



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

October 26, 2020

The Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: Mark Williams, Warden, et al. v. Craig Wilson, et al., No. 19A1047

Dear Mr. Harris:

The government respectfully withdraws the stay application that it filed in this case on June 1, 2020. In its stay application, the government sought a stay of a preliminary injunction issued by the district court on April 22, 2020, and an order enforcing the injunction issued by the court on May 19, 2020. On June 4, 2020, Justice Sotomayor granted the stay “pending the disposition of the Government’s appeal in the United States Court of Appeals for the Sixth Circuit and further order of Justice Sotomayor or of the Court.”

On June 9, 2020, the court of appeals issued a decision vacating the April 22 preliminary injunction; the mandate issued on August 3, 2020. On September 17, 2020, the court of appeals granted the government’s unopposed motion to summarily vacate the May 19 order enforcing the now-vacated preliminary injunction. While the mandate for the court of appeals’ September 17 decision is not due to issue until November 9, 2020, the parties agree that there is no live controversy with respect to either order. Moreover, on joint motions of the parties, the district court has stayed proceedings in that court to allow the parties to conduct settlement discussions designed to resolve the case as a whole. As a result, the relief requested from this Court in the stay application is no longer necessary, and the government respectfully withdraws the application.

Sincerely,

Jeffrey B. Wall
Acting Solicitor General

cc: Counsel of Record

Mark Williams, Warden, et al.
Craig Wilson, et al.

David D. Cole
American Civil Liberties Union Foundation
915 15th Street, NW
Washington, DC 20005
212-549-2611
dcole@aclu.org