

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DOCKETING STATEMENT--CIVIL/AGENCY CASES**

Directions: Counsel must make a **docketing statement (civil/agency) filed** entry in CM/ECF within 14 days of docketing of the appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form with any extended answers and (2) any transcript order form. Parties proceeding pro se are not required to file a docketing statement. Opposing counsel who finds a docketing statement inaccurate or incomplete may file any objections within 10 days of service of the docketing statement using the ECF event-**docketing statement objection/correction filed**.

Appeal No. & Caption	19-2064 Doyle v. Hogan, et.al.
Originating No. & Caption	1:19-cv-00190-DKC, Doyle v. Hogan, et al.
Originating Court/Agency	U.S. District Court for the District of Maryland

Jurisdiction (answer any that apply)	
Statute establishing jurisdiction in Court of Appeals	28 U.S.C. § 1291
Time allowed for filing in Court of Appeals	30 days
Date of entry of order or judgment appealed	9/20/19
Date notice of appeal or petition for review filed	9/30/19
If cross appeal, date first appeal filed	n/a
Date of filing any post-judgment motion	n/a
Date order entered disposing of any post-judgment motion	n/a
Date of filing any motion to extend appeal period	n/a
Time for filing appeal extended to	n/a
Is appeal from final judgment or order?	<input checked="" type="radio"/> Yes <input type="radio"/> No
If appeal is not from final judgment, why is order appealable?	

Settlement (The docketing statement is used by the circuit mediator in pre-briefing review and mediation conducted under Local Rule 33. Counsel may make a confidential request for mediation by calling the Office of the Circuit Mediator at 843-731-9099.)	
Is settlement being discussed?	<input type="radio"/> Yes <input checked="" type="radio"/> No

Transcript (transcript order must be attached if transcript is needed and not yet on file)		
Is transcript needed for this appeal?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Has transcript been filed in district court?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is transcript order attached?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Case Handling Requirements (answer any that apply)	
Case number of any prior appeal in same case	n/a
Case number of any pending appeal in same case	n/a
Identification of any case pending in this Court or Supreme Court raising similar issue	n/a
	If abeyance or consolidation is warranted, counsel must file an appropriate motion.
Is expedited disposition necessary?	<input type="radio"/> Yes <input checked="" type="radio"/> No
	If yes, motion to expedite must be filed.
Is oral argument necessary?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Does case involve question of first impression?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Does appeal challenge constitutionality of federal or state statute in case to which federal or state government is not a party	<input type="radio"/> Yes <input checked="" type="radio"/> No
	If yes, notice re: challenge to constitutionality of law must be filed.

Nature of Case (Nature of case and disposition below. Attach additional page if necessary.)
<p>Appeal from district court order denying Plaintiff-Appellant's motion for preliminary injunction and dismissing his complaint, which alleged that Maryland's statute banning so-called "conversion therapy" for minors violates his federal and state constitutional rights to freedom of speech and free exercise of religion, and his minor clients' federal constitutional rights to receive information.</p>

Issues (Non-binding statement of issues on appeal. Attach additional page if necessary)

Whether the district court erred in:

1. Dismissing Plaintiff-Appellant's complaint;
2. Denying Plaintiff-Appellant's motion for preliminary injunction;
3. Holding Plaintiff-Appellant does not possess standing to assert, on behalf of his minor clients, a claim for violation of their First Amendment rights to receive information;
4. Holding the Maryland statute banning so-called "conversion therapy" does not violate Plaintiff-Appellant's First Amendment right to Freedom of Speech;
5. Holding the Maryland statute banning so-called "conversion therapy" is not a viewpoint-based speech restriction;
6. Holding the Maryland statute banning so-called "conversion therapy" is not a content-based speech restriction subject to strict scrutiny;
7. Holding the Maryland statute banning so-called "conversion therapy" satisfies narrow tailoring under intermediate scrutiny;
8. Holding the Maryland statute banning so-called "conversion therapy" is not unconstitutionally vague;
9. Holding Plaintiff-Appellant failed to state a claim that Maryland's statute banning so-called "conversion therapy" violates his First Amendment right to Free Exercise of Religion; and
10. Declining to exercise jurisdiction over Plaintiff-Appellant's state constitutional claims for violation of freedom of speech and free exercise of religion.

Adverse Parties (List adverse parties to this appeal and their attorneys; provide party's address if the party is not represented by counsel. Attach additional page if necessary.)

Adverse Party: Lawrence J. Hogan, Jr., Governor
of the State of Maryland, in his official capacity

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Adverse Parties (continued)

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Appellant (Attach additional page if necessary.)	
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Appellant (continued)	
Name: Attorney: Roger K. Gannam Address: Liberty Counsel P.O. Box 540774 Orlando, FL 32854 E-mail: rgannam@LC.org Phone: (407) 875-1776	Name: Attorney: Daniel Schmid Address: Liberty Counsel P.O. Box 540774 Orlando, FL 32854 E-mail: dschmid@LC.org Phone: (407) 875-1776

Signature: <u>/s/ Roger K. Gannam</u>	Date: <u>10/15/2019</u>
Counsel for: <u>Christopher Doyle, Plaintiff - Appellant</u>	

Certificate of Service: I certify that on <u>10/15/2019</u> the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below (Attach additional page if necessary):	
Signature: <u>/s/ Roger K. Gannam</u>	Date: <u>10/15/2019</u>