

Serial: 176621

IN THE SUPREME COURT OF MISSISSIPPI

No. 2012-AP-00260

DR. ORLY TAITZ, ESQ.

v.

*DEMOCRATIC PARTY OF
MISSISSIPPI, SECRETARY OF STATE
OF MISSISSIPPI*

No. 251-12-107-CIV, Circuit Court of the
First Judicial District of Hinds County,
Mississippi

FILED

MAY 04 2012

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

ORDER

Having considered the pro se petitioner's Emergency Interlocutory Appeal and Petition for Reassignment of the Case to a Different Judge filed on April 19, 2012; the Order of Recusal entered by Special Judge R. Kenneth Coleman in the underlying circuit court action and filed with the Clerk of this Court on April 27, 2012; the petitioner's Opposition to an Attempt by the Defendant Secretary of State to Remove the Case to the Federal Court while the Case is pending in the Supreme Court filed with the Clerk of this Court on May 3, 2012; the removal on April 24, 2012, of the underlying state court case to federal district court where it remains pending, *Taitz v. Democrat Party*, Civil Action No. 3:12-cv-00280-HTW-LRA (S.D. Miss.), and the direction of 28 U.S.C. Section 1446(d) that upon the filing of a notice of removal of a civil case "the State court shall proceed no further unless and until the case is remanded[]" by the federal court, the undersigned Chief Justice concludes that

this matter must be held in abeyance unless and until the underlying case is remanded by the federal district court to the circuit court.

IT IS, THEREFORE, ORDERED:

1. That this matter is held in abeyance unless and until the federal district court remands the underlying case to the circuit court;

2. That the petitioner and any party in the underlying case shall promptly notify this Court if and when the underlying case is remanded by the federal district court to the circuit court; and

3. That the Clerk of this Court shall promptly forward a copy of this order to the petitioner and to the Circuit Clerk of Hinds County who is directed to file this order and to forward a copy to all counsel and all parties not represented by counsel.

SO ORDERED, this the 4th day of May, 2012.



WILLIAM L. WALLER, JR.
CHIEF JUSTICE