

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

NEW GEORGIA PROJECT and A.
PHILLIP RANDOLPH INSTITUTE,

Plaintiffs,

vs.

KAREN EVANS-DANIEL, ROBERT
ABBOTT, JOEL HAZARD, THOMAS
ELLINGTON, and MIKE KAPLAN,
in their official capacity as members of
the Macon-Bibb County Board of
Elections, *et al.*,

Defendants.

CIVIL ACTION FILE NO.
1:24-cv-03412-SDG

ANSWER AND RESPONSIVE PLEADINGS OF
THE MACON-BIBB COUNTY DEFENDANTS

COME NOW KAREN EVANS-DANIEL, ROBERT ABBOTT, JOEL
HAZARD, THOMAS ELLINGTON, AND MIKE KAPLAN, Members of the
Macon-Bibb County Board of Elections, in their official capacities (hereinafter
“Macon-Bibb Defendants”), and make and file their Answer and Responsive
Pleadings as follows:

AFFIRMATIVE DEFENSES

FIRST DEFENSE

The Macon-Bibb Defendants were not responsible for the drafting or
enactment of S.B. 189 and do not have discretion over whether to comply with

validly passed state election laws. The Macon-Bibb Defendants show that they will abide by any order of this Court regarding the constitutionality of S.B. 189 or injunctive relief granted as to the enforcement of its provisions and would have done so without being named as defendants in this litigation.

SECOND DEFENSE

Plaintiffs lack standing to bring all or a portion of their claims against the Macon-Bibb Defendants.

THIRD DEFENSE

Plaintiffs have failed to state a claim upon which relief may be granted against the Macon-Bibb Defendants.

FOURTH DEFENSE

Plaintiffs lack a clear legal right to the relief sought against the Macon-Bibb Defendants.

FIFTH DEFENSE

The Macon-Bibb Defendants' compliance with Georgia law is being carried out in good faith and without conscious, reckless, or negligent disregard for the rights of any voters.

SIXTH DEFENSE

The Macon-Bibb Defendants have not deprived Plaintiffs or voters of any rights, due process, or equal protections guaranteed by the Georgia Constitution or the United States Constitution.

SEVENTH DEFENSE

The Macon-Bibb Defendants are not capable of providing a remedy to Plaintiffs because their powers and duties do not include the ability to determine the voting laws or system of the State of Georgia.

ANSWER

The Macon-Bibb Defendants respond to the allegations set forth in the numbered paragraphs of Plaintiffs' Complaint as follows:

INTRODUCTION

1.

The Macon-Bibb Defendants do not take a position on the constitutionality of S.B. 189, but admit that they are required to, and do, follow Georgia law once properly enacted. The Macon-Bibb Defendants deny the remainder of the allegations set forth in Paragraph 1 of Plaintiffs' Complaint.

2.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 2 of Plaintiffs' Complaint.

3.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 3.

4.

The Macon-Bibb Defendants deny any implication that they are responsible for “unlawful” voter removals and admit that probable cause may be established pursuant to Section 5 of S.B. 189 if an elector obtains a homestead exemption in a different jurisdiction. The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 4.

5.

The Macon-Bibb Defendants admit that Section 4 of S.B. 189 provides that “[t]he mailing address for election purposes” of unhoused voters without a permanent address is “the registrar’s office of the county in which such person resides”. The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 5.

6.

The Macon-Bibb Defendants deny any implication that they are responsible for unlawful voter removals, but take no position on the constitutionality of S.B. 189. The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 6.

JURISDICTION AND VENUE

7.

The Macon-Bibb Defendants admit that this Court has subject matter jurisdiction over claims arising under 28 U.S.C. § 1331, 28 U.S.C. §§ 1343(a)(3)-(4) and 1357, and 42 U.S.C. §§ 1983 and 1988, but deny that any such claims were appropriately alleged against the Macon-Bibb Defendants and further deny that Plaintiffs have standing to bring any such claims against the Macon-Bibb Defendants.

8.

The Macon-Bibb Defendants admit that this Court has authority to issue declaratory and injunctive relief pursuant to 28 U.S.C. §§ 2201 and 2202, but deny that any such relief is appropriately sought against the Macon-Bibb Defendants and further deny that Plaintiffs have standing to seek any such relief against the Macon-Bibb Defendants.

9.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 9.

10.

The Macon-Bibb Defendants deny that Plaintiffs have standing to bring any of the claims raised against them, but are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations

set forth in Paragraph 10.

PARTIES

11.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 11.

12.

The Macon-Bibb Defendants deny any implication that they are responsible for removing eligible voters from the registration list, but are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 12.

13.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 13.

14.

The Macon-Bibb Defendants deny any implication that they are responsible for unlawfully removing eligible voters from the registration list, but are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 14.

15.

