

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CIVIL DIVISION**

VERONICA McCLANE, as parent and
next of friend of her minor children,
Walter and Beckett McClane; and
ASHLEY SIMMONS, as parent and
next of friend of her minor children,
August and Henry Simmons

PLAINTIFFS

vs.

Case No. 60CV-21-4692

THE STATE OF ARKANSAS,
acting through the 93rd General Assembly;
JIMMY HICKEY, JR., in his official capacity
as President Pro Tempore of the Arkansas Senate;
MATTHEW SHEPHERD, in his official capacity
as Speaker of the Arkansas House of Representatives;
and ASA HUTCHINSON, in his official capacity
as Governor of Arkansas

DEFENDANTS

BARRY HYDE, in his official capacity as the
County Judge for Pulaski County, and
ERIC HIGGINS, in his official capacity as
Pulaski County Sherriff

INTERVENORS/THIRD-PARTY PLAINTIFFS

and

LITTLE ROCK SCHOOL DISTRICT and
MARION SCHOOL DISTRICT

PLAINTIFFS

vs.

Case No. 60CV-21-4763

HON. ASA HUTCHINSON, in his Official Capacity
as Governor of the State of Arkansas, and
STATE OF ARKANSAS

DEFENDANTS

DEFENDANT STATE OF ARKANSAS' NOTICE OF APPEAL

Comes now Defendant, State of Arkansas, by and through Attorney General Leslie Rutledge and Assistant Attorney General Sammie P. Strange, Jr. and hereby gives notice of its appeal to the Arkansas Supreme Court pursuant to the Ark. R. App. P. Civ. 2(a)(6) and 3(b). State of Arkansas states as follows:

1. **Appealing Party.** State of Arkansas is the appealing party.
2. **Order Being Appealed.** State of Arkansas appeals from the order of the Pulaski County Circuit Court: Order for Declaratory Relief and Preliminary Injunction on August 6, 2021.
3. **Designation of the Record.** State of Arkansas designates the entire record in this matter as the record on appeal—including all pleadings, amended pleadings, motions, exhibits to the motions, supporting briefs, responses, replies, orders, and the transcripts of the hearing held in this case on August 6, 2021. State of Arkansas requests an electronic record pursuant to *In re Acceptance of Records on Appeal in Electronic Format and Elimination of the Abstracting and Addendum Requirements*, 2019 Ark. 213.
4. **Certificate of Transcript.** Pursuant to Ark. R. App. P. Civ. 3(e)(iv), State of Arkansas has ordered the transcript of the August 6, 2021 hearing, and made all financial arrangements required by the court reporter.
5. **Jurisdiction of the Arkansas Supreme Court.** State of Arkansas takes this appeal to the Arkansas Supreme Court, which has appellate jurisdiction in this matter pursuant to Ark. R. App. P. Civ. 2(a)(6).
6. **Abandonment of Claims.** State of Arkansas has not asserted any claims against a party in this matter, and so Rule 3(e)(vi) of the Ark. R. App. P. Civ. does not apply here.

WHEREFORE, State of Arkansas prays that the Court accept its Notice of Appeal, and prays for all other just and appropriate relief.

LESLIE RUTLEDGE
Arkansas Attorney General

By:

/s/ Sammie P. Strange, Jr.
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Attorneys for State of Arkansas

CERTIFICATE OF SERVICE

I, Sammie Strange, hereby certify that on September 3, 2021, I electronically filed the foregoing with the Clerk of the Court using the eFlex system, which shall send notification to all parties.

/s/Sammie P. Strange, Jr.
Sammie P. Strange, Jr.