far to establishing such relief.

Appellants clearly demonstrated a strong showing of First Amendment Retaliation.[6] That their flyering activity was squarely protected by the First Amendment is beyond reasonable dispute.[7] We might say, as the Third Circuit noted in another context, "That much of the activity engaged in by plaintiffs falls within the protection of the First Amendment seems too evident to require any discussion except that acknowledgment of that fact was not expressly made by the district court." *Trotman v. Board of Trustees*, 635 F.2d 216, 225 (3rd Cir. 1980).

The prosecutions and threats of arrests are likewise clearly adverse actions. "The threat of arrest is the quintessential retaliatory conduct that would deter a person of ordinary firmness from exercising First Amendment rights." *Turner v. Williams*, 65 F.4th 564, 580 (11th Cir. 2023). And a baseless prosecution is a rather obvious example of an adverse action. *Hous. Cmty. Coll. Sys. v. Wilson*, 595 U.S.

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[6] The three elements of First Amendment retaliation are: (1) that their speech was constitutionally protected; (2) that they suffered adverse conduct that would likely deter a person of ordinary firmness from engaging in such speech; and (3) that there was a causal relationship between the adverse conduct and the protected speech. *Castle v. Appalachian Technical Coll.*, 631 F.3d 1194, 1199 (11th Cir. 2011).

[7] The District Court conceded that the content of Appellants' flyers was protected, but pled uncertainty on whether the manner in which they were distributed was also protected. DKT 57, p. 25, Apx. 139.

160, 178 (2022). Appellants Hilary and Phillip Jacobs have been actually arrested and are now undergoing a baseless prosecution, while the threat of arrest continues to hang over Appellant Weaver.

The third element is also met. The false affidavits at DKT 39-2, Apx. 40-69, themselves show that "there was a causal relationship between the adverse conduct and the protected speech" because they tie Appellants' flyering to the littering charges – without, of course revealing the facts that utterly destroy probable cause. "[T]he significance of probable cause or the lack of it looms large" (*Hartman v. Moore*, 547 U.S. 250, 265 (2006)) because "[d]emonstrating that there was no probable cause for the underlying criminal charge will tend to reinforce the retaliation evidence and show that retaliation was the but-for basis for instigating the prosecution, while establishing the existence of probable cause will suggest that prosecution would have occurred even without a retaliatory motive." *Id.* at 26.

The burden thus shifts to Appellees Catlin, Jean, and Wright. *See Hartman v. Moore*, 547 U.S. at 260 (citing *Mt. Healthy City School Dist. Board of Education v. Doyle*, 429 U.S. 274, 287 (1977), *abrogated on other grounds by statute*)). Given their concessions below, they cannot meet this burden as a matter of law.

Thus, Appellants clearly met the traditional first factor for injunctive relief. The others are likewise present. In the oft quoted words of *Elrod v. Burns*, 427 U.S.

347, 373 (1976): "[t]he loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." The balance-of-equities and public-interest factors "merge when the Government is the opposing party" (*Nken v. Holder*, 556 U.S. 418, 435 (2009)) as here, and "securing First Amendment rights is in the public interest." *N.Y. Progress & Prot. PAC v. Walsh*, 733 F.3d 483, 488 (2nd Cir. 2013).

Appellants acknowledge that they have not yet obtained jurisdiction over Solicitor Chachere-Compton (owing to the District Court's refusal to permit the amendment) and therefore that full injunctive relief is not possible. That said, jurisdiction has been obtained over Appellees Catlin, Jean, and Wright and there is no bar to affording injunctive relief as to them. It is plainly possible, for example, to enjoin these Appellees from further attempts to serve Appellant Weaver and from any further cooperation in the prosecution of Appellants Jacobs.

IV. APPELLANTS' MOTION TO AMEND SHOULD HAVE BEEN GRANTED.

The District Court's reasoning that Appellants request to amend its complaint was "moot" (DKT 57 p. 1, Apx. 115) rests on its erroneous abstention finding. *Id.* at p. 29-30 Apx. 143-44. With that laid to rest, so is any rationale that Appellants' amendment is moot.