Upon information and belief, the Macon-Bibb Defendants admit that APRI maintains a chapter in Macon-Bibb County, but are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 15.

16.

The Macon-Bibb Defendants deny any implication that they are responsible for unlawful voter removals, but take no position on the constitutionality of S.B. 189 or O.C.G.A. § 21-2-230. The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 16.

17.

The Macon-Bibb Defendants take no position on the constitutionality of S.B. 189 or O.C.G.A. § 21-2-217 and are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 17.

18.

The Macon-Bibb Defendants deny any implication that they are responsible for unlawful voter removals, but take no position on the constitutionality of S.B. 189, O.C.G.A. § 21-2-230, or O.C.G.A. § 21-2-217. The Macon-Bibb Defendants are without sufficient knowledge or information to

form a belief as to the truth of the remainder of the allegations set forth in Paragraph 18.

Defendants

19.

The Macon-Bibb Defendants admit that Brad Raffensperger is the current officeholder for the Georgia Secretary of State, and further admit that Georgia law speaks for itself with respect to the authorities, duties, and obligations of the Georgia Secretary of State. The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 19.

20.

Upon information and belief, the Macon-Bibb Defendants admit that John Fervier, Sara Tindall Ghazal, Janice W. Johnston, Rick Jaffares, and Janelle King are current members of the Georgia State Election Board, and further admit that Georgia law speaks for itself with respect to the authorities, duties, and obligations of members of the Georgia State Election Board. The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 20.

21.

The Macon-Bibb Defendants are without sufficient knowledge or

information to form a belief as to the truth of the allegations set forth in Paragraph 21.

22.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 22.

23.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 23.

24.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 24.

25.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 25.

26.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 26.

27.

Upon information and belief, the Macon-Bibb Defendants admit the allegations set forth in Paragraph 27.

28.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 28.

FACTS AND BACKGROUND

Requirements of the NVRA

29.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 29, but deny any implication that the stated purposes of the NVRA were the only purposes of the NVRA. See 52 U.S.C. §§ 20501(b)(2)-(3).

30.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 30.

31.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 31.

32.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 32.

33.

The Macon-Bibb Defendants admit that section 8(c)(2)(A) of the NVRA provides that “[a] State shall complete, not later than 90 days prior to the date of a primary or general election for Federal Office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters”, but deny the remainder of the allegations set forth in Paragraph 33.

34.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 34.

35.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 35.

36.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 36.

37.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 37.

38.

Upon information and belief, the Macon-Bibb Defendants admit the allegations set forth in Paragraph 38.

39.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 39.

40.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 40.

41.

The Macon-Bibb Defendants admit that Section 230 grants individuals the ability to challenge a voter's right to vote, but are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 41.

42.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 42.

43.

The Macon-Bibb Defendants admit that, when probable cause is found in support of a challenge, the "registrars shall notify the poll officers of the challenged elector's precinct or, if the challenged elector voted by absentee

ballot, notify the poll officers at the absentee ballot precinct and, if practical, notify the challenged elector and afford such elector an opportunity to answer.” O.C.G.A. § 21-2-230(b). The Macon-Bibb Defendants deny the remainder of the allegations set forth in Paragraph 43.

44.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 44.

45.

Upon information and belief, the Macon-Bibb Defendants admit the allegations set forth in Paragraph 45.

Voter Registration of Unhoused Persons Before SB 189

46.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 46.

47.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 47.

48.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 48.

49.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 49.

50.

Upon information and belief, the Macon-Bibb Defendants admit the allegations set forth in Paragraph 50.

51.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 51.

52.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 52.

53.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 53.

54.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 54.

Georgia Enacts SB 189

55.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 55.

56.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 56.

57.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 57.

58.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 58.

59.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 59.

SB 189's Changes to Georgia's Voter Challenge Provisions

60.

Upon information and belief, the Macon-Bibb Defendants admit the allegations set forth in Paragraph 60.

61.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 61.

62.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 62.

63.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 63.

Voter Challenges in Georgia from 2022 to Present

64.

The Macon-Bibb Defendants deny any implication that they have improperly or unlawfully removed voters from the voter registration list, but are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 64.

65.

The Macon-Bibb Defendants are without sufficient knowledge or

information to form a belief as to the truth of the allegations set forth in Paragraph 65.

66.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 66.

67.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 67.

68.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 68.

69.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 69.

70.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 70.

71.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 71.

72.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 72.

73.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 73.

74.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 74.

75.

The Macon-Bibb Defendants admit that O.C.G.A. § 21-2-225.1 provides a mechanism for certain individuals who are victims of family violence or who reside in a domestic violence shelter to request to have their address kept confidential, but deny the remainder of the allegations set forth in Paragraph 75.

76.

Upon information and belief, the Macon-Bibb Defendants admit the allegations set forth in Paragraph 76.

