Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE STATE OF RIDGEWAY

Syllabus

STATE *v.* LX1NAS

CERTIORARI TO THE SUPERIOR COURT OF RIDGEWAY

No. 22–06. Argued July 15, 2022—Decided August 2, 2022

7 R. Stat. §301 classified individuals wearing "cat ears" or a "fake tail" as "wildlife." In turn, that same statute prohibited wildlife from "possessing weapons." Respondent was arrested after it was found that he was possessing weapons as wildlife. Respondent filed suit challenging 7 R. Stat. §301, arguing that the statute violated Rid. Const. Art. I, §V, as well as the First Amendment to the United States Constitution. After the State moved for summary judgment on sovereign immunity grounds under the Eleventh Amendment to the United States Constitution, the Superior Court granted summary judgment in favor of respondent, holding that §V created a right requiring the government to "do its due diligence with regards to the rights of its citizens, regardless of their beliefs." The Superior Court subsequently issued an injunction against the enforcement of Section 3 of the Wildlife Conservation Act, 2022 Session Laws s. 6, by the State. This Court previously twice denied certiorari. See 1 Rid. 501; 1 Rid. 502.

Held: The Superior Court abused its discretion by failing to consider the four-factor test required for permanent injunctions as laid out in *eBay Inc.* v. *MercExchange, L. L. C.,* 547 U. S. 388. Pp. 6–20.

(a) Rid. Const. Art. I, § V is nearly copied verbatim from Vt. Const., Ch. I, Art. 9, although half of the original article in the Vermont Constitution is omitted. Where a provision from our Constitution has obviously been derived from a provision of a real-life state constitution, the Court should adopt the interpretation of the provision from that state's highest appellate court. Article 9, which is known as the Proportional Contribution Clause by the Vermont Supreme Court, requires citizens of Vermont to "'contribute his proportion towards the expence [sic] of' government." *Alexander* v. *Town of Barton*, 152 Vt. 148, 157, 565 A. 2d 1294, 1299. As the Vermont Supreme Court has noted, the Proportional Contribution Clause has almost always been applied in the "taxation

context," id. In fact, many challenges under Article 9, but unrelated to taxation (almost all of which were adjudicated in the federal courts) have failed. See, e.g., *Benning* v. *State*, 161 Vt. 472, 480, 641 A. 2d 757, 761; *Billado* v. *Perry*, 937 F. Supp. 337, *Logan* v. *Bennington College Corp*., 72 F. 3d 1017. P. 3.

(b) The inclusion of the phrase "cases and controversies" in Rid. Const., Art. V, §IV, was intended to create a state analogue to the Cases and Controversies Clause of the United States Constitution. See U. S. Const., Art. III, §2, cl. 1. Under the Cases and Controversies Clause, this Court is bound by the doctrine that it "will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be disposed of." See *Slack* v. *McDaniel*, 529 U. S. 473, 485. Because two antecedent questions regarding the propriety of the injunction were raised by this Court, they should be addressed prior to the constitutional issue. Pp. 3-4.

(1) This Court's holding in *State* v. *Infinity,* 1 Rid. 17, in which the Court held that it "cannot insert and answer [its] own question, if the facts surrounding that question do not share the same facts as the other questions, or cannot be found in the trial record," *id.,* at 26, does not apply here. In *Infinity,* this Court specifically noted several exceptions to the party presentation rule: where the proper resolution is beyond any doubt, where injustice may otherwise result, or where the Court considers an issue antecedent and ultimately dispositive of the issue presented, regardless of whether the parties identified and brief the issue. *Id.,* at 27. Given the case in *Infinity* was still at a preliminary stage, the Superior Court was in a better position to resolve the hearsay question raised by this Court in the first instance. *Id.,* at 28. Here, however, resolving the injunction before the constitutional question is more appropriate, especially when the proceedings have essentially concluded and the judgment is final. Pp. 6-7.

