

NO. 22- _____

IN THE
SUPREME COURT OF THE UNITED STATES

RUTH FALLS-MILLER AND DR. HOWARD J. MILLER

Petitioners-Appellants,

v.

SAVANNAH-CHATHAM COUNTY

PUBLIC SCHOOL BOARD AND DR. THOMAS B. LOCKAMY

Respondents-Appellees

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Eleventh Circuit
Case No.: 20-14594

**MOTION TO ACCEPT LATE FILING OF PETITIONERS'
PETITION FOR WRIT OF CERTIORARI AND MOTION FOR LEAVE TO
PROCEED INFORMA PAUPERIS**

RUTH FALLS-MILLER

Petitioner – Pro Se

1 Ashleigh Lane

Savannah, GA 31407-3921

Email: ruthfallsmiller@gmail.com

Cell Phone: (912) 323-3880

HOWARD J. MILLER

Petitioner – Pro Se

1 Ashleigh Lane

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Email: drhjmiller@gmail.com

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COME NOW, the petitioners, Ruth Falls-Miller, and Howard J. Miller, in the above-referenced case, pursuant to *Rule 60(b)(1). Relief from a Judgment or Order*, of the *Federal Rules of Civil Procedure*, pleads for relief from this court under the equitable doctrine of excusable neglect for the petitioners' late filing of their Petition for Writ of Certiorari and Motion for Leave to Proceed Informa Pauperis. Petitioners acknowledge that the excusable neglect is mentioned twice in the Federal Rules. First, *Rule 6(b)(1)(B)*, provides that for any act that must be done by a party to a federal court proceeding within a specified time frame, the court may "for good cause, extend the time...after the time has expired if the party failed to act because of excusable neglect. Second, *Rule 60(b)(1)* provides for a party to seek relief from an adverse judgment of a federal court for "mistake, inadvertence, surprise or excusable neglect." Such a doctrine or standard of review has long been held by the Supreme Court of the United States. In effecting this standard, the Court has prescribed a four-factor balancing test required by a moving party in support of it's pleading to the Court for leave requesting acceptance of the petition's late filing based on "excusable neglect." (See *Pioneer Investment Services Co. v. Brunswick Associates, Ltd. Partnership*, 507 U.S. 380, 395 (1992)).

**Petitioners Acted in Good Faith
to Comply with Federal Rules**

Petitioners acted in good faith to comply with all Federal rules prescribing the purpose and means by which the petition was supposed to be typed, packaged, when and where it was to be mailed. Again, interpreting the mandate to be January 6,

2022, as identified in the Circuit Court's notice (See Appendix A) petitioners believed that it would be timely to mail their petition for writ of certiorari and motion for leave to proceed IFP to the Court starting 90 days from January 6, 2022. As such, seeking and believing to be following the federal Rules, petitioners mailed said pleadings on April 1, 2022. (See Appendix B), This was three (3) days after the actual mandate petitioners later discovered was December 29, 2022, with March 29, 2022, as the deadline for filing (See Appendix C). Should the clerk's office review said documents, they can do none other than affirm that petitioners demonstrated good faith in complying with the Federal Rules in the preparation and submission of the pleadings to the Court. Contrary to assurances from USPS that the documents would arrive at the Clerk of Court's office on April 4, 2022 (See Appendix D), these documents were unexpectedly delayed or lost in the mail. Said pleadings arrived on April 7, 2022, at the Washington Distribution Center, but weren't picked up until April 11, 2022, as documented by the USPS tracking report.

Also, it should be noted that one of the petitioners, Howard J. Miller around the first week of January 2022, experienced an accident upon falling off a bike. He suffered a severe right shoulder cup injury requiring arthroscopic surgery. (See Appendix E). Plus, minor injuries were later discovered to impact his left shoulder. Such injuries took the petitioner nearly six weeks of physical therapy to recover marginal use of his right shoulder and arm. Subsequently, petitioners experienced time to search and secure a lawyer. Due to being unsuccessful in acquiring a lawyer with less than five (5) weeks remaining to file the petition for writ of certiorari,

petitioners had to write the pleadings. Such required additional time, to conduct legal research, read the federal rules, then write, prepare, and produce copies of the pleadings and mail required copies to the Court. Had petitioners been allowed, as were the respondents represented by a large law firm, to e-file its pleadings, as were allowed by the lower courts, said pleadings would more likely arrived timely.

