

Kerr v. Hickenlooper :: History and procedural posture

May 23, 2011	Complaint filed in U. S. District Court for Colorado
May 23, 2011	Case assigned to Hon. William J. Martinez
August 9, 2011	Attorney General filed Motion to Dismiss (MTD) in behalf of defendant
October 11, 2011	Plaintiffs' brief filed in opposition to MTD
November 18, 2011	AG filed brief in reply to brief in opposition
December 13, 2011	Court granted plaintiffs' Motion for Oral Argument on MTD
February 15, 2012	Oral argument on MTD; case taken under advisement by Judge Martinez
February 17, 2012	Court order for additional briefing on question of standing
March 16, 2012	Additional briefs filed by both sides
July 30, 2012	Court denied MTD on all but one claim
July 30, 2012	Court ordered "scheduling conference" for August 28, 2012; subsequently reset for September 27, 2012
August 10, 2012	AG files a motion to certify the case for interlocutory appeal under 28 USC 1292(b)
August 27, 2012	Plaintiffs filed brief in opposition to 1292(b) certification
September 21, 2012	Court granted AG's 1292(b) motion; pretrial proceedings stayed
October, 2012	1292(b) Petition, Answer and Reply filed with Court of Appeals for 10 th Circuit
November 6, 2012	Order by 10 th Circuit Granting 1292(b) Petition
February 1, 2013	Governor's Opening Brief filed with 10 th Circuit
April 10, 2013	Plaintiffs' Brief in Response filed with 10 th Circuit
May 13, 2013	Governor's Reply Brief filed with 10 th Circuit
July 10, 2013	10 th Circuit Order setting oral argument for September 23, 2013
September 23, 2013	Oral argument before Chief Judge Briscoe, Senior Judge Seymour & Judge Lucero
March 7, 2014	Opinion and Judgment by three-judge panel of 10 th Circuit affirming District Court ruling on Motion to Dismiss
April 4, 2014	Petition by Defendant Governor for Rehearing <i>En Banc</i> by 10 th Circuit
July 22, 2014	10 th Circuit denies rehearing by 6-4 vote, with three dissenting opinions
July 28, 2014	10 th Circuit grants AG's motion for a stay of further proceedings until October 20, 2014, pending petition to Supreme Court for <i>writ of certiorari</i>
October 17, 2014	AG files petition for writ of certiorari with Supreme Court

January 9, 2015	Petition considered by Supreme Court Conference
June 30, 2015	Supreme Court issues an Order (GVR: Grant, Vacate, Remand) returning case to the 10 th Circuit for reconsideration in light of the Court's decision in <i>Arizona State Legislature v. Arizona Indep. Redistricting Comm'n</i> , 576 U.S. ____ (2015).
July 1, 2015	A panel of the 10 th Circuit issues an order for the parties and amici to submit briefs by July 31 (and responses by August 10) "addressing solely the issue of whether the Supreme Court's decision in <i>Arizona State Legislature v. Arizona Independent Redistricting Commission</i> , 576 U.S. ____ (2015), requires the panel to reconsider its holding."
November 12, 2015	10 th Circuit panel orders oral argument for January 21, 2016, at 8:30 AM
January 21, 2016	Oral argument before Judge Briscoe, Senior Judge Seymour & Judge Lucero
June 3, 2016	10th Circuit Opinion by panel denying standing for legislator plaintiffs
July 8, 2016	Plaintiffs' Petition for Panel Rehearing
July 19, 2016	Panel Order denying Petition for Rehearing
August 23, 2016	Initial hearing before Judge Raymond Moore: interim scheduling order issued permitting revised complaint and then motion to dismiss
October 3 & December 6, 2016	Plaintiffs filed amended complaints, adding as plaintiffs eight boards of education, one county commission and one special district board.
December 16, 2016	Defendant filed motion to dismiss for lack of standing
March 7, 2017	Briefing in support of and in opposition to the motion completed.
May 4, 2017	Judge Moore issued opinion and order granting the motion to dismiss.
June 2, 2017	Plaintiffs filed their Notice of Appeal for review by the 10th Circuit.
January 10, 2018	Briefing to the 10th Circuit completed
May 15, 2018	Oral Argument before 10th Circuit panel, Circuit Judges Briscoe, Seymour & Holmes
July 22, 2019	10 th Circuit panel majority opinion by Judge Seymour, finding standing and reversing and remanding; dissent by Judge Holmes

