

NORTH CAROLINA COURT OF APPEALS

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COMMUNITY SUCCESS )  
INITIATIVE, ET AL., )

*Plaintiff-Appellees,* )

v. )

TIMOTHY K. MOORE, IN HIS )  
OFFICIAL CAPACITY AS )  
SPEAKER OF THE NORTH )  
CAROLINA HOUSE OF )  
REPRESENTATIVES, ET AL., )

*Defendant-Appellants,* )

From Wake County  
No. 19 CVS 15941

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**JOINT MOTION TO HOLD BRIEFING DEADLINES  
IN ABEYANCE**

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NOW COME Defendants Timothy K. Moore, in his official capacity as Speaker of the North Carolina House of Representatives, and Philip E. Berger, in his official capacity as President Pro Tempore of the North Carolina Senate (“Legislative Defendants”), and respectfully move the Court to hold in abeyance the briefing deadlines for this appeal. In support, Legislative Defendants state as follows:

1. This is an appeal from a preliminary injunction that the Wake County Superior Court entered on August 27, 2021, which had ordered Defendants to allow all convicted felons under community supervision to register and vote despite the restrictions of N.C.G.S. § 13-1.

2. Since that time, the parties have submitted proposed findings of fact and conclusions of law to the Superior Court, which held trial on the constitutionality of § 13-1 from August 16 to August 19, 2021, and which is due to render final judgment on that question.

3. This Court accepted the settled record on appeal and deemed it timely filed on February 16, 2022. Under Appellate Rule 13(a)(1), Appellants' principal briefs are due on March 18, 2022.

4. The Superior Court's final judgment, which could issue at any time, will likely moot or at least alter the issues in this appeal. Legislative Defendants therefore respectfully request that the Court hold the briefing deadlines for this appeal in abeyance.

5. State Defendants join this Motion. Plaintiffs consent to the requested abeyance.

Respectfully submitted this 9th day of March, 2022.

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By: /s/ Electronically Submitted

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OF JUSTICE

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N.C. R. App. P. 33(b) Certification:  
I certify that all of the attorneys  
listed below have authorized me to  
list their names on this document  
as if they had personally signed it.

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House of Representatives, and  
PHILIP E. BERGER, in his official  
capacity as President Pro Tempore  
of the North Carolina Senate*

**CERTIFICATE OF SERVICE**

I do hereby certify that I have on this 9th day of March, 2022, served a copy of the foregoing Motion with the Clerk of the North Carolina Court of Appeals and will send notification of such filing by electronic mail on the following parties at the following addresses:

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