Despite not having the right from the Court to e-file documents as allowed the respondents, petitioners lacking a lawyer, nor the finances to afford one, along with senior citizens on a fixed-income faced with rising cost of lived, paid more than \$400 in cost to produce, and mail off said pleadings. Petitioners pray that this Court will recognize and consider that:

“Even the most sophisticated law firms with most state-of-the-art calendaring and docketing vendors and internal practices and controls can suffer the nightmare of having a filing deadline fall through the cracks.” (See *Pincay v. Andrews*, 389 F.3d 853, 854-855 (9th Cir. 2004).

**Petition filing was not within
the reasonable control of the petitioners**

Petitioners received the Eleventh Circuit Court's decision on December 29, 2021, denying petitioner's Petition for Rehearing En Banc. (See Appendix F). Next, petitioners received contrary to *Federal Rule 41(a)* an uncertified copy of the appeal court's order issuing a mandate for January 6, 2022, as previously rep (See Appendix A). This order was followed by an uncertified order dated January 10, 2022, from the United States District Court of the Southern District of Georgia which declared the judgment of the Eleventh Circuit to its judgment (Appendix G). At that point, three dates had been presented to petitioners with no clear instructions from either court

which of the three dates for the judicial rulings were the 90-days required to file a petition for a writ of certiorari, along with a motion to proceed in forma pauperis (IFP) with the Supreme Court.

Without benefit of legal counsel despite it being sought and denied, and without interpretation of the law from the Clerk of Court from the Eleventh Circuit, petitioners were left to their own interpretation of *Federal Rule 41(d)(2)(B)*. And despite petitioners' inquiries to, yet untimely returned calls from the Clerk of Court of the Supreme Court ten days before January 6, 2022 (the date interpreted to be the mandate from which the 90-day count requiring petitioners to timely submit petitioners' petition for a certiorari and motion to proceed IFP. Only after submitting such pleadings by USPS posted dated on April 1, 2022, petitioners were told they would arrive at the Court's address on Monday, April 4, 2022. However, to no fault of the petitioners said pleadings arrived later than April 4, 2022. Later, Deputy Clerk, Mr. Higgin returned five (5) of the eleven (11) copies, all of which were untimely filed after March 29, 2022 (See Appendix C).

During the petitioners' nine (9) years and three (3) months of litigating this civil complaint as pro sees against the respondents throughout the state of Georgia's quasi-judicial and state court system, petitioners complied with and demonstrated good faith in timely submitting pleadings and responding to submitted by respondents.

Length of Delay and Its Potential Impact on Judicial Proceedings

The petitioners' pleadings (both the petition for a writ of certiorari and motion to proceed IFP) were posted dated and mailed to the Court on April 1, 2022, just three (3) days after the Circuit Court's denial of petitioners Petition for Rehearing En Banc. At the time of the mailing, the U.S. Postal Service assured petitioners that said pleadings were scheduled to be delivered to the office of the Clerk of Courts, Supreme Court of the United States, located at 1 First Street, NE, Washington, DC 20543 on April 4, 2022. (See Exhibit B). However, at no fault of the petitioners' said pleadings were not delivered to the office of the Clerk of Court. Instead, the pleadings delivered to the USPS Regional Destination Facility (Washington Distribution Center) on April 7, 2022. (See Exhibit D). Said pleadings were not picked and delivered to the office of the Clerk of Court until April 11, 2022. And within three (3) days, the Deputy Clerk, Clayton R. Higgins on April 14, 2022, returned five (5) of the 11 petitions, along with the appendix volumes and motion for leave to proceed IFP to the petitioners. (See Exhibit G). On April 19, 2022, petitioners received by USPS mail said pleadings.

Respectful and conscious of the need for the Court to timely effect its judicial energy relative to its heavy case load for the review of pleadings, petitioners promptly prepared this motion without delay (on April 22, 2022) to seek leave from this Court to re-file its pleadings. In addition to the petitioners three (3) day delay filing their pleadings, the Court is asked to consider that the harmless error in the delay of the pleadings being untimely received by the Clerk of Court did not and does not

potentially impact the Court's judicial proceedings in reviewing the petitioners' pleadings, not failing to protect the rights of the respondents.

