

NEWS RELEASE

Luther Strange

Alabama Attorney General



FOR IMMEDIATE RELEASE

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For More Information, contact:

Joy Patterson (334) 242-7491
Suzanne Webb (334) 242-7351
Lauren Kane (404) 416-5579

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ALABAMA, GEORGIA ATTORNEYS GENERAL ASK 11TH CIRCUIT TO STAY IMMIGRATION CASES PENDING THE SUPREME COURT DECISION IN ARIZONA'S CASE

(MONTGOMERY)--Today, Alabama and Georgia filed motions to stay the proceedings in the 11th Circuit Court of Appeals related to the immigration laws recently passed in both states. The motions to stay are based on the United States Supreme Court's grant on Monday of Arizona's petition for a writ of certiorari in the challenge to that State's immigration law.

Both the United States Department of Justice and private plaintiffs have sued to enjoin Alabama's immigration statute. Although federal courts have preliminarily enjoined some of the law's provisions, Alabama has successfully defeated attempts to enjoin critical components of the law, including provisions that permit law enforcement officers to verify immigration status during lawful stops. Alabama is currently defending those provisions and other important aspects of the law in two appeals before the 11th Circuit.

"The Arizona case will substantially affect many of the legal questions that are critical to Alabama's appeals pending in the 11th Circuit," said Alabama Attorney General Luther Strange. "Alabama has supported Arizona in its legal effort from the beginning, and Alabama will continue to vigorously support Arizona as the case moves to the Supreme Court. It is vital that all of our effort and attention be focused on helping Arizona win, and we hope to take a leadership role in the amicus process to do just that."

Georgia's law has also been challenged in federal court by a group of private plaintiffs. The federal court has upheld the vast majority of the law, but has enjoined two sections of the law on grounds similar to those at issue in the Arizona case. Georgia is appealing the court's injunction to the 11th Circuit.

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“It is clear that the Supreme Court’s ruling in Arizona’s case will be relevant to the 11th Circuit’s consideration of our appeal,” said Georgia Attorney General Sam Olens. “We strongly believe that, as the Supreme Court has said before, immigration is a partnership between the states and the federal government, and we hope that the Court will reaffirm that partnership.”

Strange added, “I am confident that the Supreme Court will rule in Arizona’s favor. By staying the current proceedings, we ensure that the 11th Circuit has the benefit of this ruling before it hears oral arguments in Alabama’s case, and we give the court even more reasons to uphold Alabama’s similar law.”

“The issues at stake in our appeal are of great importance to the citizens of Georgia, and our ability to incorporate the Supreme Court’s ruling into our arguments will strengthen our case,” said Olens. “Awaiting the Supreme Court's guidance will better utilize the resources of the state and the courts, while maintaining our zealous defense of the law.”