

**IN UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

ARTHUR DOE, et al.

PLAINTIFFS

VS.

CAUSE NO: 3:16-cv-789

**JIM HOOD, Attorney General
of the State Of Mississippi, et al.**

DEFENDANTS

**DEFENDANTS' MEMORANDUM IN OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

COME NOW Defendants, sued in their official capacities only, and submit this memorandum in opposition to Plaintiffs' Motion for Class Certification [Doc. 20] as follows, to-wit:

Plaintiffs' Motion for Class Certification should be denied. As Defendants have set forth in detail in their Opposed Motion for Discovery and Entry of a Scheduling Order [Doc. 25], the Memorandum in Support of Motion for Discovery [Doc. 26], and the Declaration of Paul E. Barnes in Support [Doc. 27], Defendants have been provided no opportunity to conduct discovery related to Plaintiffs' Motion for Class Certification, or Motion for Summary Judgment, and the factual issues raised by those motions.

Therefore, the Court should deny said Motion as premature. The Court should instead enter a scheduling order establishing a plan for discovery that permits sufficient time for Defendants to conduct discovery, both as to the class certification requirements of Fed. R. Civ. P. 23, and the factual issues raised in Plaintiffs' Motion for Summary Judgment and supporting documentation, and that further provides an appropriate briefing schedule for Defendants to file responses to those motions.

Respectfully submitted this the 21st day of November, 2016.

JIM HOOD, Attorney General of the State of Mississippi; ALBERT SANTA CRUZ, Commissioner of the Mississippi Department of Public Safety; CHARLIE HILL, Director of the Mississippi Sex Offender Registry; COLONEL CHRIS GILLARD, Chief of the Mississippi Highway Patrol; and LIEUTENANT COLONEL LARRY WAGGONER, Director of the Mississippi Bureau of Investigation

By: *s/Paul Barnes*
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CERTIFICATE OF SERVICE

This is to certify that on this day I, Paul E. Barnes, Special Assistant Attorney General for the State of Mississippi, electronically filed the foregoing document with the Clerk of the Court using the ECF system which sent notice of such filing to the following:

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THIS, the 21st day of November, 2016.

s/Paul Barnes
PAUL E. BARNES