No Danger of Prejudice to the Respondents

The respondents in the above-referenced case have consistently received judgments from the lower court affirming the decision of the Superior Court of Chatham County which called for the dismissal of the petitioners' state-law claim sought by petitioner, Ruth Falls-Miller for breach of contract claimed under Georgia's six-year statute of limitation (OC.G.A. § 9-3-24) as affirmed in a major Supreme Court decision, (*See Muscogee County Bd. Of Educ. v. Boisvert*, 396, S.E.2d 303, 504 (1990). Along claiming respondents violated her due process rights assured under the 14th Amendment and the 1st Amendment of the United States Constitution. At no point, during the judicial proceedings of the lower courts were there any court decision that granted or allowed any pending claim to be tried in court relative to the claims raised in this civil complaint. Nonetheless, all decisions by the lower courts have favored the respondents, contrary to Supreme Court ruling in the case of Muscogee. As such, other than the court exercising its jurisdiction on the above-referenced case, no other legal questions or unfinished judicial hearings before other courts exist other than the pleadings sought for review by the petitioners.

Conclusion

Petitioners did not deliberately delay or purposeful fail to untimely file their pleadings with this Court as aforementioned in this motion. This untimely filing was inadvertent and was a harmless error on the part of the petitioners, which by all

accounts has not negatively affected any court proceedings, nor prejudiced or potentially impacted the respondents, in any way. Also, had petitioners been able to afford legal representation or provided legal counsel to avoid mis-interpreting the mandate to judge when the start of the 90-day account to file their petition for writ of certiorari, such pleadings would not have been untimely filed by the presumed mandate of January 6, 2022, by three (3) days.

And been granted e-filing privileges as the Court provided to respondents, petitioners would have timely submitted its pleadings three (3) days earlier on March 29, 2022, despite petitioners mis-interpretation of the mandate possibly being January 6, 2022, or January 10, 2022. Petitioners pray that the Court grant the requested relief to allow said pleadings be reviewed and judged on its merits, rather than allow a technicality. *Rodriguez v. Village Green Realty, LLC*, 788 F.3d 31, 47 (2d. Cir. 2015) (citing *Cargill, Inc. v. Sears Petroleum & Transp. Corp.*, 334 F. Supp. 2d 197, 247 (NDNY 2014) and observing that there is a strong preference by this Court for resolving disputes on the merits).

The Court has jurisdiction in hearing this case, should it decide based on the excusable neglect review standard proffered in this motion to be within its discretion and according with its previous decisions in the use to this review standard. We are confident that a fact-specific review and confirmation of the factors offered in support of the excusable neglect claims cited in this motion will provide sufficient in meeting your decision to grant petitioners relief to re-file their pleadings with the Court or adds to those held on file in the office of the Clerk of Court.

Respectfully submitted, this ____ day of April 2022.

Ruth Falls-Miller

Ruth Falls-Miller
Petitioner – Pro Se
1 Ashleigh Lane,
Savannah, GA 31407-3921
Cell Phone: (912) 323-3880

Howard J. Miller

Howard J. Miller
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See the attached Booklet to Access the following Appendices:

Appendix A – Clerk of Court Letter Returning Untimely Filing

Appendix B – USPS Mailing Receipt Posting Mailing & Delivery Date

Appendix C -- USPS Tracking Report on Mailing of Pleadings

Appendix D – Petitioner, Howard J. Miller's Operative Report on Shoulder Injury

Appendix E – Eleventh Circuit Court Order Denying Petition for Rehearing En Banc

Appendix F – Eleventh Circuit's Issuance of Mandate for January 6, 2022

Appendix G – U.S. District Court's Affirmation of the Eleventh Circuit's Judgment

NO. 22- _____

IN THE
SUPREME COURT OF THE UNITED STATES

RUTH FALLS-MILLER AND DR. HOWARD J. MILLER
Petitioners-Appellants,

v.

