

No. 24-1095

In the
United States Court of Appeals for the Fourth Circuit

RODNEY D. PIERCE and MOSES MATTHEWS,

Plaintiff-Appellants,

v.

THE NORTH CAROLINA STATE BOARD OF ELECTIONS, et al.,

Defendant-Appellees.

On Appeal from the United States District Court
for the Eastern District of North Carolina, James E. Dever, III, District Judge
No. 4:23-cv-193-D-RN

**STATE BOARD DEFENDANTS' RESPONSE TO
PLAINTIFF-APPELLANTS' PETITION FOR
REHEARING EN BANC**

Terence Steed*

Mary Carla Babb*

Special Deputy Attorneys General

North Carolina Department of Justice

Post Office Box 629

Raleigh, North Carolina 27602

Telephone: (919) 716-6567

Facsimile: (919) 716-6763

**Counsel of Record for
Defendant-Appellees State Board Defendants*

Defendant-Appellees The North Carolina State Board of Elections, and Alan Hirsch, Jeff Carmon, Stacy Eggers, IV, Kevin N. Lewis, and Siobhan O'Duffy Millen, all in their official capacities (collectively "State Board Defendants"), respond to Plaintiff-Appellants' petition for rehearing en banc [Dock. 51] as follows:

State Board Defendants take no position on Plaintiff-Appellants' petition for rehearing en banc. Should the Court require any additional information regarding the election schedule, relevant deadlines, or other administrative considerations, State Board Defendants stand ready to provide that information upon request.

Respectfully submitted, this the 3rd day of May, 2024.

N.C. DEPARTMENT OF JUSTICE

/s/ Terence Steed

Terence Steed

Special Deputy Attorney General

N.C. State Bar No. 52809

Email: tsteed@ncdoj.gov

Mary Carla Babb

Special Deputy Attorney General

N.C. State Bar No. 25731

Email: mcbabb@ncdoj.gov

Post Office Box 629

Raleigh, NC 27602
Telephone: (919) 716-6567
Facsimile: (919) 716-6763

*Counsel of Record for
Defendant-Appellees
State Board Defendants*

RETRIEVED FROM DEMOCRACYDOCKET.COM

CERTIFICATE OF COMPLIANCE

I certify that this Notice complies with the length requirements of Fed. R. App. P. 27(d)(2)(A) because it contains 94 words. This response also complies with the typeface and type-style requirements of Fed. R. App. P. 32(a)(5) & (6) because it has been prepared in a proportionally spaced typeface: 14-point Constantia font.

Respectfully submitted, this the 3rd day of May, 2024.

/s/ Terence Steed
Terence Steed

RETRIEVED FROM DEMOCRACYDOCKET.COM