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**ALABAMA CENTER FOR LAW AND LIBERTY SUES STATE OVER COVID  
LOCKDOWNS AND VIOLATION OF ALABAMA CONSTITUTION**

March 21, 2022

BIRMINGHAM, AL – On Saturday, March 19, the Alabama Center for Law and Liberty (“ACLL”) filed a lawsuit against two State officials, Dr. Scott Harris and Governor Kay Ivey, for the 2020-21 COVID lockdowns and restrictions that followed.

ACLL is representing Saranne Riccio and her business, Uncorked Wine Shop & Tasting Room, LLC (“Uncorked Providence”). In 2018, Saranne opened Uncorked Providence in Huntsville as a wine-tasting shop. Seventy percent of her gross revenue came from people tasting wine inside the shop. Customers constantly gave her business great reviews, even noting the extra precautions she took to keep the shop sanitized when COVID hit.

But despite her efforts, in 2020 the State’s executive branch implemented severe COVID-related restrictions on her business that made it impossible to make a profit. In March of 2020, the Dr. Scott Harris, the State Health Officer, forbade restaurants and similar establishments from allowing dine-in experiences. In April, the Dr. Harris subjected her business to a shutdown because the State considered it “nonessential.” Even when the shutdown order was lifted, Dr. Harris and Governor Ivey subjected Uncorked Providence to substantial restrictions on who could dine inside the shop. In December 2021, unable to come back from the massive loss of revenue because of the COVID orders, Uncorked Providence was forced to go out of business. Not only was this a loss for Saranne and her company, but it was also a huge loss for the community who enjoyed the shop.

Matt Clark, ACLL’s President, said, “This suit is about three things: compensating Ms. Riccio for her losses, holding our government accountable for its actions, and defending the principle of separation of powers.” Clark continued, “Dr. Harris and Governor Ivey ran the State for an entire year without any meaningful input from the legislature. Just as ‘taxation without representation’ was a major grievance of the American Founders, ‘shutdown without representation’ is the major grievance in this suit. The Alabama Constitution gives the legislative branch the authority to make the law and the executive branch the authority to execute the law. When the two powers are combined in the executive branch, people get hurt, as Ms. Riccio’s case demonstrates.”

Clark concluded, “Because the legislature failed in 2020 and 2021 to rebalance the powers of the Legislature and the Executive, and since Governor Ivey views the People’s representatives as a “herd of turtles” unworthy of a vote, the People have no other choice than to resort to the courts to ensure that something like this never

happens again. Suits in Wisconsin, Michigan, and Pennsylvania have resulted in successful precedents holding that, even in a pandemic, the executive branch's authority is still limited. We hope that the Alabama courts will agree.”

ACLL is a conservative nonprofit legal organization based in Birmingham, Alabama, and it is the litigation arm of the Alabama Policy Institute. For more information, visit ACLL's website at [www.alabamalawandliberty.org](http://www.alabamalawandliberty.org).

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