SAVANNAH-CHATHAM COUNTY
PUBLIC SCHOOL BOARD AND DR. THOMAS B. LOCKAMY
Respondents-Appellees

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Eleventh Circuit
Case No.: 20-14594

PETITIONERS' BOOKLET OF APPENDICES
FOR MOTION TO ACCEPT LATE FILING OF PETITION FOR WRIT OF CERTIORARI
AND MOTION TO PROCEED IN FORMA PAUPERIS

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APPENDIX BOOKLET DIRECTORY

APPENDIX A: CLERK OF COURT LETTER RETURNING UNTIMELY FILING

**APPENDIX B: USPS MAILING RECEIPT POSTING MAILING & DELIVERY
DATE**

APPENDIX C: USPS TRACKING REPORT ON MAILING OF PLEADINGS

**APPENDIX D: PETITIONER, HOWARD J. MILLER'S OPERATIVE REPORT ON
SHOULDER INJURY**

**APPENDIX E: ELEVENTH CIRCUIT COURT ORDER DENYING PETITION
FOR REHEARING EN BANC**

**APPENDIX F: ELEVENTH CIRCUIT'S ISSUANCE OF MANDATE FOR
JANUARY 6, 2022**

**APPENDIX G: U.S. DISTRICT COURT'S AFFIRMATION OF THE ELEVENTH
CIRCUIT'S JUDGMENT**

APPENDIX A

**CLERK OF COURT LETTER
RETURNING UNTIMELY FILING**

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

April 14, 2022

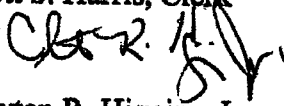
Ruth Falls-Miller
Howard J. Miller
1 Ashleigh Lane
Savannah, GA 31407

RE: Falls-Miller, et al. v. Savannah-Chatham County Public School Board, et al.
USA11 No. 20-14594

Dear Ms. Falls-Miller:

The above-entitled petition for a writ of certiorari was postmarked April 1, 2022 and received April 12, 2022. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was December 29, 2021. Therefore, the petition was due on or before March 29, 2022. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

Sincerely,
Scott S. Harris, Clerk
By: 

Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures

APPENDIX B

**USPS MAILING RECEIPT POSTING
MAILING & DELIVERY DATE**



BINGVILLE
3601 MONTGOMERY ST
SAVANNAH, GA 31405-9998
(800)275-8777

04/01/2022

12:33 PM

Product	Qty	Unit Price	Price
USPS Retail Ground® 1 Savannah, GA 31402 Weight: 6 lb 2.00 oz Estimated Delivery Date Mon 04/04/2022 Tracking #: 9534 6136 6816 2091 3231 32	1		\$11.95
Priority Mail® 2-Day 1 Washington, DC 20543 Weight: 21 lb 7.2 oz Expected Delivery Date Mon 04/04/2022 Tracking #: 9505 5136 6816 2091 3231 40 Insurance Up to \$50.00 included	1		\$43.90
Total			\$43.90

Grand Total: \$55.85

Credit Card Remitted \$55.85

Card Name: MasterCard
Account #: XXXXXXXXXXXX5288
Approval #: 075018
Transaction #: 055
AID: A0000000041010 Chip
AL: MASTERCARD
PIN: Not Required CAPITAL ONE

Every household in the U.S. is now
eligible to receive a second set
of 4 free test kits.

Go to www.covidtests.gov

Text your tracking number to 28777 (2USPS)
to get the latest status. Standard Message
and Data rates may apply. You may also
visit www.usps.com USPS Tracking or call

APPENDIX C

**USPS TRACKING REPORT ON
MAILING OF PLEADINGS**

Track Another Package +

Tracking Number: 9505513668162091323140

Remove X

Your item was picked up at a postal facility at 11:19 am on April 11, 2022 in WASHINGTON, DC 20543.

USPS Tracking Plus® Available ✓

✓ **Delivered, Individual Picked Up at Postal Facility**

April 11, 2022 at 11:19 am
WASHINGTON, DC 20543

Feedback

Get Updates ✓

Text & Email Updates



Tracking History



April 11, 2022, 11:19 am

Delivered, Individual Picked Up at Postal Facility

WASHINGTON, DC 20543

Your item was picked up at a postal facility at 11:19 am on April 11, 2022 in WASHINGTON, DC 20543.

