

North Carolina Court of Appeals

Docket Sheet

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

Case Number:

P21-525

As of:

01/29/2022

Case Closed:

No

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: Acquired 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 Courts
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						
(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 & SCABOROUGH 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 Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
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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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