

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

COUNT US IN, WOMEN4CHANGE
INDIANA, and JOSH MONTAGNE,

Plaintiffs,

v.

DIEGO MORALES, in his official
capacity as Indiana Secretary of State, *et*
al.,

Defendants.

Case No. 1:25-cv-864-RLY-MKK

DOCKETING STATEMENT OF APPELLANT

In compliance with Rule 3 of the Federal Rules of Appellate Procedure and Seventh Circuit Rule 3(c), Defendants, Diego Morales, in his official capacity as Secretary of the State of Indiana; Beth Boyce,¹ in her official capacity as Chair of the Indiana Election Commission; Suzannah W. Overholt, in her official capacity as Vice-Chair of the Indiana Election Commission; Karen Celestino-Horseman, in her official capacity as a member of the Indiana Election Commission; John Westercamp,² in his official capacity as a member of the Indiana Election Commission; J. Bradley King, in his official capacity as Co-Director of the Indiana Election Division; and Angela M.

¹ Beth Boyce succeeded Paul Okeson as Chair of the Indiana Election Commission. Boyce consequently automatically is substituted as a party under Federal Rule of Civil Procedure 25(d).

² John Westercamp succeeded Litany A. Pyle as member of the Indiana Election Commission. Westercamp consequently automatically is substituted as a party under Federal Rule of Civil Procedure 25(d).

Nussmeyer, in her official capacity as Co-Director of the Indiana Election Division submit this Docketing Statement.

1. **Statement of District Court Jurisdiction:** Plaintiffs Count US IN, Women4Change Indiana, and Josh Montagne filed this constitutional challenge for declaratory and injunctive relief, alleging that Indiana Senate Bill 10 (SB 10)'s removal of identification cards issued by state educational institutions as a valid form of identification to vote violates the First, Fourteenth, and Twenty-Sixth Amendments. Dkt. 1 at 25–28. Although the complaint raises federal questions sufficient to confer jurisdiction under 28 U.S.C. § 1331, the parties disputed whether the Plaintiffs have standing and sovereign immunity bars suit.

2. **Statement of Appellate Jurisdiction:** The Court of Appeals has jurisdiction over this appeal under 28 U.S.C. § 1292(a)(1) because this is an appeal from an order granting a preliminary injunction.

This appeal is taken from the District Court's Entry on Plaintiffs' Motion for Preliminary Injunction, Dkt. 98, and Preliminary Injunction, Dkt. 99, both entered on April 14, 2026. The injunction enjoins enforcement of "SB 10, to the extent that it prohibits voters from using documents issued by educational institutions as proof of identification." Dkt. 99 at 1. This is not a direct appeal from the decision of a magistrate judge. No Rule 59(e) Motion to Alter or Amend Judgment or other motion tolling the time for filing a Notice of Appeal has been filed. The merits of this case remain pending in the District Court.

3. **Notice of Appeal:** The Notice of Appeal is being filed contemporaneously herewith, within the time designated by the Federal Rules of Appellate Procedure, on this date, April 15, 2026.

4. **Prior or Related Appellate Proceedings:** There are no prior or related appellate court proceedings.

5. **Current Occupants of Offices Appearing in Their Official Capacities:** All defendants in this case are sued in their official capacities. The current Secretary of the State of Indiana is Diego Morales. The current Chair of the Indiana Election Commission is Beth Boyce. The current Vice-Chair of the Indiana Election Commission is Suzannah W. Overholt. Karen Celestino-Horseman is a current member of the Indiana Election Commission. John Westercamp is a current member of the Indiana Election Commission. The current Co-Directors of the Indiana Election Division are J. Bradley King and Angela M. Nussmeyer.

Date: April 15, 2026

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Respectfully submitted,

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