

**No. 22-2704**

United States Court of Appeals  
for the Seventh Circuit

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**WILLIAM FEEHAN,**  
*Plaintiff-Appellee,*

v.

**TONY EVERS,**  
In his official capacity as Wisconsin's Governor  
*Defendant-Appellant*

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Appeal from the United States District Court  
Eastern District of Wisconsin  
No. 2:20-cv-01771

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**Appellee's Amended Jurisdictional Statement**

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**Complete Jurisdictional Summary**

Pursuant to this Circuit's Order on February 9, 2023 (*See*, CTA 7 Dkt. 30), Appellee submits the following Amended Jurisdictional Statement to comply with the requirements of FRAP 28(a) and (b) and Circuit Rule 28(a) and (b).

Appellant's statement of jurisdiction is correct but incomplete. Plaintiff Feehan properly invoked the jurisdiction of the district court under 28 U.S.C. §§1331, 1343, 1367, 2201, and 2202. *See Feehan* (2:20-cv-01771 E.D. Wis.) at Dkt. 9 at 7-8. The amended complaint asserted claims under 42 U.S.C. §1983 for alleged violations of article I, section 4, clause 1 (Count I) and the Fourteenth Amendment (Counts II and III of the United States Constitution). *Id.* at Dkt. 9. The district court dismissed this case on December 9, 2020. *Id.* at Dkt. 83. This Court vacated that order upon determining that the case had become moot on February 1, 2021. *Id.* at Dkt. 95. Mandate issued February 23, 2021. *Id.* at Dkt. 96.

Appellant Evers filed a motion for sanctions under 28 U.S.C. §1927 and the Court's inherent authority on March 31, 2021. *Id.* at Dkt 97.

This is an appeal of the district court's denial of sanctions for lack of jurisdiction and sanctionable conduct by order entered by the district court on August 24, 2022. *Id.* at Dkt. 113. Appellant Evers filed a timely notice of appeal on September 23, 2022. *Id.* at Dkt. 116.

This Court has initially addressed and implicitly found its own jurisdiction over this appeal pursuant to 28 U.S.C. §1291 and Federal

Rule of Appellate Procedure 4(a)(1)(A) by denying Feehan's Motion to Dismiss. *See Feehan* (CTA 7) Dkt. Nos. 4, 6, 8.

Whether the district court had subject matter jurisdiction to consider sanctions on a motion filed long after the case was closed is the first issue in this appeal.

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**Certificate of Service**

I hereby certify that on this the 14th day of February 2023, the foregoing Amended Jurisdictional Statement was served electronically on all counsel of record in this matter via electronic mail.

*/s/ Sidney Powell*  
Sidney Powell