It is both statutory and axiomatic that leave to amend should freely be given under FRCP 15 (a)(2) and Eleventh Circuit precedent such as *Bryant v. Dupree*, 252 F.3d 1161 (11th Cir. 2001). "A district court's discretion to dismiss a complaint without leave to amend 'is "severely restrict[ed]" by Fed. R. Civ. P. 15(a), which directs that leave to amend "shall be freely given when justice so requires."'" *Id.* at 1165 (quoting *Thomas v. Town of Davie*, 847 F.2d 771, 773 (11th Cir.1988) (additional citations omitted). "'Generally, '[w]here a more carefully drafted complaint might state a claim, a plaintiff must be given at least one chance to amend the complaint before the district court dismisses the action with prejudice.'" *Id.* (quoting *Bank v. Pitt*, 928 F.2d 1108, 1112 (11th Cir. 1991)).

Here there is no hint of undue delay, bad faith, or dilatory motive on the part of Appellants, nor are there repeated failures to cure deficiencies and no undue prejudice to Appellees. Accordingly, Appellants respectfully submit that the amendment should be permitted.

CONCLUSION

Our First Amendment mandates that we protect the thought we hate (*United States v. Schwimmer,* 279 U.S. 644, 654–55 (1929) (Holmes, J., *dissenting*)), regardless of whether or not we suspect that dangerous ideas are afoot. *Regan v. Taxation With Representation*, 461 U.S. 540, 548 (1983). The test is clearly not whether some find Appellants' speech offensive, for even under the more confined jurisprudence of the 1940s the Supreme Court recognized that the Jehovah's Witnesses were subjecting Catholics to objectionably offensive content, which "....single[d] out the Roman Catholic Church for strictures couched in terms which naturally would offend not only persons of that persuasion, but all others who respect the honestly held religious faith of their fellows." *Cantwell v. Connecticut,* 310 U.S. 296, 309 (1940). Yet the Jehovah's Witnesses' speech was fully protected.

There is no stepping back to a time pre-*Cantwell*, as the District Court was wont to do. Accordingly, it is respectfully submitted that the Court should reverse the District Court and

1. Enjoin Appellees from further attempts to serve warrants on Appellant Weaver based on charges of "littering," as described in the Amended Complaint at DKT 43-1, Apx. 54

2. Enjoin Appellees from further prosecution of Appellants Philip and Hilary Jacobs based on charges of "littering," as described in the Amended Complaint at DKT 43-1, Apx. 54.

3. Grant Appellants' motion for leave to amend, including claims for injunctive and declaratory relief.

Dated: March 02, 2026

Respectfully Submitted,

/s/

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CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that this brief complies with the type-volume limitation set forth in FRAP 32(a)(7)(B). This brief contains 6,535 words.

_____/s/_____

Glen K. Allen, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 22nd day of December 2025 that the Brief of the Appellant was e-filed in the United States Court of Appeals for the Eleventh Circuit, and sent to Appellees' Counsel via Electronic Service in accordance with PACER procedures.

_____/s/_____

Glen K. Allen, Esquire

ADDENDUM 1

West's Code of Georgia Annotated
Title 16. Crimes and Offenses (Refs & Annos)
Chapter 7. Damage to and Intrusion upon Property (Refs & Annos)
Article 2. Criminal Trespass and Damage to Property (Refs & Annos)
Part 2. Littering Public and Private Property (Refs & Annos)

Ga. Code Ann., § 16-7-42

§ 16-7-42. Definitions

Effective: July 1, 2006

Currentness

As used in this part, the term:

(1) "Litter" means any discarded or abandoned:

(A) Refuse, rubbish, junk, or other waste material; or

(B) Dead animals that are not subject to the provisions of Code Section 4-5-4.

