

S. Ct. Case No. \_\_\_\_\_

11<sup>th</sup> Cir. Case No. 20-14418  
N.D. Ga. Case No. 20-cv-04651-SDG

---

**IN THE  
SUPREME COURT OF THE UNITED STATES**

---

**L. LIN WOOD, JR.**

Petitioner,

vs.

**BRAD RAFFENSPERGER, et al.,**

Respondents.

---

**MOTION FOR EXPEDITED CONSIDERATION OF  
THE PETITION FOR WRIT OF CERTIORARI**

---

Petitioner L. LIN WOOD, JR., pursuant to Supreme Court Rule 21, moves to expedite consideration of the petition for writ of certiorari, filed today, from the order denying emergency relief in the United States Court of Appeals for the Eleventh Circuit. Expedited consideration of the petition for writ of certiorari is warranted to remedy the ongoing constitutional violations addressed in the petition, before the December 14, 2020 “safe harbor” date under GA Code § 21-2-499 (2019) of Georgia certifying its Presidential electors, and importantly, before the January 5, 2021 Senatorial run-off election.

1. The questions presented are of overwhelming importance to the voters in the State of Georgia, as well as for all the States and voters across the country, because numerous courts are addressing election law provisions in an inconsistent manner, that conflict with voter rights and decisions of this Court.

2. Additionally, expedited consideration is warranted because of the imminence of the run-off election, which is scheduled to take place on January 5, 2021, in which millions of Georgians will cast their votes for two Senate seats.

3. Petitioner respectfully requests that the Court expedite review to decide this case on the merits as soon as possible before the Senatorial run-off election date - on January 5, 2021.

4. In the alternative, Petitioner would request this Court treat the briefing on the petition as merits briefs and decide the case without oral argument. *Cf. Purcell v. Gonzalez*, 549 U.S. 1 (2006).

5. In the event the Court believes that merits briefing and oral argument would aid its resolution of the issues presented, Petitioner requests that the Court set an expedited schedule for such briefing and argument.

6. The Eleventh Circuit's decision gave insufficient regard to the Secretary of State's unlawful and unconstitutional usurpation of the Georgia Legislature's plenary authority to prescribe "[t]he Times, Places, and Manner" for the conduct of presidential and congressional elections. See Art. I, § 4, cl. 1; *Bush v. Palm Beach Cnty. Canvassing Bd.*, 531 U.S. 70, 77 (2000) (per curiam). That court incorrectly rejected Petitioner's constitutional challenge to the unlawful election

procedure, which diluted his vote and violated his rights to equal protection under the U.S. Constitution.

7. The Eleventh Circuit's decision affirming the denial of emergency relief has now sanctioned the Secretary of State's fundamentally and irredeemably flawed procedures concerning the "manner" for the conduct of the presidential and senatorial (federal) elections, in violation of constitutional mandates, which only underscores its error. See *Bush v. Gore*, 531 U.S. 98 (2000).

8. This Court, however, in its discretion, can review the judgment below and enter an appropriate remedy. But only if it does so on an expedited basis. The ordinary briefing schedules prescribed by Rules 15 and 25 of this Court would not allow the case to be considered and decided before the results of the general election must be finalized. The Electoral College "Safe Harbor" deadline for resolving contested elections, and the electors of President and Vice President of each State shall meet and give their votes on December 14, 2020. Congress must count the electoral votes and an official declare a winner on January 6, 2021, and the Inauguration Day for the President and Vice President commences at noon on January 20, 2021, only 45 days from now, see U.S. Const. amend. XX. All of these deadlines would expire before the completion of briefing, argument, and a decision on the merits under the Court's default rules. *See* U.S. Sup. Ct. R. 15, 25.

9. Unless this Court grants expedited consideration and relief, requiring that the constitutional deficiencies be remedied almost immediately, it will be impossible to repair the election results tainted by illegally cast ballots before

Ignorance Day. Thus, without expedited review, Petitioner's appellate rights - and this Court's power to resolve the important constitutional questions presented by this election - will be irrevocably lost. *Cf. Chafin v. Chafin*, 568 U.S. 165, 178 (2013). In other words, expedited review is, as a practical matter, the only way to protect this Court's ability to conduct a plenary review of the Eleventh Circuit's rulings concerning the 2020 Presidential election.<sup>1</sup>

For all of these reasons, Petitioner respectfully requests that the Court grant expedited review of the petition for certiorari and of the merits of this case. Such expedited review would allow an orderly and timely resolution of the important questions presented under the U.S. Constitution and federal law. Therefore, the Court should order an appropriate expedited briefing scheduling and consideration of this matter.

L. Lin Wood, Esq.  
GA Bar No. 774588  
L. LIN WOOD, P.C.  
P.O. BOX 52584  
Atlanta, GA 30305-0584  
(404) 891-1402  
lwood@linwoodlaw.com

---

<sup>1</sup> This does not mean, however, that if the Court denies this Motion to Expedite the case becomes moot. The issues presented in this appeal are capable of repetition yet evading review. *See FEC v. Wis. Right to Life, Inc.*, 551 U.S. 449, 462 (2007).

