



North Carolina Court of Appeals

DANIEL M. HORNE JR., Clerk

Court of Appeals Building
One West Morgan Street
Raleigh, NC 27601
(919) 831-3600

From Wake
(20CVS8881)

Fax: (919) 831-3615
Web: <https://www.nccourts.gov>

Mailing Address:
P. O. Box 2779
Raleigh, NC 27602

No. 21-32

NORTH CAROLINA ALLIANCE FOR
RETIRED AMERICANS; BARKER
FOWLER; BECKY JOHNSON; JADE
JUREK; ROSALYN KOCIEMBA; TOM
KOCIEMBA; SANDRA MALONE;
and CAREN RABINOWITZ,
Plaintiffs,

v.

THE NORTH CAROLINA STATE
BOARD OF ELECTIONS; and
DAMON CIRCOSTA, Chair of
the North Carolina State
Board of Elections,
Defendants,

v.

PHILIP E. BERGER in his official
capacity as President Pro Tempore
of the North Carolina Senate; and
TIMOTHY K. MOORE in his official
capacity as Speaker of the North
Carolina House of Representatives,
Intervenor-Defendants,
and

REPUBLICAN NATIONAL COMMITTEE;
NATIONAL REPUBLICAN SENATORIAL
COMMITTEE; NATIONAL REPUBLICAN
CONGRESSIONAL COMMITTEE; DONALD J.
TRUMP FOR PRESIDENT, INC.; and
NORTH CAROLINA REPUBLICAN PARTY,
Republican Committee
Intervenor-Defendants.

ORDER

The following order was entered:

The motion filed in this cause on the 15th of January 2021 and designated 'Motion to Dismiss and Vacate' is decided as follows: Motion to dismiss is allowed. Motion to vacate is denied. Appeal dismissed. Appellants to pay costs.

And it is considered and adjudged further, that the Appellants, Philip E. Berger (Official Capacity) and Timothy K. Moore (Official Capacity), do pay the costs of the appeal in this Court incurred, to wit, the sum of Nineteen Dollars and 00/100 (\$19.00), and execution issue therefor.

By order of the Court this the 20th of January 2021.

WITNESS my hand and official seal this the 20th day of January 2021.



Daniel M. Horne Jr.
Clerk, North Carolina Court of Appeals

Copy to:

Mr. Nathan A. Huff, Attorney at Law, For Berger, Philip E. (Official Capacity), et al
Ms. Nicole J. Moss, Attorney at Law, For Berger, Philip E. (Official Capacity), et al
Mr. David Thompson, Attorney at Law
Mr. Peter Patterson, Attorney at Law
Mr. Marc E. Elias, Attorney at Law, For North Carolina Alliance for Retired Americans, et al
Mr. Uzoma N. Nkwonta, Attorney at Law
Ms. Lalitha D Madduri, Attorney at Law
Ms. Jyoti Jasrasaria, Attorney at Law
Ms. Ariel B. Glickman, Attorney at Law, For North Carolina Alliance for Retired Americans, et al
Ms. Molly Mitchell, Attorney at Law, For North Carolina Alliance for Retired Americans, et al
Mr. Burton Craige, Attorney at Law, For North Carolina Alliance for Retired Americans, et al
Mr. Alexander McC. Peters, Chief Deputy Attorney General, For The North Carolina State Board of Elections, et al
Mr. Terence Steed, Assistant Attorney General
Mr. Narendra K. Ghosh, Attorney at Law
Mr. Paul E. Smith, Attorney at Law
Hon. Frank Blair Williams, Clerk of Superior Court

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