(c) Under *eBay, supra,* a party seeking a permanent injunction must demonstrate "(1) that it has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for that injury; (3) that, considering the balance of hardships between the plaintiff and defendant, a remedy in equity is warranted; and (4) that the public interest would not be disserved by a permanent injunction." *Id.,* at 391, see also *Monsanto Co.* v. *Geertson Seed Farms*, 561 U. S. 139, 156-157. Traditionally, these factors had formed the basis of equitable relief in the English courts of equity, and were especially prominent in early precedent. See, *e.g., Parker* v. *Winnipiseogee Lake Cotton & Woollen Co*., 2 Black 545, 552. A century after the founding of the United States, the standard for a permanent injunction

was already established, and the factors set out in *eBay* continued to serve as the standard throughout the 20th century. Much like how a preliminary injunction does not follow "as a matter of course from a plaintiff's showing of a likelihood of success on the merits," *Benisek* v. *Lamone*, 138 S. Ct. 1942, 1943-1944 (citing *Winter* v. *Natural Resources Defense Council*, 555 U. S. 7, 32), a permanent injunction cannot be issued simply because actual success on the merits is established. Cf. *TVA* v. *Hill*, 437 U. S. 153, 193. Rather, the Superior Court should have considered the adequacy of other remedies at law, the conveniences of the parties, as well as the public interest in determining whether to issue the injunction. Because it did not consider those factors, the Superior Court's issuance of the injunction was an abuse of discretion. Pp. 7-12.

(d) Furthermore, the Superior Court was overbroad in enjoining the entirety of Section 3 of the Wildlife Conservation Act, 2022 Session Laws s. 6. The original complaint filed by respondent merely challenged 7 R. Stat. §301, or Section 3(b). Because "[a] ruling of unconstitutionality frustrates the intent of the elected representatives of the people," *Ayotte* v. *Planned Parenthood of Northern New England*, 546 U. S. 320, 329, a court must find prospective relief that fits the remedy to the wrong or injury that has been established, see *Salazar* v. *Buono*, 559 U. S. 700, 718 (plurality opinion). The Superior Court's failure to properly take consideration of future opportunities at reintroducing hunting in the State, as well as the overbroad scope of the injunction issued, warrants its vacatur. Pp. 12-13.

1 R. Supp. 1 and 1 R. Supp. 3, vacated and remanded.

POWELL, J., delivered the opinion for a unanimous Court.

SUPREME COURT OF THE STATE OF RIDGEWAY

No. 22-06

STATE OF RIDGEWAY, PETITIONER *v.* LX1NAS

ON CERTIORARI TO THE SUPERIOR COURT OF RIDGEWAY

[August 2, 2022]

JUSTICE POWELL delivered the opinion of the Court.

In this continuously ongoing litigation, this is the third time this case has come before us on a petition for writ of certiorari to the Superior Court. Unlike the past two times, however, we granted certiorari in this case in order to determine whether an act criminalizing the possession of weapons by those who wear cat ears, a fake tail, or a combination of both violates both Rid. Const. Art. I, §V, as well as U. S. Const., amend. XIV. We hold that the Superior Court abused its discretion in issuing a permanent injunction without applying the four-factor test as set out in *eBay Inc.* v. *MercExchange, LLC,* 547 U. S. 388 (2006), and by failing to narrowly tailor the injunction in its opinion.

I

Respondent, a resident of the State of Ridgeway, was arrested on April 10th, 2022 for possessing a firearm as "wildlife." 7 R. Stat. § 301 states that "any person with a tail or cat ears" is deemed "wildlife." § 301 also states that any person deemed as wildlife "may not possess weapons." Respondent was allegedly stopped after a Ridgeway Parks Service Ranger suspected that he was wearing a tail. After the ranger discovered that respondent was carrying weapons, the ranger arrested respondent for possessing a

weapon as wildlife. Following his arrest, respondent filed suit in the Superior Court, alleging that § 301 violated Art. I, § V of the Ridgeway Constitution, as well as the First Amendment to the United States Constitution. The State of Ridgeway moved to dismiss the case on the grounds that the case was improperly filed against the government, that no exception applied to the state's sovereign immunity, and that because respondent was considered an "animal" at the time of his arrest, he had no right to file a lawsuit. The Superior Court denied the State's motion to dismiss, stating, *inter alia*, that the State could face a private lawsuit because it had "produced the first set of laws and acts, of which the wildlife act [sic] falls under and is being challenged by plaintiff." *Lx1nas* v. *State*, 1 R. Supp. 1 (2022) (*Lx1nas I*). We denied certiorari, 1 Rid. 501 (2022), after which the State moved for summary judgment in the Superior Court. The State renewed its argument that it had sovereign immunity in the case, that it was the incorrect defendant in the original case, and that the lawsuit was a preenforcement challenge in nature. The State also argued that respondent lacked standing to bring the suit in general, and that respondent's second claim was meritless. The Superior Court granted the State's motion for summary judgment, but held that the act was unconstitutional, in effect ruling for respondent. *Lx1nas* v. *State*, 1 R. Supp. 1, 2 (2022) (*Lx1nas II*). The Court held that Rid. Const. Art. I, § V, created an enforceable blanket protection of all rights that the State was required to honor. *Id.,* at 2. The State then entered a permanent injunction barring the enforcement of the act by the State, and "by proxy all of its actors, agents and otherwise enforcement officers and other applicable law enforcement officers," from enforcing 7 R. Stat. § 301. See 1 R. Supp. 3 (2022) (*Lx1nas III*). In addition, the Superior Court enjoined the enforcement of the entirety of Section 3 (of which the relevant statutes are under), argu-

