

United States Court of Appeals For the First Circuit

No. 22-1755

MICHAEL BUSH; LINDA TAYLOR; LISA TIERNAN; SUSAN PROVENZANO; ROBERT EGRI; KATALIN EGRI; MONICA GRANFIELD; ANN LINSEY HURLEY,

Plaintiffs - Appellants,

JOSEPH PROVENZANO; KATE HENDERSON; IAN SAMPSON; ANITA OPITZ,

Plaintiffs,

v.

LINDA FANTASIA; MARTHA FEENEY-PATTEN; ANTHONY MARIANO; CATHERINE GALLIGAN; JEAN JASAITIS BARRY; PATRICK COLLINS; DAVID ERICKSON; TIMOTHY GODDARD; TOWN OF CARLISLE,

Defendants - Appellees,

JOHN DOE; JANE DOE,

Defendants.

Before

Barron, Chief Judge,
Howard and Montecalvo, Circuit Judges.

JUDGMENT

Entered: April 18, 2024

The judgment dismissing this challenge to the rescinded COVID-19 mask mandates previously adopted by the Town of Carlisle's Board of Health and Gleason Public Library is affirmed essentially for the reasons stated in the district court's Memorandum and Order of September 12, 2022. See 1st Cir. R. 27.0(c). The appellants' requests for injunctive and declaratory relief are moot. Post-mandate developments have only made this controversy less likely to recur in its original form. To the extent that intervening caselaw may have strengthened the claim for damages from the Board's rescinded mandate, that possibility (concerning which we express no

opinion) only underscores the fact that no clearly established Constitutional right was violated by appellees during the period in question.

Affirmed.

By the Court:

Maria R. Hamilton, Clerk

cc:

Michael Bush
Linda Taylor
Lisa Tiernan
Kate Henderson
Robert Egri
Katalin Egri
Anita Opitz
Monica Granfield
Ann Linsey Hurley
Ian Sampson
Susan Provenzano
Joseph Provenzano
John Joseph Davis Jr.
Justin Lee Amos
Heidi Kaiter
Jill Owens