

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

No. 4:22-cv-213

Jackie Williams Simpson, *et al.*

Plaintiffs,

v.

John Thurston, *et al.*

Defendants

Before STRAS, Circuit Judge, MARSHALL and MOODY, District Judges.

Order

PER CURIAM.

After we dismissed the plaintiffs' case, the Supreme Court vacated the judgment and remanded for further consideration in light of *Alexander v. South Carolina State Conference of the NAACP*, 144 S. Ct. 1221 (2024). [Doc. 51.] We directed the parties to brief how to proceed from there. [Doc. 53.]

Having carefully reviewed *Alexander*, the parties' arguments, and the amended complaint, we have not changed our minds. Our previous orders identified the lack of allegations "strong enough to overcome the presumption of legislative good faith" and rule out "pure 'partisan gerrymandering'" as fatal flaws in the plaintiffs' claims. [Mem. Op. & Order 4 (quoting *Abbott v. Perez*, 585 U.S. 579,

610 (2018)).] They still are, as *Alexander* itself makes clear. *See Alexander*, 144 S. Ct. at 1233 (explaining that a redistricting challenge must rebut the “presumption that the legislature acted in good faith” and “disentangle race and politics”). We accordingly **DENY** the plaintiffs’ request for a status conference and **REINSTATE** the judgment of dismissal.

IT IS SO ORDERED this 11th day of September, 2024.

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