

STATE OF INDIANA

IN THE MONROE CIRCUIT COURT

COUNTY OF MONROE

CASE NO.-53C06-2407-PL-001733

STATE OF INDIANA *ex rel.* TODD ROKITA,
ATTORNEY GENERAL OF INDIANA

Plaintiff,

v.

RUBEN MARTÉ in his official capacity as
MONROE COUNTY SHERIFF and
MONROE COUNTY SHERIFF'S OFFICE,
Defendants.

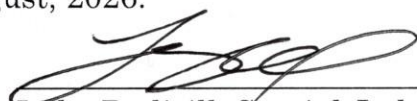
ORDER DENYING MOTION TO HOLD IN ABEYANCE

1. On June 30, 2026, this Court entered an Order on Motion for Temporary Restraining Order with Notice or in the Alternative a Preliminary Injunction, in which the Court enjoined the State of Indiana from levying fines on the Defendant(s) for violations or purported violations of Indiana Code § 5-2-18.2-9, which was enacted by the Indiana General Assembly as Senate Enrolled Act 76 and took effect July 1, 2026.
2. Plaintiff has commenced an Interlocutory Appeal as of right pursuant to Indiana Rule of Appellate Procedure 14(A)(5), which is now pending in the Indiana Court of Appeals.
3. Defendant(s) file a Motion to Hold in Abeyance the portion of Plaintiff's Complaint encompassed by Section 9 on the grounds that doing so would enable the Court to rule on the ultimate merits of Section 9 disputes between the parties after having the benefit of the Appellate Court's decision on whether to affirm or reverse this Court's Preliminary Injunction. Plaintiff objects.
4. Plaintiff correctly states that the judicial economy achieved by granting Defendant(s)' Motion is limited and potentially negated by: (a) the fact that the issues to be decided on the Preliminary Injunction are not identical to the ultimate merits of the Section 9 dispute; and (b) the fact that both sides have extensively briefed the issue before both the Southern District Court of Indiana and this Court and it is ripe for resolution on the merits.
5. Additionally, there is a possibility that the Appellate Court remands back to this Court the Preliminary Injunction due to this Court not structuring its

45-paragraph Order formally as Findings of Fact and Conclusions of Law in accordance with Indiana Trial Rule 52 or on other non-substantive grounds.

6. The preliminary injunction was based upon a four-prong analysis: (1) whether Defendant(s) established a likelihood of success on the merits; (2) whether Defendant(s) established irreparable harm; (3) whether Defendant(s)' harm incurred by the enactment of the statute outweighs Plaintiff's harm incurred in implementing the preliminary injunction; and (4) the public interests at stake in whether the injunction is granted or denied. If the Indiana Court of Appeals were to reverse the Court on prong (2), (3), or (4), this Court might not actually gain significant insight on the ultimate issue of whether the statute does or does not withstand 4th Amendment scrutiny.
7. While the Indiana Court of Appeals affirming this Court's Preliminary Injunction or reversing it on prong (1) would potentially provide this Court with significant insight on the ultimate issue of whether the statute does or does not withstand 4th Amendment scrutiny, that possibility is not sufficient justification to further delay the proceedings, particularly in light of each party having had an extensive opportunity via this case and the federal litigation to brief the issues such that they are ripe for decision on the merits in the form of summary judgment or other dispositive ruling.
8. To conclude, holding the issue in abeyance all but guarantees that this matter will not be fully resolved at the trial level by October 18, 2026, absent a ruling by the Indiana Court of Appeals prior to this Court's anticipated deadline to rule of October 18, 2026 (Summary Judgment Hearing currently is set for September 18, 2026), while denying the Motion to Hold in Abeyance makes it quite probable that the matters will be resolved on the merits at the trial level by October 18, 2026, and it accomplishes that judicial economy at no prejudice or peril to either party. This Court's uncertain but possible benefit to be derived from the Interlocutory Appeal decision does not justify further delay. Moreover, if the Indiana Court of Appeals does rule on the Interlocutory Appeal prior to October 18, 2026, then this Court will have the exact benefit that Defendant(s) push for via the Motion to Hold in Abeyance even if the Motion is denied.
9. For the foregoing reasons, Defendant(s)' Motion to Hold in Abeyance is denied, and the Hearing on Cross-Motions for Summary Judgment on all pending matters is confirmed for September 18, 2026, at 9:30am, in the Monroe Circuit Court.

So Ordered this 14th day of August, 2026.



Luke Rudisill, Special Judge
Monroe Circuit Court