

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

DOCKETING STATEMENT

Appeal Number	23-5080
Case Name	Fowler, et al. v. Stitt, et al.
Party or Parties Filing Notice of Appeal Or Petition	Rowan Fowler, Allister Hall, and Carter Ray
Appellee(s) or Respondent(s)	Kevin Stitt, Keith Reed, and Kelly Baker
List all prior or related appeals in this court with appropriate citation(s).	

I. JURISDICTION OVER APPEAL OR PETITION FOR REVIEW

A. APPEAL FROM DISTRICT COURT

1. Date final judgment or order to be reviewed was **entered** on the district court docket: June 8, 2023
2. Date notice of appeal was **filed**: July 6, 2023
3. State the time limit for filing the notice of appeal (cite the specific provision of Fed. R. App. P. 4 or other statutory authority): 30 days after entry of judgment or order appealed from (Fed. R. App. P. 4(a)(1)(A))
 - a. Was the United States or an officer or an agency of the United States a party below? No
 - b. Was a motion filed for an extension of time to file the notice of appeal? If so, give the filing date of the motion, the date of any order disposing of the motion, and the deadline for filing the notice of appeal: No

4. Tolling Motions. *See* Fed. R. App. P. 4(a)(4)(A); 4(b)(3)(A).
- a. Give the filing date of any motion that tolls the time to appeal pursuant to Fed. R. App. P. 4(a)(4)(A) or 4(b)(3)(A):
_____ N/A _____
- b. Has an order been entered by the district court disposing of any such motion, and, if so, when?
_____ N/A _____
5. Is the order or judgment final (i.e. does it dispose of **all** claims by and against **all** parties)? *See* 28 U.S.C. § 1291. Yes

II. ADDITIONAL INFORMATION IN CRIMINAL APPEALS.

This section is not applicable.

III. GIVE A BRIEF DESCRIPTION OF THE NATURE OF THE UNDERLYING CASE AND RESULT BELOW.

Plaintiffs challenged the constitutionality of the State of Oklahoma’s birth certificate policy, which categorically bars transgender people from correcting their birth certificates to match their gender identity. The challenged policy was implemented as a result of an Executive Order, which replaced a prior policy that allowed such corrections. The district court granted Defendants’ motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6).

IV. IDENTIFY TO THE BEST OF YOUR ABILITY AT THIS STAGE OF THE PROCEEDINGS, THE ISSUES TO BE RAISED IN THIS APPEAL. You must attempt to identify the issues even if you were not counsel below. *See* 10th Cir. R. 3.4(B).

Whether the district court erred in dismissing Plaintiffs’ complaint, which alleged that Oklahoma’s birth certificate policy violated the Equal Protection and Due Process Clauses of the Fourteenth Amendment and the Free Speech Clause of the First Amendment.

V. ATTORNEY FILING DOCKETING STATEMENT:

Name: Peter Renn Telephone: 213-382-7600

Firm: Lambda Legal Defense and Education Fund

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Address: 800 S. Figueroa St., Ste. 1260

Los Angeles, CA 90017

/s/ Peter Renn 7/19/23

Signature

Date

NOTE: The Docketing Statement must be filed with the Clerk via the court's Electronic Case Filing System (ECF). Instructions and information regarding ECF can be found on the court's website, www.ca10.uscourts.gov.

The Docketing Statement must be accompanied by proof of service. The following Certificate of Service may be used.

CERTIFICATE OF SERVICE

I, Peter Renn, hereby certify that on
[attorney for appellant/petitioner]

7/19/23, I served a copy of the foregoing **Docketing Statement**, to:
[date]

Counsel for Appellees, via ECF.

/s/ Peter Renn
Signature

7/19/23
Date

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