

13-6827 HOLT V. HOBBS

DECISION BELOW: 509 Fed.Appx. 561

LOWER COURT CASE NUMBER: 12-3185

QUESTION PRESENTED:

- I. Whether the Arkansas Department of Corrections' no beard grooming policy violates the Religious Land Use and Institutionalized Persons Act (RLUIPA).
- II. Whether a ½ inch beard would satisfy the security goals sought by the policy.
- III. Whether the no beard grooming policy violates Petitioner's First Amendment right to practice Islam as he believes it is supposed to be practiced by the wearing of the beard.
- IV. That the United States Court of Appeals for the Eighth Circuit has decided that the no beard grooming policy does not violate the RLUIPA, but this Court should decide the matter since it has not done so and should rule whether grooming policies of any Department of Correction that do not allow for a religious exception exemption are constitutional.
- V. That the United States Court of Appeals for the Eighth Circuit's decision in this case conflicts with other circuit's rulings on the matter.
- VI. That the ADC grooming policy of no beards is not the least restrictive means of achieving the desired objective of staunching the flow of contraband and identifying prisoners in the event of an escape.

ORDER OF 3/3/2014: LIMITED TO THE FOLLOWING QUESTION: "Whether the Arkansas Department of Correction's grooming policy violates the Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. §2000cc *et sec.*, to the extent that it prohibits petitioner from growing a one-half-inch beard in accordance with his religious beliefs."

CERT. GRANTED 3/3/2014