

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FIFTH DIVISION**

**THE LEAGUE OF WOMEN VOTERS
OF ARKANSAS and ARKANSAS UNITED**

PLAINTIFFS

v. **CASE NO. 60CV-21-3138**

**JOHN THURSTON, in his official capacity
As the Secretary of State of Arkansas;
And SHARON BROOKS, BILENDA
HARRIS-RITTER, WILLIAM LUTHER,
CHARLES ROBERTS, JAMES SHARP, and
J. HARMON SMITH, in their official capacities
As members of the Arkansas State Board of
Election Commissioners,**

DEFENDANTS

DEFENDANTS' MOTION TO STAY

COME NOW Defendants John Thurston, in his Official Capacity as the Secretary of State of Arkansas; and Sharon Brooks, Bilenda Harris-Ritter, William Luther, Charles Roberts, James Sharp, and J. Harmon Smith, in their Official Capacities as Members of the Arkansas State Board of Election Commissioners, by and through their attorneys, Attorney General Leslie Rutledge, Assistant Attorney General Kesia Morrison, Assistant Attorney General Brittany Edwards, and Assistant Attorney General Trey Cooper, and for their Motion to Stay, state:

1. On March 24, 2022, the Court entered orders declaring Acts 736, 973, 249, and 728 of the 93rd General Assembly unconstitutional. The Court enjoined enforcement of these acts.

2. Defendants have filed their notice of appeal of these orders. When an appeal is taken by the State of Arkansas or an officer of a state agency, no bond or other security shall be required. Ark. R. Civ. P. 62(d) & (e).

3. Defendants request a stay of the judgement of this Court, including the orders, entered on March 24, 2022, enjoining enforcement of the Acts the Court declared unconstitutional. Defendants seek appellate review of the orders entered by this court because several important legal issues are implicated here. A stay is appropriate and necessary in order avoid confusion for election officials and voters, and to preserve the status quo pending the outcome of the appeal.

WHEREFORE, Defendants pray this Court will enter an order staying its March 24, 2022, orders, including the permanent injunction, without bond, and for all other relief to which they may be entitled.

Respectfully submitted,

LESLIE RUTLEDGE
Attorney General

By: /s/ Kesia Morrison

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Counsel for Defendants

CERTIFICATE OF SERVICE

I, Kesia Morrison, hereby certify that on March 24, 2022, I electronically filed the foregoing with the Clerk of the Court using the eFlex system and parties will be notice electronically.

/s/ Kesia Morrison
Kesia Morrison

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