ing that the injunction rendered the rest of the section useless. *Id.* After the State petitioned this Court for a writ of certiorari on the same issues that we denied certiorari on in *Lx1nas I*, we once again denied certiorari. 1 Rid. 502 (2022).

On July 5th, 2022, the State filed a collateral attack on the injunction issued in *Lx1nas III.* The State argued that the Superior Court misinterpreted the prefatory clause of Rid. Const. Art. I, §V as granting a right that provided a cause for action following unconstitutional activity. We granted certiorari, 1 Rid. 510 (2022), but have also requested the parties to brief two other issues regarding the propriety of the permanent injunction issued by the Superior Court. We now vacate the injunction as an abuse of discretion.

II

The State argues that the Superior Court misinterpreted the prefatory clause of Rid. Const. Art. I, §V as creating a right requiring the government to "do its due diligence with regards to the rights of its citizens, regardless of their beliefs." *Lx1nas III*, 1 R. Supp., at 3.

Rid. Const. Art. I, § V is nearly copied verbatim from Vt. Const., Ch. I, Art. 9, although half of the original article in the Vermont Constitution is omitted. We believe that where a provision from our Constitution has obviously been derived from a provision of a real-life state constitution, we should adopt the interpretation of the provision from that state's highest appellate court. We therefore defer to the Vermont Supreme Court's interpretation of Section V.

Article 9, which is known as the Proportional Contribution Clause by the Vermont Supreme Court, requires citizens of Vermont to "'contribute his proportion towards the expence [sic] of' government." *Alexander* v. *Town of Barton,* 152 Vt. 148, 157, 565 A. 2d 1294, 1299 (1989). As the Vermont Supreme Court has noted, the Proportional Contribution Clause has almost always been applied in the "taxation

context," *id.* In fact, many challenges under Article 9, but unrelated to taxation (almost all of which were adjudicated in the federal courts) have failed. See, *e.g., Benning* v. *State,* 161 Vt. 472, 480, 641 A. 2d 757, 761 (1994); *Billado* v. *Perry,* 937 F. Supp. 337 (Vt. 1996), *Logan* v. *Bennington College Corp.,* 72 F. 3d 1017 (CA2 1995). Assuming that the Proportional Contribution Clause has some application outside the taxation context, the Vermont Supreme Court has stated that the clause is to be read as the "practical equivalent of the equal protection clause of the Fourteenth Amendment to the United States Constitution." *In re Prop. of One Church St. City of Burlington*, 152 Vt. 260, 266, 565 A. 2d 1349, 1352 (1989). The purpose of the Proportional Contribution Clause is to focus on the individual and the social calculus of what is required to treat each individual in the society equally, and to protect the individual from "unfair government action." *Id.,* at 263, 565 A. 2d, at 1350. Thus, the Vermont Supreme Court has held that "the test of validity of governmental action under the proportional contribution clause must be the rational basis test used for federal equal protection analysis." *Alexander*, 152 Vt. at 157, 565 A. 2d at 1299. Rational basis review only requires the government to demonstrate that there is a "rational relationship between the disparity of treatment and some legitimate governmental purpose." *Board of Trustees of Univ. of Alabama* v. *Garrett,* 531 U. S. 356, 367 (2001). In other words, distinctions will be found unconstitutional only if similar persons are treated differently on "wholly arbitrary and capricious grounds." *Alexander,* 152 Vt., at 157; 565 A. 2d, at 1299 (citing *Smith* v. *Town of St. Johnsbury*, 150 Vt. 351, 357, 554 A. 2d 233, 238 (1988)).

