

North Carolina Court of Appeals

Docket Sheet

N. Carolina League of Conservation Voters, Inc. v. Rep. Destin Hall

Case Number:

P21-525

As of:

10/29/2024

Case Closed:

Yes

Close Date:

Case Type:

Civil (Civil_othr)

Mediation:

No

NORTH CAROLINA LEAGUE OF CONSERVATION VOTERS, INC.; HENRY M. MICHAUX, JR.; DANDRIELLE LEWIS; TIMOTHY CHARTIER; TALIA FERNÁNDEZ; KATHERINE NEWHALL; R. JASON PARSLEY; EDNA SCOTT; ROBERTA SCOTT; YVETTE ROBERTS; JEREANN KING JOHNSON; REVEREND REGINALD WELLS; YARBROUGH WILLIAMS, JR.; REVEREND DELORIS L. JERMAN; VIOLA RYALS FIGUEROA; AND COSMOS GEORGE,

PLAINTIFFS,

v.

REPRESENTATIVE DESTIN HALL, IN HIS OFFICIAL CAPACITY AS CHAIR OF THE HOUSE STANDING COMMITTEE ON REDISTRICTING; SENATOR WARREN DANIEL, IN HIS CAPACITY AS CO-CHAIR OF THE SENATE STANDING COMMITTEE ON REDISTRICTING AND ELECTIONS; SENATOR RALPH E. HISE, JR., IN HIS OFFICIAL CAPACITY AS CO-CHAIR OF THE SENATE STANDING COMMITTEE ON REDISTRICTING AND ELECTIONS; SENATOR PAUL NEWTON, IN HIS OFFICIAL CAPACITY AS CO-CHAIR OF THE SENATE STANDING COMMITTEE ON REDISTRICTING AND ELECTIONS; REPRESENTATIVE TIMOTHY K. MOORE, IN HIS OFFICIAL CAPACITY AS SPEAKER OF REPRESENTATIVES; SENATOR PHILIP E. BERGER, IN HIS OFFICIAL CAPACITY AS PRESIDENT PRO TEMPORE OF THE NORTH CAROLINA SENATE; THE STATE OF NORTH CAROLINA; THE NORTH CAROLINA STATE BOARD OF ELECTIONS; DAMON CIRCOSTA, IN HIS OFFICIAL CAPACITY AS CHAIRMAN OF THE NORTH CAROLINA STATE BOARD OF ELECTIONS; STELLA ANDERSON, IN HER OFFICIAL CAPACITY AS SECRETARY OF THE NORTH CAROLINA STATE BOARD OF ELECTIONS; JEFF CARMON III, IN HIS OFFICIAL CAPACITY AS MEMBER OF THE NORTH CAROLINA STATE BOARD OF ELECTIONS; STACY EGGERS IV, IN HIS OFFICIAL CAPACITY AS MEMBER OF THE NORTH CAROLINA STATE BOARD OF ELECTIONS; TOMMY TUCKER, IN HIS OFFICIAL CAPACITY AS MEMBER OF THE NORTH CAROLINA STATE BOARD OF ELECTIONS; and KAREN BRINSON BELL, IN HER OFFICIAL CAPACITY AS EXECUTIVE DIRECTOR OF THE NORTH CAROLINA STATE BOARD OF ELECTIONS,

DEFENDANTS.

Docket Date:		File Date:		File Time:		Acqired Date:	12-06-2021		
Bond Collected:	No	Docket Fee:	No	Pauper:	No	Print Deposit:	No	State Appeals:	No

History

Venue:	Wake (10)	Heard In:	Superior Court
To SC:		From SC:	

Lower Court Number(s)

Location: Wake (10)
Judge:
Case #: 21CVS015426

Tracking/Argue

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) PWS	12-06-2021	12-06-2021			12-06-2021			
(2) M-TEMP-STAY	12-06-2021	12-06-2021					Special Order	12-06-2021
(3) M-EN-BANC-HEARING	12-06-2021	12-06-2021					Special Order	12-06-2021

1 - PWS
Filed: 12-06-2021 @ 08:33:07
FOR: Petitioner-Appellant North Carolina League of Conservation Voters, Inc.
BY : Mr. Stephen D. Feldman
ROBINSON, BRADSHAW & HINSON, P.A.

