

SUPREME COURT OF NORTH CAROLINA

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JABARI HOLMES, FRED CULP,  
DANIEL E. SMITH, BRENDON  
JADEN PEAY, and PAUL  
KEARNEY, SR.

From N.C. Court of Appeals  
19-762 22-16

From Wake  
18CVS15292

v.

TIMOTHY K. MOORE, in his  
official capacity as Speaker of the  
North Carolina House of  
Representatives; PHILIP E.  
BERGER, in his official capacity  
as President Pro Tempore of the  
North Carolina Senate; DAVID  
R. LEWIS, in his official capacity  
as Chairman of the House Select  
Committee on Elections for the  
2018 Third Extra Session;  
RALPH E. HISE, in his official  
capacity as Chairman of the  
Senate Select Committee on  
Elections for the 2018 Third  
Extra Session; THE STATE OF  
NORTH CAROLINA; and THE  
NORTH CAROLINA STATE  
BOARD OF ELECTIONS

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ORDER

On 14 January 2022, plaintiffs filed a Petition for Discretionary Review Prior to Determination by the Court of Appeals. This Court issued an order allowing the petition on 3 March 2022. On 11 July 2022, plaintiffs filed a Motion for Expedited Hearing and Consideration and legislative defendants filed a response.

HOLMES, ET AL. V. MOORE, ET AL.

No. 342PA19-2

*Order of the Court*

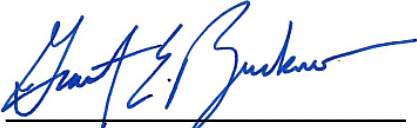
In light of the great public interest in the subject matter of this case, the importance of the issues to the constitutional jurisprudence of this State, and the need to reach a final resolution on the merits at the earliest possible opportunity, plaintiffs' Motion for Expedited Hearing and Consideration is allowed as follows: This case shall be scheduled for oral argument as soon as practicable, on a date to be determined during arguments scheduled the week of 3 October 2022, or by special setting no later than 18 October 2022.

By order of the Court in Conference, this the 9<sup>th</sup> day of September 2022.

/s/ Hudson, J.  
For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 9<sup>th</sup> day of September 2022.



  
\_\_\_\_\_  
Grant E. Buckner  
Clerk of the Supreme Court

Copy to:

North Carolina Court of Appeals

Ms. Allison J. Riggs, Attorney at Law, For Holmes, Jabari, et al - (By Email)

Mr. Jeffrey Loperfido, Attorney at Law, For Holmes, Jabari, et al - (By Email)

Mr. Nathan A. Huff, Attorney at Law, For Moore, Timothy K. (Official Capacity), et al - (By Email)

Ms. Nicole J. Moss, Attorney at Law, For Moore, Timothy K. (Official Capacity), et al - (By Email)

Mr. Terence Steed, Assistant Attorney General, For State of North Carolina, et al - (By Email)

Ms. Laura H. McHenry, Special Deputy Attorney General, For State of North Carolina, et al - (By Email)

Ms. Mary Carla Babb, Special Deputy Attorney General, For State of North Carolina, et al - (By Email)

Ms. Hilary H. Klein, Attorney at Law, For Holmes, Jabari, et al - (By Email)

Mr. Matthew Nis Leerberg, Attorney at Law, For Professor Justin Grimmer - (By Email)

HOLMES, ET AL. V. MOORE, ET AL.

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*Order of the Court*

Mr. David Thompson, Attorney at Law, For Moore, Timothy K. (Official Capacity), et al - (By Email)  
Mr. Peter Patterson, Attorney at Law, For Moore, Timothy K. (Official Capacity), et al - (By Email)  
Mr. Joseph O. Masterman, Attorney at Law, For Moore, Timothy K. (Official Capacity), et al - (By Email)  
Mr. Nicholas Varone, Attorney at Law, For Moore, Timothy K. (Official Capacity), et al - (By Email)  
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No. 342PA19-2 – Holmes, et al. v. Moore, et al.

Chief Justice NEWBY dissenting.

Once more, the majority expedites the hearing of a case where no jurisprudential reason supports doing so. *See Harper v. Hall*, 874 S.E.2d 902 (N.C. 2022) (mem.) (Barringer, J., dissenting) (order granting motion for expedited hearing). Given the impending November elections, expedited hearing in October on this voter ID matter will likely cause voter confusion, *see Purcell v. Gonzalez*, 549 U.S. 1, 4–5 (2006), especially when this Court recently entered a decision in another case involving voter ID, *N.C. NAACP v. Moore, et al.*, 2022-NCSC-99. Additionally, the trial court’s permanent injunction in favor of plaintiffs remains intact. Expedited consideration, therefore, will not provide plaintiffs any new relief that they do not already enjoy. Accordingly, nothing suggests that expedited hearing is necessary “[t]o prevent manifest injustice” or to protect “the public interest.” N.C. R. App. P. 2.

Justices BERGER and BARRINGER join in this dissent.