

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:18-cv-01034

NORTH CAROLINA STATE
CONFERENCE OF THE NAACP, et al.,

Plaintiffs,

v.

DAMON CIRCOSTA, in his official
capacity as Chair of the North Carolina
State Board of Elections, et al.,

Defendants.

NOTICE OF FILING

NOW COME Defendants Damon Circosta, Stella Anderson, Jeff Carmon III, Wyatt T. Tucker Sr., and Stacy “Four” Eggers, IV, all in their official capacities as Members of the State Board of Elections (collectively “the State Board Defendants”) to hereby notify the Court of the filing of:

1. The March 2, 2022 Order of the Supreme Court of North Carolina granting the petition filed by plaintiffs for discretionary review under N.C.G.S. § 7A-31 prior to a determination by the North Carolina Court of Appeals in the related matter of *Holmes, et al. v. Moore, et al.*; 342PA19-2, and attached hereto as **Exhibit A**.

Respectfully submitted this the 7th day of March 2022.

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Counsel for the State Board Defendants

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Exhibit A

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Supreme Court of North Carolina

JABARI HOLMES, FRED CULP, DANIEL E. SMITH, BRENDON JADEN PEAY, and PAUL KEARNEY, SR.

v

TIMOTHY K. MOORE, in his official capacity as Speaker of the North Carolina House of Representatives;
PHILIP E. BERGER, in his official capacity as President Pro Tempore of the North Carolina Senate;
DAVID R. LEWIS, in his official capacity as Chairman of the House Select Committee on Elections for the
2018 Third Extra Session; RALPH E. HISE, in his official capacity as Chairman of the Senate Select
Committee on Elections for the 2018 Third Extra Session; THE STATE OF NORTH CAROLINA; and THE
NORTH CAROLINA STATE BOARD OF ELECTIONS

From N.C. Court of Appeals
(19-762 22-16)
From Wake
(18CVS15292)

AMENDED ORDER

Upon consideration of the petition filed by Plaintiffs on the 14th of January 2022 in this matter for discretionary review under G.S. 7A-31 prior to a determination by the North Carolina Court of Appeals, the following order was entered and is hereby certified to the North Carolina Court of Appeals:

"Allowed by order of the Court in conference, this the 2nd of March 2022."

s/ Berger, J.
For the Court

The following order has been entered on the motion filed on the 28th of January 2022 by Plaintiffs for Expedited Consideration of Petition for Discretionary Review:

"Motion Dismissed as moot by order of the Court in conference, this the 2nd of March 2022."

s/ Berger, J.
For the Court

Therefore the case is docketed as of the date of this order's certification. Briefs of the respective parties shall be submitted to this Court within the times allowed and in the manner provided by Appellate Rule 15(g)(1).

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 2nd day of March 2022.



Grant E. Buckner
Clerk, Supreme Court of North Carolina

M. C. Hackney
M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals

Ms. Allison J. Riggs, Attorney at Law, For Holmes, Jabari, et al - (By Email)

Mr. Jeffrey Loperfido, Attorney at Law, For Holmes, Jabari, et al - (By Email)

Mr. Nathan A. Huff, Attorney at Law, For Moore, Timothy K. (Official Capacity), et al - (By Email)

Ms. Nicole J. Moss, Attorney at Law, For Moore, Timothy K. (Official Capacity), et al - (By Email)

Mr. Terence Steed, Assistant Attorney General, For State of North Carolina, et al - (By Email)

Ms. Laura H. McHenry, Special Deputy Attorney General, For State of North Carolina, et al - (By Email)

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