(2) "Public or private property" means the right of way of any road or highway; any body of water or watercourse or the shores or beaches thereof; any park, playground, building, refuge, or conservation or recreation area; residential or farm properties, timberlands, or forests; or any commercial or industrial property.

Credits

Laws 1970, p. 494, § 3; Laws 1990, p. 8, § 16; Laws 1993, p. 496, § 1; Laws 2006, Act 538, § 2-1, eff. July 1, 2006.

Ga. Code Ann., § 16-7-42, GA ST § 16-7-42
The statutes and Constitution are current through Act 600 of the 2024 Regular Session of the Georgia General Assembly. Some sections may be more current, see credits for details. The statutes are subject to changes by the Georgia Code Commission.

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ADDENDUM 2

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Part 2. Littering Public and Private Property (Refs & Annos)

Ga. Code Ann., § 16-7-43

§ 16-7-43. Unlawful activities

Effective: July 1, 2006

Currentness

(a) It shall be unlawful for any person or persons to dump, deposit, throw, or leave or to cause or permit the dumping, depositing, placing, throwing, or leaving of litter on any public or private property in this state or any waters in this state, unless:

(1) The area is designated by the state or by any of its agencies or political subdivisions for the disposal of litter and the person is authorized by the proper public authority to so use such area;

(2) The litter is placed into a nondisposable litter receptacle or container designed for the temporary storage of litter and located in an area designated by the owner or tenant in lawful possession of the property; or

(3) The person is the owner or tenant in lawful possession of such property or has first obtained consent of the owner or tenant in lawful possession or unless the act is done under the personal direction of the owner or tenant, all in a manner consistent with the public welfare.

(b)(1) Any person who violates subsection (a) of this Code section shall be guilty of a misdemeanor.

(2) In addition to the punishment provided under paragraph (1) of this subsection:

(A) In the sound discretion of the court, the person may be directed to pick up and remove from any public street or highway or public right of way for a distance not to exceed one mile any litter the person has deposited and any and all litter deposited thereon by anyone else prior to the date of execution of sentence; or

(B) In the sound discretion of the judge of the court, the person may be directed to pick up and remove from any public beach, public park, private right of way, or, with the prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it can be established by competent evidence that the person has deposited litter, any and all litter deposited thereon by anyone prior to the date of execution of sentence.

(c) The court may publish the names of persons convicted of violating subsection (a) of this Code section.

(d) Any county, municipality, consolidated government, or law enforcement agency thereof of this state which is empowered by Code Section 16-7-45 or other law to enforce the provisions of this Code section or local littering ordinances may, in its discretion, appoint any person who is a citizen of the United States, is of good moral character, and has not previously been convicted of a felony to enforce the provisions of this Code section or local littering ordinances within the county, municipality, or consolidated government in which the appointing agency exercises jurisdiction. Each person appointed pursuant to this Code section shall take and subscribe an oath of office as prescribed by the appointing authority. Any person appointed and sworn pursuant to this subsection shall be authorized to enforce the provisions of this Code section or local littering ordinances in the same manner as any employee or law enforcement officer of this state or any county, municipality, or consolidated government of this state subject to the limitations provided in subsections (e) and (f) of this Code section.

(e) No person appointed pursuant to subsection (d) of this Code section shall be deemed a peace officer under the laws of this state or:

(1) Be deemed to be an employee of or receive any compensation from the state, county, municipality, consolidated government, or appointing law enforcement agency;

(2) Be required to complete any training or be certified pursuant to the requirements of Chapter 8 of Title 35;

(3) Have the power or duty to enforce any traffic or other criminal laws of the state, county, municipality, or consolidated government;

(4) Have the power to possess and carry firearms and other weapons for the purpose of enforcing the littering laws; or

(5) Be entitled to any indemnification from the state, county, municipality, or consolidated government for any injury or property damage sustained by such person as a result of attempting to enforce the littering laws of this state or any local government.

