



Appellants to permit Plaintiff-Appellee A.C. to use any boys' restrooms within John R. Wooden Middle School. This interlocutory appeal is by right under 28 U.S.C. § 1292(a)(1).

With respect to the particulars:

- (i) The date of entry of the order sought to be reviewed: April 29, 2022 [Filing No. 50]
- (ii) The filing date of any motion for a new trial or alteration of the judgment or any other motion claimed to toll the time within which to appeal: No motion was filed to toll the time within which to appeal. However, Appellants filed a motion to stay enforcement of the preliminary injunction pending appeal on May 3, 2022. [Filing No. 53]
- (iii) The disposition of such a motion and the date of its entry: No decision has yet been rendered on the motion to stay enforcement.
- (iv) The filing date of the notice of appeal: May 3, 2022 [Filing No. 52]
- (v) This is not a direct appeal from the decision of a magistrate judge.

3. *Prior or Related Proceedings*

There has not been a prior related appellate proceeding in this action.

4. *Additional Requirements of Circuit Rule 3(c)(1)*

This is a civil case that does not involve any criminal convictions. *See* Cir. R. 3(c)(1). Furthermore, 28 U.S.C. § 1915(g) is inapplicable because this case does not involve any prisoners. Moreover, this case does not involve a collateral attack on a criminal conviction. Finally, one of the Appellants is identified as the Principal of

John R. Wooden Middle School in his official capacity. The current Principal of John R. Wooden Middle School is Fred Kutruff. Plaintiff-Appellee redundantly sued the Metropolitan School District of Martinsville and this employee in his official capacity for the same claims. *See Kentucky v. Graham*, 473 U.S. 159, 166 (1985).

Respectfully submitted,

*/s/ Philip R. Zimmerly* \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 9, 2022, a copy of the foregoing “Appellants’ Docketing Statement” was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court’s electronic filing system. Parties may access this filing through the Court’s CM/ECF system.

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*s/ Philip R. Zimmerly* \_\_\_\_\_

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