

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 21 CVS 015426

NORTH CAROLINA LEAGUE, OF
CONSERVATION VOTERS, INC., *et al.*,
Plaintiffs

and

COMMON CAUSE,
Plaintiff-Intervenor,

v.

REPRESENTATIVE DESTIN HALL, in
his official capacity as Chair of the House
Standing Committee on Redistricting, *et
al.*,
Defendants.

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STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 21 CVS 500085

REBECCA HARPER, *et al.*,
Plaintiffs

v.

REPRESENTATIVE DESTIN HALL, in
his official capacity as Chair of the House
Standing Committee on Redistricting, *et
al.*,
Defendants.

ORDER ON STATE BOARD'S MOTION TO STAY CANDIDATE CHALLENGES

THIS MATTER came before the undersigned three-judge panel on the State Board's Motion to Stay Candidate Challenges, filed January 11, 2022.

In this litigation, Plaintiffs seek a declaration that the North Carolina Congressional, North Carolina Senate, and North Carolina House of Representatives districts established

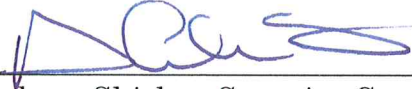
by an act of the General Assembly in 2021, N.C. Sess. Laws 2021-174 (Senate Bill 750), 2021-173 (Senate Bill 739), and 2021-175 (House Bill 976), violate the rights of Plaintiffs under the North Carolina Constitution. Plaintiffs seek to enjoin the future use of the 2021 congressional and state legislative districts.

As evident from past redistricting litigation, this Court's final judgment is likely to undergo an appeals process and, if Plaintiffs are successful on appeal, a remedial process while replacement maps are enacted. As indicated by the North Carolina State Board of Elections, challenges to candidacies for elective office have been filed, and more may be filed during this intervening time period. If a stay of the proceedings on candidate challenges is not granted, the State Board will need to appoint a panel, pursuant to N.C.G.S. §§ 163-127.3 and -127.4, by the end of business on January 12, 2022. The panel will then need to render a written decision by February 9, 2022.

However, because these challenges will relate to candidates within districts that are at issue in this litigation, it is possible that the State Board will have to duplicate this process if the challenged maps are ultimately enjoined and replaced with remedial maps. The members of the elections board panel may no longer be eligible based on a different configuration of counties in each district and a candidate may no longer be eligible to run in that district.

As such, pursuant to the December 8, 2021, Order of the Supreme Court of North Carolina authorizing this court to issue any orders necessary to accomplish the changes in the election schedule resulting from the granted Preliminary Injunction, and for good cause shown, the State Board's Motion to Stay Candidate Challenges is hereby GRANTED; candidate challenges against candidates for the U.S. House and the North Carolina House and Senate are stayed until a final resolution of the present litigation.

SO ORDERED, this the 11th day of January, 2022.



A. Graham Shirley, Superior Court Judge

/s/ Nathaniel J. Poovey

Nathaniel J. Poovey, Superior Court Judge

/s/ Dawn M. Layton

Dawn M. Layton, Superior Court Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on the persons indicated below via e-mail transmission addressed as follows:

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Service is made upon local counsel for all attorneys who have been granted pro hac vice admission, with the same effect as if personally made on a foreign attorney within this state.

This the 11th day of January, 2022.

/s/ Kellie Z. Myers
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Trial Court Administrator
10th Judicial District
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