But before we resolve the constitutional issue, we must acknowledge that we also granted certiorari on two issues regarding the propriety of the Superior Court's injunction. These two issues are equitable in nature. Thus, the Su-

preme Court's rule that it "will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be disposed of," see *Slack* v. *McDaniel,* 529 U. S. 473, 485 (2000), should control in this case. We acknowledge that the constitutional avoidance doctrine as described here was intended to apply only in the federal courts. That is only the case, however, because the doctrine is a "corollary offshoot of the case and controversy rule." *Rescue Army* v. *Municipal Court,* 331 U. S. 549, 570 (1947). Although we have not held such, we believe that the cases and controversies requirement applies in this state. To start, Art. V., § IV of the Ridgeway Constitution limits the Superior Court's jurisdiction to "cases" and "controversies." Although such an inclusion bears a striking similarity with the Cases and Controversies Clause of the United States Constitution, see U. S. Const., Art. III, §2, cl. 1, it does not immediately seem clear that the clause in our Constitution is a state analogue of the federal Cases and Controversies Clause. However, we note that when this State was still a county under Nightgaladeld's United States of America, there was no specific clause indicating a jurisdictional bar requiring a valid "case" or "controversy." This lack of inclusion led to much debate over whether such a requirement existed, a debate mooted by the eventual formation of the State of Ridgeway. We read the inclusion to indicate that, in enacting the Ridgeway Constitution, Developer Oversight intended to include a state analogue to U. S. Const., Art. III, § 2, in order to limit the jurisdiction of the Superior Court. Therefore, we hold that the jurisdictional doctrines under Article III's Cases and Controversies Clause, see *Allen* v. *Wright*, 468 U. S. 737, 750 (1984) (citing *Vander Jagt* v. *O'Neill*, 226 U. S. App. D. C. 14, 26-27, 699 F. 2d 1166, 1178-1179 (1983) (Bork, J., concurring)), abrogated on other grounds by *Lexmark Int'l, Inc.* v. *Static Control Components, Inc*., 572

U. S. 118 (2014), also apply to the Superior Court's jurisdictional limits to "cases" and "controversies" under Rid. Const., Art. V, § IV. We therefore also hold that the cases and controversies requirement applies to cases in the State of Ridgeway.

Regardless of the constitutional avoidance doctrine, respondent also argues that the party presentation rule precludes our review of the first issue regarding the injunction: whether the four-factor test for permanent injunctions under *eBay Inc., supra,* should be adopted. Respondent argues that this Court should not address this issue because no party raised an argument regarding the impropriety of the injunction in the Superior Court. Respondent cites to our recent case, *State* v. *Infinity,* 1 Rid. 17 (2022), for guidance, arguing that under *Infinity,* "we cannot insert and answer our own question, if the facts surrounding that question do not share the same facts as the other questions, or cannot be found in the trial record." *Id.*, at 26.

We disagree. Respondent's concerns are well-intentioned, but he fails to realize that the party presentation rule is not unlimited. We have noted that exceptions to the party presentation rule exist in several circumstances: where the proper resolution is beyond any doubt, where injustice may otherwise result, or where we consider an issue antecedent and ultimately dispositive of the issue presented, regardless of whether the parties identified and brief the issue. *Infinity, supra,* at 27 (internal quotation marks omitted). In this case, analyzing whether the Superior Court abused its discretion by failing to follow the four-factor test is indeed an antecedent question to the constitutional question presented, and the facts regarding the injunction are the same as those applied when the Superior Court granted summary judgment for the respondent, especially coupled with the constitutional avoidance doctrine we described above. The propriety of the injunction necessarily precedes the constitutional issue in this case. In addition, this case comes to us

after a final judgment was issued. Comparing this case with *Infinity,* which we heard as an interlocutory appeal authorized under 1 R. Stat. §127, shows why distinguishing *Infinity* is appropriate. We held that, given the case in *Infinity* was still at a preliminary stage, the Superior Court was in a better position to resolve the hearsay question in the first instance. *Id.,* at 28. Here, however, resolving the injunction before the constitutional question is more appropriate, especially when the proceedings have essentially concluded and the judgment is final.

We therefore resolve the issues regarding the injunction before turning to the application of the Proportional Contribution Clause.

