

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

LINDSAY HECOX, and JANE DOE
with her next of friends JEAN DOE and
JOHN DOE,

Plaintiffs,

v.

BRADLEY LITTLE, et al.,

Defendants,

and

MADISON KENYON and MARY
MARSHALL,

Intervenors.

Case No. 1:20-cv-00184-DCN

ORDER LIFTING STAY

On June 24, 2021, the Ninth Circuit remanded this case for the limited purpose of determining whether Lindsay Hecox’s claim is moot in light of her changed enrollment status at Boise State University.¹ Although it otherwise retained jurisdiction over the appeal by the Defendants and Intervenors, the Ninth Circuit directed this Court to “develop the record, resolve any factual disputes, and apply the required caution and care to the initial mootness determination.” Dkt. 79, at 4 (“Remand Order”).

¹ The parties agree that Jane Doe’s claim is now moot because she has graduated from high school and is planning to attend college out of state. Dkt. 79, at 1 n. 1.

Pursuant to the Remand Order, the Court lifts the stay for the sole purpose of conducting remand proceedings and making a determination regarding whether Hecox's claim is moot.²

Now, therefore, **IT IS HEREBY ORDERED:**

1. The stay in this case is lifted for the sole purpose of the remand proceedings.



DATED: July 27, 2021



David C. Nye
Chief U.S. District Court Judge

² On June 29, 2021, the Court informally contacted the parties and suggested a procedure for the remand proceedings. The Court asked the parties to confer and determine whether they could agree to a proposed schedule for discovery and submission of the evidentiary issue to the Court. The parties requested additional time to respond to the Court's inquiry. On July 27, 2021, the parties submitted their proposed procedure and timeline. The Court has informally approved this proposal and will enter a briefing schedule following completion of the parties' informal exchange of information.