

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.call.uscourts.gov

January 07, 2022

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 20-12781-U
Case Style: David Sosa v. Martin County, Florida, et al
District Court Docket No: 2:19-cv-14455-DMM

For the upcoming en banc rehearing in the above referenced case, the court desires for counsel to focus their briefs on the following issues:

Did David Sosa plausibly allege an overdetention in violation of his Fourteenth Amendment substantive due-process rights?

Assuming he did, was the violation clearly established in April 2018?

APPELLANT'S EN BANC BRIEF SHALL BE SERVED AND ELECTRONICALLY FILED ON OR BEFORE FEBRUARY 16, 2022. APPELLEES' EN BANC BRIEF SHALL BE SERVED AND ELECTRONICALLY FILED ON OR BEFORE MARCH 18, 2022. An en banc reply brief shall be electronically filed on or before April 8, 2022. NO EXTENSIONS WILL BE GRANTED. Parties should format their briefs according to Federal Rules of Appellate Procedure 28 and 32 and shall contain the title "En Banc Brief". Each brief must adhere to the page and type-volume limitations Rule 32(a)(7). Fifteen (15) copies of the en banc briefs should be filed. Counsel is expected to serve all parties a copy of their brief by the close of business on the day of filing. Paper copies of the briefs should be mailed the next business day. Counsel is not required to submit the additional copies of the previous briefs.

The filing of an en banc amicus brief is governed by 11th Cir.R.35-8.

Oral argument will be conducted the week of June 20, 2022 in Atlanta, Georgia. Each party will be allotted twenty (20) minutes per side for oral argument. Counsel will receive subsequent correspondence regarding the specific time of oral argument.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Jenifer L. Tubbs
Phone #: 404-335-6166