III

Two issues regarding the injunction are clear from first blush: first, the Superior Court did not utilize the four-factor test counseled by *eBay Inc.* v. *MercExchange, LLC,* 547 U. S. 388 (2006), and second, the injunction issued extended to other unchallenged provisions of the Wildlife Conservation Act. We review the Superior Court's grant of a preliminary injunction for abuse of discretion. See *eBay,* 547 U. S. at 391. The abuse of discretion standard is highly deferential, and we only reverse the trial court if it "based its ruling on an erroneous view of the law or on a clearly erroneous assessment of the evidence." *Cooter & Gell* v. *Hartmarx, Corp.,* 496 U. S. 384, 405 (1990). Nevertheless, the Superior Court's legal findings underpinning the injunction are reviewed *de novo*, and its factual findings are reviewed for clear error. See *Infinity, supra,* at 28 (POWELL, J., concurring in part and concurring in the judgment). A factual finding is clearly erroneous "when although there is evidence to support it, the reviewing [body] on the entire evidence is left with the definite and firm conviction that a mistake has been committed." *Concrete Pipe & Products of Cal., Inc.* v. *Construction Laborers Pension Trust for Southern Cal.,* 508

U. S. 602, 622 (1993) (quoting *United States* v. *United States Gypsum Co.,* 333 U. S. 364, 395 (1948) (brackets in original)).

For the foregoing reasons, we hold that the Superior Court abused its discretion in failing to abide by the four-factor test laid out in *eBay, supra,* and by issuing an overbroad injunction.

A

In *eBay,* the Supreme Court stated that traditional principles of equity dictated the issuance of permanent injunctive relief. As such, the Court held that the standard for permanent injunctions in federal courts comprised four factors — litigants seeking such relief must demonstrate "(1) that it has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for that injury; (3) that, considering the balance of hardships between the plaintiff and defendant, a remedy in equity is warranted; and (4) that the public interest would not be disserved by a permanent injunction." *eBay, supra,* at 391, see also *Monsanto Co.* v. *Geertson Seed Farms,* 561 U. S. 139, 156-157 (2010). Other state courts have also generally adopted this test, though variations of the test have included additional factors or omitted factors from the four-pronged test in *eBay*. See, *e.g.*, *North River Ins. Co.* v. *Mine Safety Appliances Co.,* 105 A. 3d 369, 379 n. 47 (Del. 2014); *Ifill* v. *District of Columbia,* 665 A. 2d 185, 188 (D.C. 1995); *Kuznik* v. *Westmoreland County Bd. of Commissioners,* 588 Pa. 95, 117, 902 A. 2d 476, 489 (2006). We hold that the federal standard for permanent injunctions should apply in a court's determination of issuing injunctive relief.

1

In order to determine what factors are appropriate in the Superior Court's determination to issue a preliminary in-

junction, we must look toward traditional principles of equity as well as the history of the injunction.[1] It has long been claimed that the concept of the injunction was derived from the interdicts of Roman law, though whether interdicts and injunctions were related continues to be disputed. 4 J. Pomeroy, Equity Jurisprudence §1337, p. 2664-2665 and n. 1 (3d ed. 1905); see also Raack, A History of Injunctions in England Before 1700, 61 Ind. L. J. 539, 540-541 (1986). Such interdicts were generally used to preserve the plaintiff's property, and could be described with three categories: prohibitory, exhibitory, and the restutitory (or restorative). *Id.* In addition, such interdicts were entirely within the Roman magistrate's equitable discretion. See *id.*; 4 Pomeroy § 1337, at 2 n. 1.

Another historical development was the rise of the Court of Chancery in England during the late 14th century and the early 15th century and the issuance of writs. Prior to the establishment of the English Court of Chancery, the King and his officers were routinely called upon to settle private disputes between feudal lords. Raack, *supra,* at 541-544. The King could, after hearing both sides, issue a writ commanding the defendant to perform a certain duty owed to the plaintiff. The writs from this time are also considered an ancestor to the modern-day injunction. *Id.*

The rise of chancery in England began with the power of the Chancellor to issue common law writs. Given a wide equitable discretion to issue writs based on a variety of circumstances, the common law courts soon argued that the Chancellor's power should be limited. This occurred just as the common law courts began rigidly applying the law, sig-

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[1] Readers should note that this opinion does not intend to serve as an exhaustive account of the history of the injunction, but does offer a brief account in order to provide context for the factors a court should consider when determining whether to issue injunctive relief.

naling the end of equity in said courts. *Id.,* at 550-552. Although injunctions were widely issued in the 16th and 17th centuries, a 1616 dispute between the common law courts and the Chancellor would eventually solidify the propriety of injunctions as equitable relief.

