

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

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February 03, 2021

Clerk - Middle District of Alabama
U.S. District Court
1 CHURCH ST
MONTGOMERY, AL 36104

Appeal Number: 21-90002-H ; 21-90003 -H
Case Style: Aldaress Carter v. The City of Montgomery, et al
District Court Docket No: 2:15-cv-00555-MHT-PWG

The enclosed copy of this Court's order of remand is issued as the mandate of this Court. Counsel and parties are advised that with this order of remand this appeal is concluded. If further review is to be sought in the future a timely new notice of appeal must be filed.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Gerald B. Frost, H/csg.
Phone #: (404) 335-6182

Enclosure(s)

DIS-4 Multi-purpose dismissal letter

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 21-90002-H

ALDARESS CARTER,

Petitioner,

versus

THE CITY OF MONTGOMERY,
JUDICIAL CORRECTIONAL SERVICES, INC.,
BRANCH D. KLOESS,

Respondents.

No. 21-90003-H

ANGELA MCCULLOUGH,

Petitioner,

versus

THE CITY OF MONTGOMERY,
JUDICIAL CORRECTIONAL SERVICES, INC.,

Respondents.

Petitions for Permission to Appeal from the
United States District Court for the Middle District of Alabama

February 3, 2021

Before WILLIAM PRYOR, Chief Judge, JORDAN and NEWSOM, Circuit Judges.

BY THE COURT:

Aldress Carter and Angela McCullough petition this Court for leave to appeal orders denying their motions for class certification. *See* Fed. R. Civ. P. 23(f).

We **GRANT** the motions for leave to file briefs of *amici curiae*.

We **GRANT** the Rule 23(f) petitions, **VACATE** the denials of class certification, and **REMAND** for reconsideration in the light of *Cherry v. Dometic Corporation*, ___ F.3d ___, No. 19-13242 (11th Cir. Feb. 2, 2021).