(f) Notwithstanding any law to the contrary, neither the state nor any county, municipality, or consolidated government of this state or any department, agency, board, or officer of this state or any county, municipality, or consolidated government of

this state shall be liable or accountable for or on account of any act or omission of any person appointed pursuant to this Code section in connection with such person's enforcement of the provisions of this Code section or local littering ordinances.

(g) It shall be unlawful for any person willfully to obstruct, resist, impede, or interfere with any person appointed pursuant to this Code section in connection with such person's enforcement of this Code section or local littering ordinances or to retaliate or discriminate in any manner against such person as a reprisal for any act or omission of such person. Any violation of this subsection shall be punishable as a misdemeanor.

Credits

Laws 1970, p. 494, §§ 4, 5; Laws 1971, p. 886, § 1; Laws 1974, p. 454, § 1; Laws 1982, p. 3, § 16; Laws 1987, p. 813, § 1; Laws 1995, p. 315, § 1; Laws 2002, p. 637, § 2; Laws 2006, Act 538, § 2-1, eff. July 1, 2006.

Notes of Decisions (4)

Ga. Code Ann., § 16-7-43, GA ST § 16-7-43
The statutes and Constitution are current through Act 600 of the 2024 Regular Session of the Georgia General Assembly. Some sections may be more current, see credits for details. The statutes are subject to changes by the Georgia Code Commission.

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ADDENDUM 3

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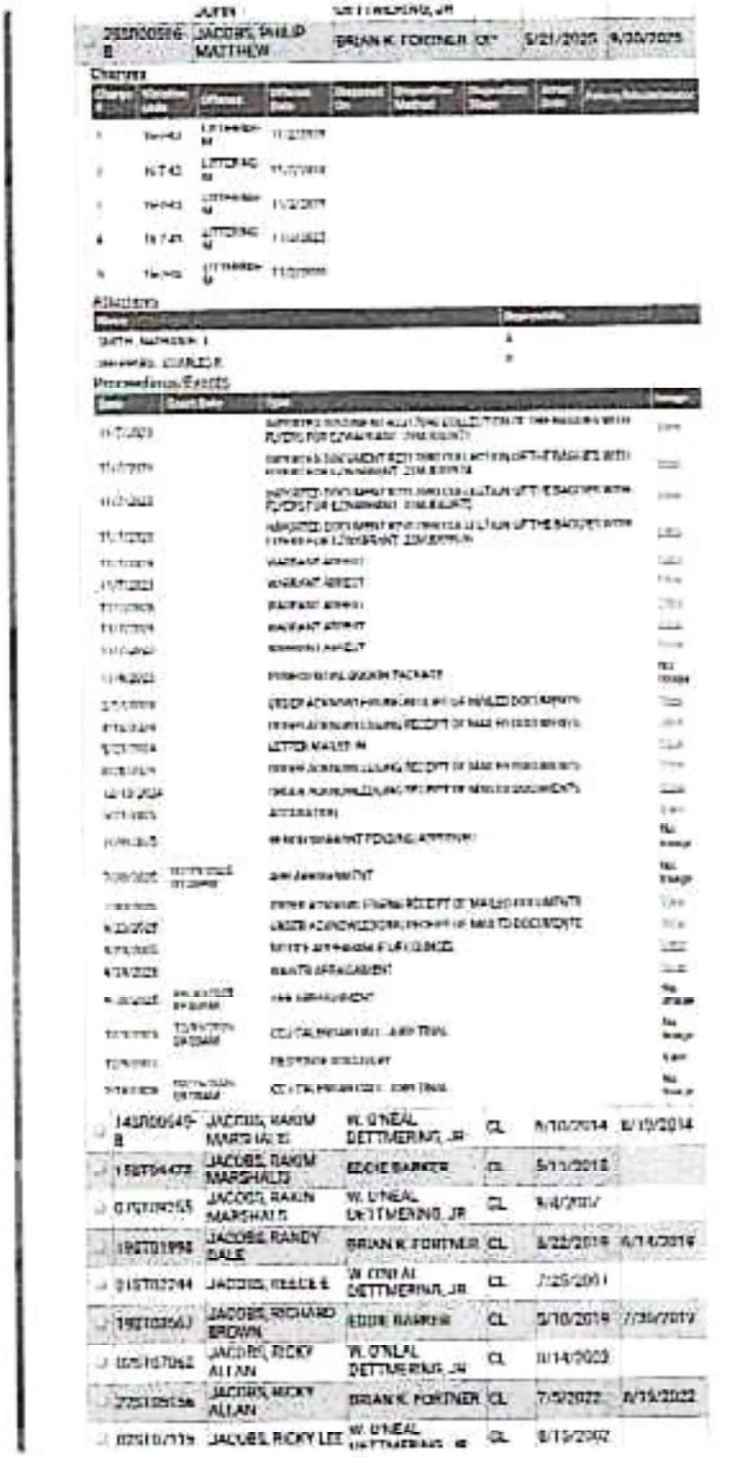

