

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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No. 12-5365

September Term, 2012

FILED ON: MAY 31, 2013

WENDY E. WAGNER, ET AL.,  
APPELLANTS

v.

FEDERAL ELECTION COMMISSION,  
APPELLEE

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Appeal from the United States District Court  
for the District of Columbia  
(No. 1:11-cv-01841)

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Before: HENDERSON and GRIFFITH, *Circuit Judges*, and GINSBURG, *Senior Circuit Judge*

**J U D G M E N T**

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** *sua sponte* that the judgment of the District Court appealed from in this cause be vacated and the case be remanded to the district court to make appropriate findings of fact, as necessary, and to certify those facts and the constitutional questions to the *en banc* court of appeals within five days of the date of this opinion, in accordance with the opinion of the court filed herein this date.

The Clerk is directed to issue the mandate forthwith.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail  
Deputy Clerk

Date: May 31, 2013

Opinion Per Curiam.