

UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT

Arkansas State Conference NAACP, et al.

Appellants

v.

No. 22-1395

Arkansas Board of Apportionment, et al.

Appellees

**UNOPPOSED MOTION FOR EXTENSION OF TIME**

Appellants respectfully ask the Court for an extension of seven days, until December 11, 2023, to file a rehearing petition in this case. In support of this request, Appellants state as follows:

1) This is an appeal concerning whether or not Section 2 of the Voting Rights Act of 1965 contains a private right of action. On November 20, 2023, a panel of the Court affirmed the lower court's judgment finding that Section 2 lacks a private right of action, and dismissed Appellants' suit with prejudice. This case presents a complex and hugely important issue about the future of the landmark Voting Rights Act of 1965.

2) Appellants intend to seek rehearing en banc from the panel's opinion. The rehearing petition will present substantial issues that implicate the standards set out in both Federal Rules of Appellate Procedure 35(b)(1)(A) and 35(b)(1)(B).

3) Counsel's personal circumstances, and the nature of the case, leave Counsel with insufficient time to complete the rehearing petition before the current deadline of December 4, 2023. The panel's decision came down days before the Thanksgiving holiday, when Counsel were traveling and when it was more difficult for Counsel to communicate with Appellants to discuss the possibility of petitioning for rehearing.

4) Appellants have consulted with Nicholas Bronni, counsel for Appellees, who has indicated that Appellees consent to the seven-day extension of time to file the rehearing petition requested by Appellants.

WHEREFORE, Appellants respectfully request that the Court extend the time for filing the rehearing petition by seven days, until December 11, 2023.

Dated: November 29, 2023

Respectfully submitted,

/s/ Sophia Lin Lakin

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## CERTIFICATE OF COMPLIANCE

This motion complies with the rules governing type-volume limitations in Fed. R. App. P. 27(d)(2)(A) because it contains 255 words, excluding portions exempted by Fed. R. App. P. 32(f).

This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in 14-point Century font—a proportionally spaced typeface—using Microsoft Word 365.

/s/ Sophia Lin Lakin

Sophia Lin Lakin

**CERTIFICATE OF SERVICE**

I hereby certify that on November 29, 2023, I filed the foregoing using this Court's CM/ECF system, which shall automatically serve notice on opposing counsel.

/s/ Sophia Lin Lakin

Sophia Lin Lakin

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