April 11, 2022, 10:31 am

Available for Pickup

WASHINGTON, DC 20543

April 11, 2022, 8:51 am
Arrived at Post Office
WASHINGTON, DC 20018

April 11, 2022, 5:09 am
Departed USPS Regional Destination Facility
WASHINGTON DC DISTRIBUTION CENTER

April 11, 2022, 5:09 am
Arrived at USPS Regional Destination Facility
WASHINGTON DC DISTRIBUTION CENTER

April 10, 2022
In Transit to Next Facility

April 7, 2022, 5:41 pm
Arrived at USPS Regional Destination Facility
WASHINGTON DC DISTRIBUTION CENTER

April 1, 2022, 12:32 pm
USPS in possession of item
SAVANNAH, GA 31405

Feedback

USPS Tracking Plus®



Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

APPENDIX D

**PETITIONER, HOWARD J. MILLER'S
OPERATIVE REPORT ON
SHOULDER INJURY**

CHATHAM ORTHOPAEDIC — SURGERY CENTER —

OPERATIVE REPORT

PATIENT NAME: HOWARD MILLER
DATE OF BIRTH: 08/02/1948
MEDICAL RECORD#: 18884-1
DATE OF OPERATION: 01/21/2022
SURGEON: SPENCER M. WHEELER, MD

Procedure Performed: Arthroscopy of the right shoulder with repair of a type III retracted rotator cuff tear with a posterior split, distal clavicle resection, subacromial decompression, debridement of a labral tear, tenolysis of the biceps, debridement of the biceps anchor, and bursectomy.

Preoperative Diagnosis: Right shoulder cuff tear, osteoarthritis in the acromioclavicular joint, subacromial impingement, and labral tear.

Postoperative Diagnosis: Right shoulder cuff tear, osteoarthritis in the acromioclavicular joint, subacromial impingement, and labral tear with biceps anchor and biceps tear and bursitis in the subacromial space.

Assistant: Daniel Vacala, PA-C. The skilled assistance of a physician assistant was necessary for the successful completion of this case. Mr. Vacala was essential for the proper positioning of the patient, draping, manipulation of instruments during the procedure in addition to proper exposure and manipulation of soft tissues and wound closure.

Mr. Vacala was present throughout the entire procedure in the operative suite and was deemed necessary to provide an additional set of hands throughout the entire case.

Indications: This patient is a 73-year-old with significant right shoulder pain and weakness. He was seen in the office with evidence of a rotator cuff tear, tenderness over the AC joint with adduction and with deep palpation. He had excellent range of motion of his neck and C-spine with no instability. He had a type II acromion process, AC narrowing on the x-ray and MRI, no glenohumeral issues. MRI showed a retracted tear, AC joint degenerative changes, type II acromion process. He had weakness in abduction and all the signs and symptoms associated with a rotator cuff tear. He also had impingement signs and symptoms. After failed conservative care, he was scheduled for rotator cuff repair. He voiced a clear understanding of the risks, benefits, options and was scheduled for this.

Description of Procedure: He was brought to the operating room where a block was done in the preoperative area for postoperative pain relief. He received 2 g of IV Ancef for prophylactic antibiotic coverage. After this was complete, he was placed in the left lateral decubitus position with the right shoulder facing the ceiling. Then, 10 pounds of traction was applied, 70 degrees of abduction and 20 degrees of flexion. Hip positioners were

Electronically reviewed and signed by Spencer M. Wheeler, MD on 1/26/2022 11:18:30 AM

RE HOWARD MILLER
DOS: 01/21/2022
Page 2

used to stabilize the patient, and the axillary and perineal regions were padded to prevent undue pressure and/or traction to the superficial nerves in these regions. After this was complete, the shoulder was injected with 30 mL of arthroscopic fluid.

A posterior portal was created with an 11 blade and the scope was inserted into the joint. The joint showed labral tearing from about the 9 o'clock to the 2 o'clock position and unstable biceps anchor with tearing of the biceps just distal to the anchor. The labral tear was debrided to a stable margin as was the biceps anchor and a tenolysis was performed on the biceps. There was proliferative synovitis in the anterior capsule with a stable subscapularis, superior, middle, and inferior glenohumeral complex. The glenohumeral joint showed mild wear. The rotator cuff was obviously torn. Cuff tear could be visualized on the articular side and was debrided to allow ease of the repair later. After this was done, the scope was inserted in the subacromial space and the 8.25 x 9 cannulas were inserted anteriorly and anterolaterally. A type II acromion process was identified and 10 mm was taken off the anterolateral acromion to allow exposure and to decompress the shoulder. The AC joint, where he was having pain with deep palpation and adduction maneuvers, was arthritic. The large clavicular spur was coplaned and then 10 mm was taken off the distal clavicle or distal clavicle resection. After this was complete along with the acromioplasty taking 10 mm off the anterolateral acromion, a bursectomy was performed. Rotator cuff had a large posterior split and was type III with significant retraction. Two convergent sutures were used to close the split posteriorly. Four mattress sutures and 2 anchors were used to pull the cuff into the bleeding bony bed of the greater tuberosity, which was debrided prior to the repair. The repair was stable. There was 100% coverage and moved as a unit. The shoulder was then washed with multiple fillings of arthroscopic fluid. Puncture sites were closed using 3-0 nylon. Abduction pillow and sling were applied.

