



STATE OF ALABAMA  
OFFICE OF THE ATTORNEY GENERAL

STEVE MARSHALL  
ATTORNEY GENERAL

501 WASHINGTON AVENUE  
MONTGOMERY, AL 36130  
(334) 242-7300  
WWW.AGO.ALABAMA.GOV

January 26, 2023

Supreme Court of the United States  
1 First Street, NE  
Washington, DC 20543

**Via Email and U.S. Mail**

Re: Notification Regarding Substitution of Party Pursuant to  
S. Ct. R. 35.3 in *Merrill v. Milligan* and *Merrill v. Caster*,  
Nos. 21-1086 and 21-1087

Dear Clerk of Court,

Supreme Court Rule 35.3 states that “[w]hen a public officer who is a party to a proceeding in this Court in an official capacity dies, resigns, or otherwise ceases to hold office, the action does not abate and any successor in office is automatically substituted as a party,” and directs the parties in such an event to “notify the Clerk in writing of any such successions.”

In the above-captioned cases, John H. Merrill was sued in his official capacity as Alabama Secretary of State. He served in that office until January 16, 2023, when his term expired and his successor Wes Allen was sworn into the office. Wes Allen is now the Alabama Secretary of State.

Sincerely,

A handwritten signature in black ink, appearing to read "Edmund G. LaCour Jr.".

Edmund G. LaCour Jr.

*Counsel for the Alabama Secretary of State*