ADDENDUM 4

	25SR00596-A	JACOBS, HILARY MICHELLE	BRIAN K. FORTNER

Charges

Charge #	Violation code	Offense	Offense Date	Disposed On	Disposition Method	Di St
1	16-7-43	LITTERING-M	11/2/2023			
2	16-7-43	LITTERING-M	11/2/2023			
3	16-7-43	LITTERING-M	11/2/2023			
4	16-7-43	LITTERING-M	11/2/2023			
5	16-7-43	LITTERING-M	11/2/2023			

Attorneys

Name
SMITH , NATHANIEL L
SHEPPARD , CHARLES R.

Proceedings/Events

Date	Court Date	Type
11/7/2023		IMPORTED DOCUMENT R2317890 COLLEC FLYERS FOR EZWARRANT: 23MJD03972
11/7/2023		IMPORTED DOCUMENT R2317890 COLLEC FLYERS FOR EZWARRANT: 23MJD03973
11/7/2023		IMPORTED DOCUMENT R2317890 COLLEC FLYERS FOR EZWARRANT: 23MJD03977
11/7/2023		IMPORTED DOCUMENT R2317890 COLLEC FLYERS FOR EZWARRANT: 23MJD03978
11/7/2023		WARRANT ISSUED

11/7/2023		IMPORTED DOCUMENT R2317890 COLLEC FLYERS FOR EZWARRANT: 23MJD03978
11/7/2023		WARRANT ARREST
11/7/2023		WARRANT ARREST
11/7/2023		WARRANT ARREST
11/7/2023		WARRANT ARREST
11/7/2023		WARRANT ARREST
11/9/2023		CONFIDENTIAL BOOKIN PACKAGE
2/27/2024		ORDER ACKNOWLEDGING RECEIPT OF MA
4/16/2024		ORDER ACKNOWLEDGING RECEIPT OF MA
8/28/2024		ORDER ACKNOWLEDGING RECEIPT OF MA
12/13/2024		ORDER ACKNOWLEDGING RECEIPT OF MA
5/21/2025		ACCUSATION
7/29/2025		BENCH WARRANT PENDING/APPROVED
7/29/2025	07/29/2025 01:30PM	ARR ARRAIGNMENT
7/30/2025		ORDER ACKNOWLEDGING RECEIPT OF MA
9/23/2025		ORDER ACKNOWLEDGING RECEIPT OF MA
9/29/2025		NOTICE APPEARANCE OF COUNSEL
9/29/2025		WAIVER ARRAIGNMENT
9/30/2025	09/30/2025 09:00AM	ARR ARRAIGNMENT
12/3/2025	12/03/2025 09:00AM	CCJ CALENDAR CALL: JURY TRIAL
12/9/2025		RESPONSE DISCOVERY
2/16/2026	02/16/2026 09:00AM	CCJ CALENDAR CALL: JURY TRIAL