The resolution of the dispute, however, provided the basis of the traditional principles of equity referenced in *eBay, supra.* For example, King James I approved of the commission report that ultimately settled the dispute, and issued an order ensuring that the Court of Chancery "provide equity to his subjects where they were denied relief by the rigor and extremity of the law." Raack, *supra,* at 582. It was also at that time, however, that the Chancellors tempered the use of injunctions, and began to cite cases in support of their holdings, much like the common law courts of the time. These Chancellors would also begin to establish procedural guidelines for injunctions, reducing the friction between the Court of Chancery and the common law courts.

2

By the time the United States of America gained its independence from Great Britain, the majority of states had already adopted the English common law for its usage. See, *e.g.*, N. Y. Const. art. XXXV (1777), 9 Statutes At Large of Pennsylvania 29-30 (Mitchell & Flanders eds. 1903). In fact, the Supreme Court of the United States held as early as 1863 that an injunction would issue only "where the right is clearly established — where no adequate compensation can be made in damages, and where delay itself would be a wrong," *Parker* v. *Winnipiseogee Lake Cotton & Woollen Co.,* 2 Black 545, 552, consistent with principles of equity at the time. See 2 J. Story, Equity Jurisprudence §924 p. 252 (5th ed. 1849) (noting purpose of courts of equity was to "give a more complete and perfect remedy, than is attainable at-law, in order to prevent irreparable mischief…"). A century after the founding of the United States, the standard for a

permanent injunction was already established. Inherent among the required factors was a clear showing of irreparable harm, 1 J. High, Law of Injunctions §22, p. 20 (2d ed. 1880), *id.* §34, at 28 ("mere allegation of irreparable injury" is insufficient); but other factors included a balance of the conveniences, *id.* §13, at 11-12; and a lack of adequate remedies at law. See *id.* §28, at 24-25.

By the 20th century, the Supreme Court made clear that "[i]t is in the public interest that … courts of equity should exercise their discretionary power with proper regard for the rightful independence of state governments in carrying out their domestic policy." *Pennsylvania* v. *Williams,* 294 U. S. 176, 185 (1935). Recognizing that equity is "the instrument for nice adjustment and reconciliation between the public interest and private needs as well as between competing private claims," *Hecht Co.* v. *Bowles,* 321 U. S. 321, 329-330 (1944), the Supreme Court recognized that a court, in deciding whether an injunction should be issued, should "balance[] the conveniences of the parties and possible injuries to them according as they may be affected by the granting or withholding of the injunction." *Yakus* v. *United States,* 321 U. S. 414, 440 (1944). Furthermore, when an injunction that would "adversely affect a public interest" is sought, "the court may in the public interest withhold relief until a final determination of the rights of the parties, though the postponement may be burdensome to the plaintiff." *Id.* These factors would soon be accompanied by the long-recognized doctrine that equitable relief (in the federal courts) should be granted only when the plaintiff demonstrates "irreparable injury and the inadequacy of legal remedies." *Weinberger* v. *Romero-Barcelo,* 456 U. S. 305, 312 (1982); see also *Rondeau* v. *Mosinee Paper Corp*., 422 U. S. 49, 61 (1975); *Sampson* v. *Murray*, 415 U. S. 61, 88 (1974); *Beacon Theaters, Inc.* v. *Westover*, 359 U. S. 500, 506–507 (1959).

Together, the four factors in *eBay, supra,* reflect the traditional principles of equity first laid out in English law and preserved throughout the nearly 250-year history of the United States, which the Supreme Court stated should be the point of analysis in determining whether to issue injunctive relief. Grupo Mexicano de Desarrollo S. A. v. Alliance Bond Fund, Inc., 527 U. S. 308, 318-319 (1999) ("[T]he substantive prerequisites for obtaining an equitable remedy as well as the general availability of injunctive relief … depend on traditional principles of equity jurisdiction.") (quoting 11A Charles Alan Wright, Arthur R. Miller, & Mary Kay Kane, Federal Practice and Procedure § 2941, p. 31 (2d ed.1995)). In fact, the Superior Court's decision appears to suggest that it granted the injunction merely because summary judgment was granted in respondent's favor.