The patient was taken to recovery room in stable condition. He will not go to therapy for 3 weeks while we allow this to heal.

Spencer M. Wheeler, MD

MOP/3191253X

D: 01/21/2022 T: 01/22/2022

Electronically reviewed and signed by Spencer M. Wheeler, MD on 1/26/2022 11:18:30 AM

APPENDIX E

**ELEVENTH CIRCUIT COURT ORDER
DENYING PETITION FOR
REHEARING EN BANC**

**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.ca11.uscourts.gov

December 29, 2021

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 20-14594-HH

Case Style: Ruth Falls-Miller, et al v. Savannah-Chatham County Public, et al
District Court Docket No: 4:20-cv-00085-JRH-CLR

The enclosed order has been entered on petition(s) for rehearing.

See Rule 41, Federal Rules of Appellate Procedure, and Eleventh Circuit Rule 41-1 for information regarding issuance and stay of mandate.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Christopher Bergquist/jc
Phone #: 404-335-6169

REHG-1 Ltr Order Petition Rehearing

JF

APPENDIX F
**ELEVENTH CIRCUIT'S ISSUANCE
OF MANDATE FOR JANUARY 6, 2022**

**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.ca11.uscourts.gov

January 06, 2022

Clerk - Southern District of Georgia
U.S. District Court
124 BARNARD ST
SAVANNAH, GA 31401

Appeal Number: 20-14594-HH
Case Style: Ruth Falls-Miller, et al v. Savannah-Chatham County Public, et al
District Court Docket No: 4:20-cv-00085-JRH-CLR

A copy of this letter, and the judgment form if noted above, but not a copy of the court's decision, is also being forwarded to counsel and pro se parties. A copy of the court's decision was previously forwarded to counsel and pro se parties on the date it was issued.

The enclosed copy of the judgment is hereby issued as mandate of the court. The court's opinion was previously provided on the date of issuance.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Lois Tunstall
Phone #: (404) 335-6191

Enclosure(s)

MDT-1 Letter Issuing Mandate

In the
United States Court of Appeals
For the Eleventh Circuit

No. 20-14594

RUTH FALLS MILLER,
DR. HOWARD J. MILLER,

Plaintiffs-Appellants,

versus

SAVANNAH-CHATHAM COUNTY PUBLIC SCHOOL
BOARD,

THOMAS B. LOCKAMY, JR.,

In his official capacity,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Georgia
D.C. Docket No. 4:20-cv-00085-JRH-CLR

JUDGMENT

It is hereby ordered, adjudged, and decreed that the opinion issued on this date in this appeal is entered as the judgment of this Court.

Entered: October 25, 2021

For the Court: DAVID J. SMITH, Clerk of Court

APPENDIX G

**U.S. DISTRICT COURT'S
AFFIRMATION OF THE ELEVENTH
CIRCUIT'S JUDGMENT**

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

RUTH FALLS-MILLER,
DR. HOWARD J. MILLER,

Plaintiffs-Appellants,

v.

SAVANNAH-CHATHAM COUNTY PUBLIC
SCHOOL BOARD, THOMAS B.
LOCAMY, JR., in his official
Capacity,

Defendants - Appellees.

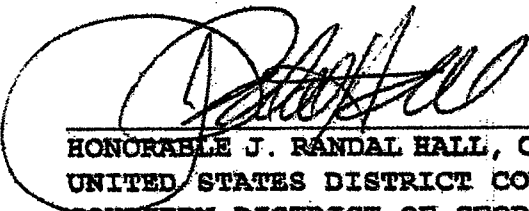
Case No. CV 420-085
Appeal No. 20-14594

O R D E R

The judgment in the above-styled action having been affirmed
by the United States Court of Appeals for the Eleventh Circuit,

IT IS HEREBY ORDERED that the judgment of the United States Court
of Appeals for the Eleventh Circuit is made the judgment of this
Court.

SO ORDERED, this 10th day of January 2022.


HONORABLE J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA