

SUPREME COURT OF NORTH CAROLINA

NORTH CAROLINA LEAGUE OF
CONSERVATION VOTERS, INC. et
al.,

REBECCA HARPER, et al.,

COMMON CAUSE,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in
his official capacity as Chair of the
House Standing Committee on
Redistricting, et al.

Defendants.

From Wake County

No. 21 CVS 015426

No. 21 CVS 500085

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STATE DEFENDANTS' RESPONSE

The State of North Carolina, the North Carolina State Board of Elections, its Members, and its Executive Director (“State Board” and collectively, the “State Defendants”) provide this response to the Court’s inquiry on July 6, 2022:

State Defendants continue to take no position with respect to the motion for expedited hearing and consideration filed by Plaintiff Common Cause.

Separate and apart from that motion, the Court has asked for the parties’ position on “what effect, if any, the grant of certiorari in *Moore v. Harper* (21-1271) has on the Supreme Court of North Carolina’s timetable for the hearing and consideration of *Harper, et al. v. Hall, et al.* (412PA21-1).” Email from Grant E. Buckner, Clerk of the North Carolina Supreme Court, to Counsel in *Harper v. Hall* (July 6, 2022).

State Defendants’ position is that the grant of certiorari in *Moore v. Harper* should not affect the timetable in this case. The cross-appeals in this case involve both the state legislative maps and the congressional maps. The U.S. Supreme Court’s resolution of *Moore v. Harper* will have no effect on this Court’s consideration of any issues related to the state legislative maps. For that reason, holding this case in abeyance pending U.S. Supreme Court review cannot obviate the need for this Court to act. Moreover, because the U.S. Supreme Court’s decision may not be handed down until June 2023, delaying consideration of this case until after *Moore v. Harper* is resolved

could risk disrupting the State Board's ability to administer the 2024 elections in compliance with the relevant deadlines. Candidate filing for the 2024 election is currently set to begin December 4, 2023, and the State Board will need to have finalized maps in advance of that date for filing to begin on time.

Respectfully submitted this 8th day of July, 2022.

N.C. DEPARTMENT OF JUSTICE

Electronically Submitted

Stephanie A. Brennan
Special Deputy Attorney General
State Bar No. 35955

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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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the foregoing document in the above titled action upon all parties to this cause by via email and addressed as follows:

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This the 8th day of July, 2022.

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