

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHURCH OF THE WORD, a)
Missouri Benevolent Corporation,)
)
Plaintiff,)
)
v.)
)
ST. LOUIS COUNTY EXECUTIVE)
DR. SAM PAGE, in his official capacity,)
)
and)
)
ST. LOUIS COUNTY ACTING DIRECTOR,)
CHIEF MEDICAL OFFICER,)
DEPARTMENT OF PUBLIC HEALTH,)
DR. EMILY DOUCETTE,)
in her official capacity,)
)
Defendants.)

Case No. 4:20-cv-00671-SEP

ORDER TO SHOW CAUSE

On May 20, 2020, Plaintiff filed a Complaint and Motion for Temporary Restraining Order seeking injunctive relief against the enforcement of a number of measures taken by St. Louis County in response to the COVID-19 pandemic, “particularly” what Plaintiff described as the “current orders”: Executive Order 17 (Doc. [1-7]), signed on April 22, 2020, and the St. Louis County Department of Public Health 2019 Novel Coronavirus (“COVID-19”) Extension and Amendment of Stay at Home Order, signed on April 20, 2020. Doc. [1] ¶ 5; Doc. [3].¹ At

¹ Plaintiff’s Complaint describes the Extension and Amendment of Stay at Home Order as having been signed on April 22, 2020, Doc. [1] ¶ 3, and purports to attach it as an exhibit, *id.* ¶ 5, but the attached Order took effect in March 2020 and expired on April 22, 2020. *See* Doc. [1-9] at 12. From the rest of Plaintiff’s filings, the Court infers that Plaintiff intends to refer to the Extension and Amendment Order signed by Dr. Emily Doucette on April 20, 2020, which is available at <https://stlcorona.com/dr-pages-messages/public-health-orders/director-of-public-health-extension-and-amendment-of-stay-at-home-order/>.

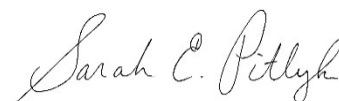
Plaintiff's request, this Court scheduled a hearing on Plaintiff's Motion for Temporary Restraining Order for Thursday, May 28, 2020, at 1:00 PM.

In their Combined Motion to Dismiss and Opposition to Plaintiff's Motion for Temporary Restraining Order (Doc. [12]), Defendants assert that the Orders at issue in the Complaint were superseded by St. Louis County's 2019 Novel Coronavirus ("COVID-19") Business and Individual Guidelines for Social Distancing and Re-Opening, which became effective on May 18, 2020—two days before the Complaint was filed. *See* Doc. [12-1].² Because Plaintiff seeks relief from Orders that are no longer in effect, Defendants argue, this lawsuit is moot. Doc. [12] at 3-4; *see Diffenderfer v. Cent. Baptist Church of Miami, Fla., Inc.*, 404 U.S. 412, 414-15 (1972) (per curiam).

IT IS HEREBY ORDERED that Plaintiff shall have until 5:00 PM on May 29, 2020, to show cause why the Complaint should not be dismissed as moot, and

IT IS FURTHER ORDERED that the hearing scheduled for May 28, 2020, at 1:00 PM is vacated, to be rescheduled promptly upon a showing that this lawsuit is not moot.

Dated this 28th day of May, 2020.



SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE

² <https://stlcorona.com/dr-pages-messages/public-health-orders/director-of-public-health-business-and-individual-guidelines-for-social-distancing-and-re-opening/>.