/s/ Harry W. MacDougald  
Harry W. MacDougald  
Georgia Bar No. 463076  
Caldwell, Propst & Deloach, LLP  
Two Ravinia Drive, Suite 1600  
Atlanta, GA 30346  
(404) 843-1956 Office  
(404) 843-2737 Fax

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been electronically filed with this Court via CM/ECF and was furnished to all counsel on the attached service list by e-mail on December 7<sup>th</sup>, 2020:

**SERVICE LIST**

CHRISTOPHER M. CARR  
Deputy Attorney General  
BRYAN K. WEBB  
Deputy Attorney General  
Russell D. Willard  
Senior Assistant Attorney General  
Charlene S. McGowan  
Assistant Attorney General  
40 Capitol Square SW  
Atlanta, GA 30334  
[cmcgowan@law.ga.gov](mailto:cmcgowan@law.ga.gov)  
404-458-3658 (tel)  
*Attorneys for State Defendants*

Adam M. Sparks  
Halsey G. Knapp, Jr.  
Joyce Gist Lewis  
Susan P. Coppedge  
Adam M. Sparks  
KREVOLIN AND HORST, LLC

One Atlantic Center  
1201 W. Peachtree Street, NW, Ste. 3250  
Atlanta, GA 30309  
Telephone: (404) 888-9700  
Facsimile: (404) 888-9577  
[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)  
[jlewis@khlawfirm.com](mailto:jlewis@khlawfirm.com)  
[coppedge@khlawfirm.com](mailto:coppedge@khlawfirm.com)  
[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)

Marc E. Elias\*  
Amanda R. Callais\*  
Alexi M. Velez\*  
Emily R. Brailey\*  
PERKINS COIE LLP  
700 Thirteenth Street NW, Suite 800  
Washington, DC 20005  
Telephone: (202) 654-6200  
[melias@perkinscoie.com](mailto:melias@perkinscoie.com)  
[acallais@perkinscoie.com](mailto:acallais@perkinscoie.com)  
[avelez@perkinscoie.com](mailto:avelez@perkinscoie.com)  
[ebrailey@perkinscoie.com](mailto:ebrailey@perkinscoie.com)

Kevin J. Hamilton\*  
Amanda J. Beane\*  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4900  
Seattle, Washington 98101  
Telephone: (206) 359-8000  
[khamilton@perkinscoie.com](mailto:khamilton@perkinscoie.com)  
[abeane@perkinscoie.com](mailto:abeane@perkinscoie.com)

Gillian C. Kuhlmann\*  
PERKINS COIE LLP  
1888 Century Park East, Suite 1700  
Los Angeles, California 90067  
Telephone: (310) 788-3900  
[gkuhlmann@perkinscoie.com](mailto:gkuhlmann@perkinscoie.com)

Matthew J. Mertens\*  
Georgia Bar No: 870320  
PERKINS COIE LLP  
1120 NW Couch Street, 10th Floor  
Portland, Oregon 97209

Telephone: (503) 727-2000

*\*Pro Hac Vice Application Pending*

*Counsel for Intervenor-Defendants, Democratic Party of Georgia (“DPG”), DSCC, and DCCC (“Political Party Committees”)*

Bryan L. Sells  
Law Office of Bryan L. Sells, LLC  
P.O. Box 5493  
Atlanta, GA 31107-0493  
(404) 480-4212 (voice/fax)  
[bryan@bryansellsllaw.com](mailto:bryan@bryansellsllaw.com)

John Powers\*  
[jpowers@lawyerscommittee.org](mailto:jpowers@lawyerscommittee.org)  
Kristen Clarke  
[kclarke@lawyerscommittee.org](mailto:kclarke@lawyerscommittee.org)  
Jon M. Greenbaum\*  
[jgreenbaum@lawyerscommittee.org](mailto:jgreenbaum@lawyerscommittee.org)

Ezra D. Rosenberg\*  
[erosenberg@lawyerscommittee.org](mailto:erosenberg@lawyerscommittee.org)  
Julie M. Houk\*

[jhouk@lawyerscommittee.org](mailto:jhouk@lawyerscommittee.org)  
LAWYERS’ COMMITTEE FOR CIVIL RIGHTS UNDER LAW  
1500 K Street NW, Suite 900  
Washington, DC 20005  
Telephone: (202) 662-8300

Susan Baker Manning^  
Jeremy P. Blumenfeld^  
Catherine North Hounfodji^  
MORGAN, LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
Telephone: +1.202.739.3000  
Facsimile: +1.202.739.3001  
[susan.manning@morganlewis.com](mailto:susan.manning@morganlewis.com)  
[jeremy.blumenfeld@morganlewis.com](mailto:jeremy.blumenfeld@morganlewis.com)  
[catherine.hounfodji@morganlewis.com](mailto:catherine.hounfodji@morganlewis.com)  
[william.childress@morganlewis.com](mailto:william.childress@morganlewis.com)  
[chris.miller@morganlewis.com](mailto:chris.miller@morganlewis.com)  
[benjamin.hand@morganlewis.com](mailto:benjamin.hand@morganlewis.com)

*\* admitted pro hac vice*

*^ Pro hac vice admission pending*

*Counsel for Proposed Intervenors James Woodhall, Helen Butler, Melvin Ivey,  
Members of the Proposed Intervenors the Georgia State Conference of the NAACP,  
and the Georgia Coalition for the People's Agenda*

RETRIEVED FROM DEMOCRACYDOCKET.COM