Much like how a preliminary injunction does not follow "as a matter of course from a plaintiff's showing of a likelihood of success on the merits,"[2] *Benisek* v. *Lamone,* 138 S. Ct. 1942, 1943-1944 (2017) (citing *Winter* v. *Natural Resources Defense Council,* 555 U. S. 7, 32 (2008)), a permanent injunction cannot be issued simply because actual success on the merits is established. Cf. *TVA* v. *Hill,* 437 U. S. 153, 193 (1978) ("[A] federal judge sitting as a chancellor is not mechanically obligated to grant an injunction for every violation of law."). Rather, the Superior Court should have considered the adequacy of other remedies at law, the conveniences of the parties, as well as the public interest in determining whether to issue the injunction, all of which are

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[2] "The standard for a preliminary injunction is essentially the same as for a permanent injunction with the exception that the plaintiff must show a likelihood of success on the merits rather than actual success." *Amoco Production Co.* v. *Gambell,* 480 U. S. 531, 546, n. 12 (1987); see also *Winter* v. *Natural Resources Defense Council,* 555 U. S. 7, 32 (2008).

"appropriate in almost any case as a guide to the chancellor's discretion." *Id.* (quoting D. Dobbs, Remedies 52 (1973)). Because it did not consider those factors, the Superior Court's issuance of the injunction was an abuse of discretion.

B

The Superior Court also enjoined the entirety of Section 3 of the Wildlife Conservation Act, 2022 Session Laws s. 7. Some of the provisions in that Section relate to hunting permits issued by the Ridgeway Parks Service. We hold that the Superior Court abused its discretion in issuing an overbroad injunction preventing the enforcement of Section 3.

To start, the constitutionality of the entirety of Section 3 was not before the Superior Court when it rendered its judgment. Rather, respondent challenged only 7 R.Stat. §301, which had forbade the possession of weapons by "wildlife." However, the entire section was enjoined with little explanation. The Supreme Court previously held that when a court declares certain parts of a statute unconstitutional, as was done here, it must tread carefully, as "[a] ruling of unconstitutionality frustrates the intent of the elected representatives of the people." *Ayotte* v. *Planned Parenthood of Northern New England,* 546 U. S. 320, 329 (2006) (quoting *Regan* v. *Time, Inc.,* 468 U. S. 641, 652 (1984) (plurality opinion)). Thus, the Supreme Court has held that in some cases, "partial, rather than facial, invalidation is the required course," such that a "statute may . . . be declared invalid to the extent that it reaches too far, but otherwise left intact." *Id.* (quoting *Brockett* v. *Spokane Arcades, Inc.*, 472 U. S. 491, 504 (1985)).

Partial invalidation is also consistent with traditional principles of equity. The hallmark of equity has long been the flexibility to formulate equitable relief based on the circumstances of a case. *Weinberger, supra,* at 312. But a court must find prospective relief that fits the remedy to the

wrong or injury that has been established, *Salazar* v. *Buono,* 559 U. S. 700, 718 (2010) (plurality opinion), and such relief cannot be overbroad for the reasons above. Under Rid. Rule Civ. P. 47(d), therefore, injunctions issued by the Superior Court must be "specific in terms; shall describe in reasonable detail, and not by reference to the complaint or other document, the act or acts sought to be restrained." "Because of the rightly serious view courts have traditionally taken of violations of injunctive orders, and because of the severity of punishment which may be imposed for such violation, such orders must in compliance with [Rule 47(d)] be specific and reasonably detailed." *Pasadena City Bd. of Education* v. *Spangler,* 427 U. S. 424, 439 (1976).

We think that this case calls for partial invalidation, where only § 301 should be invalidated. Although hunting permits may not serve a purpose after § 301's invalidation, we think that there may be a chance that such permits may be useful in the distant future. For example, developers of the State of Ridgeway could include animals in Ridgeway County that could be hunted, in order to allow for hunting, under regulations enacted by the Parks Service and the Senate.[3] The Superior Court's failure to properly take consideration of future opportunities at reintroducing hunting in the State, as well as the overbroad scope of the injunction issued, warrants its vacatur.

* * *

Because the Superior Court erred when it issued an overbroad injunction, its judgment should be vacated on that ground already. Having resolved this case on that issue alone, we need not resolve the constitutional issue presented before us.

For the foregoing reasons, the injunction issued by the

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[3] Such a concept has been introduced in other governmental entities on ROBLOX, such as the Nation of Aigio.

Superior Court is vacated, and the case is remanded to allow the Superior Court to tailor narrower injunctive relief consistent with this opinion.

It is so ordered.