RESPONSE TO PWS
Filed: 12-06-2021
BY : Mr. Phillip J. Strach
NELSON MULLINS RILEY & SCABOROUGH LLP

2 - M-TEMP-STAY (Special Order) - 12-06-2021
Filed: 12-06-2021 @ 08:44:09
FOR: Petitioner-Appellant North Carolina League of Conservation Voters, Inc.
BY : Mr. Stephen D. Feldman
ROBINSON, BRADSHAW & HINSON, P.A.

The following order was entered:

The motion for temporary stay filed by Plaintiffs on 6 December 2021 is allowed in part to enjoin Defendants from opening of the candidate-filing period for the 2022 primary elections for Congress, the North Carolina Senate, and the North Carolina House of Representatives pending this Court's ruling on Plaintiffs' 'Petition for Writ of Supersedeas or Prohibition.' The period for Defendants to respond to Plaintiffs' petition shall close at 12:00 p.m. on 9 December 2021. A ruling on the petition will be made upon Defendants' filing of their responses or the expiration of the response period if no response is filed.

By order of the Court this the 6th of December 2021.

3 - M-EN-BANC-HEARING (Special Order) - 12-06-2021

Filed: 12-06-2021 @ 14:39:24

FOR: Appellee Representative Destin Hall (Chair of the House standing Committee on Redistricting), et al

BY : Mr. Phillip J. Strach

NELSON MULLINS RILEY & SCARBOROUGH, LLP

The following order was entered:

IT IS HEREBY ORDERED, upon a vote of the majority of judges of the Court, that the Court will rehear the above-captioned cause en banc. The panel's order dated 6 December 2021 issuing a temporary stay is vacated and the Plaintiffs' motion for temporary stay is denied. The en banc Court shall promptly rule on the pending Petition for Writ of Supersedeas or Prohibition.

By order of the Court this the 6th of December 2021.

Financial Information

Receipts

Date Charged	Charge Type	Amount	Amount Paid	Document	Pages	Receipt #	Date Paid
02-03-2022	Pre Docket Fees	20.00	10.00			R022004222	02-03-2022
Invoice : V022004922							
02-03-2022	Balance	10.00	10.00			R022010622	02-14-2022
Invoice : V022005022							
02-03-2022	Pre Docket Fees	10.00	10.00			R022009222	02-14-2022
Invoice : V022005122							

Exhibits

Parties

Party Name	Role
North Carolina League of Conservation Voters, Inc.	Petitioner-Appellant
Michaux, Henry M. (Jr.)	Petitioner-Appellant
Lewis, Dandrielle	Petitioner-Appellant
Chartier, Timothy	Petitioner-Appellant
Fernos, Talia	Petitioner-Appellant
Newhall, Katherine	Petitioner-Appellant
Parsley, R. Jason	Petitioner-Appellant
Scott, Edna	Petitioner-Appellant
Scott, Roberta	Petitioner-Appellant
Roberts, Yvette	Petitioner-Appellant
Johnson, Jereann King	Petitioner-Appellant
Wells, Reginald (Reverend)	Petitioner-Appellant

Williams, Yarbrough (Jr.)	Petitioner-Appellant
Jerman, Deloris (Reverend)	Petitioner-Appellant
Figueroa, Viola Ryals	Petitioner-Appellant
George, Cosmos	Petitioner-Appellant
Senator Warren Daniel (In his official capacity)	Respondent-Appellee
Senator Ralph E. Hise (in his official capacity)	Respondent-Appellee
Senator Paul Newton (in his official capacity)	Respondent-Appellee
Representative Timothy K. Moore (in his official capacity)	Respondent-Appellee
Senator Philip E. Berger (in his official capacity)	Respondent-Appellee
State of North Carolina	Respondent-Appellee
The State of North Carolina Board of Elections	Respondent-Appellee
Circosta, Damon (as Chairman of State Board of Elections)	Respondent-Appellee
Anderson, Stella (as Secretary of State Board of Elections)	Respondent-Appellee
Carmon, Jeff (III) Member of NC State BOE	Respondent-Appellee
Eggers, Stacy (IV) Member of the NC State BOE	Respondent-Appellee
Tucker, Tommy (Member of the NC State BOE)	Respondent-Appellee
Brinson, Karen (in her official capacity as Executive Director of the NC State BOE)	Respondent-Appellee
Representative Destin Hall (Chair of the House standing Committee on Redistricting)	Respondent-Appellee

Attorneys

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