

SUPREME COURT OF NORTH CAROLINA

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JAY SINGLETON, D.O., and  
SINGLETON VISION CENTER,  
P.A.

From N.C. Court of Appeals  
21-558

v.

From Wake  
20CVS5150

NORTH CAROLINA  
DEPARTMENT OF HEALTH  
AND HUMAN SERVICES; ROY  
COOPER, Governor of the State  
of North Carolina, in his official  
capacity; MANDY COHEN,  
North Carolina Secretary of  
Health and Human Services, in  
her official capacity; PHIL  
BERGER, President Pro  
Tempore of the North Carolina  
Senate, in his official capacity;  
and TIM MOORE, Speaker of the  
North Carolina House of  
Representatives, in his official  
capacity

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ORDER

The parties are directed to file supplemental briefs within thirty days  
addressing the following issues:

1. Whether plaintiffs were required to exhaust administrative remedies in light of this Court’s decision in No. 55A23, *Askew v. City of Kinston*, \_\_ N.C. \_\_ (June 28, 2024).
2. Whether plaintiffs’ constitutional claims, based on the facts alleged in the complaint, are facial challenges, as-applied challenges, or both, and what implications this has for our review of the Court of Appeals’

*Order of the Court*

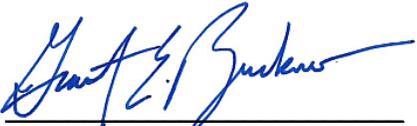
decision and the trial court's order.

By order of the Court in Conference, this the 26th day of June 2024.

/s/ Riggs, J.  
For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this  
the 28th day of June 2024.



  
Grant E. Buckner  
Clerk of the Supreme Court

Copy to:

North Carolina Court of Appeals

Mr. Joshua A. Windham, Attorney at Law, For Singleton, Jay (D.O.), et al - (By Email)

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Mr. John H. Schaeffer, Assistant Attorney General, For North Carolina Department of Health and Human Services, et al - (By Email)

Mr. Nicholas S. Brod, Assistant Solicitor General, For North Carolina Department of Health and Human Services, et al - (By Email)

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*Order of the Court*

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