SB 189's Changes to Voter Registration for Unhoused Individuals

77.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 77.

78.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 78.

79.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 79.

80.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 80.

81.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 81.

82.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 82.

CAUSES OF ACTION

83.

The Macon-Bibb Defendants deny that Plaintiffs have a cause of action against them under the NVRA, but admit that 52 U.S.C. § 20510(b)(1) contains the stated notice provision.

84.

The Macon-Bibb Defendants admit that they received the specified notice on or about July 8, 2024, but deny the remainder of the allegations set forth in Paragraph 84.

COUNT 1

Residency-Based Probable Cause Provisions of Section 230 Violate the
NVRA's Residency-Based Removal Process
(All Defendants)
52. U.S.C. § 20507(d)

85.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 85.

86.

The Macon-Bibb Defendants admit that S.B. 189 could situationally require them to make probable cause determinations on voter challenges based on allegations that the voter has moved from their address of registration, but deny the remainder of the allegations set forth in Paragraph 86.

87.

The Macon-Bibb Defendants admit that the NVRA states:

(d) REMOVAL OF NAMES FROM VOTING ROLLS. — (1) A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence unless the registrant—

(A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or

(B)

(i) has failed to respond to a notice described in paragraph (2); and

(ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 87.

88.

The Macon-Bibb Defendants are without sufficient knowledge or

information to form a belief as to the truth of the allegations set forth in Paragraph 88.

COUNT II

Chatham, Forsyth, Gwinnett, and Spalding County Defendants' Voter Removal Practices Violate the NVRA's Requirements for Processing Voters

Who Move

52 U.S.C. § 20507(d)

89.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 89.

90.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 90.

COUNT III

SB 189 Section 4's Unhoused Voter Mailing Address Restriction Violates the NVRA's Notice Requirements

(State Defendants, Chatham, Fulton, and Macon-Bibb County Defendants)

52 U.S.C. § 20507(a)(2), (c)(1)(B), (d)(1)-(2)

91.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 91.

92.

The Macon-Bibb Defendants admit the allegations set forth in

Paragraph 92.

93.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 93.

94.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 94.

95.

The Macon-Bibb Defendants admit that O.C.G.A. § 21-2-217(a), as amended by Section 4 of S.B. 189, requires unhoused voters without a permanent address to use their county registrar's office as their mailing address for election purposes, but deny the remainder of the allegations set forth in Paragraph 95 and further deny any implication that their response to Paragraph 95 in any way indicates an admission to Paragraph 94.

COUNT IV

SB 189 Section 4's Unhoused Voter Mailing Address Restriction Violates the
NVRA's Uniform and Nondiscriminatory Provision
(State Defendants, Chatham, Fulton, and Macon-Bibb County Defendants)
52 U.S.C. § 20507(b)

96.

The Macon-Bibb Defendants admit the allegations set forth in

Paragraph 96.

97.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 97.

98.

The Macon-Bibb Defendants admit that the stated voters were placed into “challenged status” for the stated reasons, but deny or are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 98.

COUNT V

SB 189 Section 4 Violates Voter’s Fundamental Right to Vote
(Georgia State Election Board, Chatham, Fulton, Macon-Bibb County
Defendants)

42 U.S.C. § 1983, First and Fourteenth Amendments to the U.S. Constitution

99.

The Macon-Bibb Defendants admit that S.B. 189 provides that “[t]he mailing address for election purposes of any person of this state who is homeless and without a permanent address shall be the registrars office of the county in which such person resides”, but are without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations set forth in Paragraph 99.

100.

The Macon-Bibb Defendants admit the allegations set forth in Paragraph 100.

101.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 101.

102.

The Macon-Bibb Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in Paragraph 102.

103.

The Macon-Bibb Defendants deny that they have in any way been responsible for “targeting unhoused voters without a permanent address”, but defer questions of constitutionality regarding S.B. 189 to the Court and state that they will comply with Georgia law and whatever associated orders this Court effects.

PRAYER FOR RELIEF

(a) Subsection (a) contains a request for relief that requires no response from the Macon-Bibb Defendants. To the extent such a response is required, the Macon-Bibb Defendants state that they will comply with Georgia law and

defer questions of constitutionality to the Court.

(b) Subsection (b) contains a request for relief that requires no response from the Macon-Bibb Defendants because such relief is sought only as to the Chatham, Forsyth, Gwinnett, and Spalding County Defendants.

(c) Subsection (c) contains a request for relief that requires no response from the Macon-Bibb Defendants. To the extent such a response is required, the Macon-Bibb Defendants state that they will comply with Georgia law and defer questions of constitutionality to the Court.

(d) The Macon-Bibb Defendants deny that the relief requested by subsection (d) is justified or appropriate. Answering further, the Macon-Bibb Defendants were not involved in the passing of S.B. 189, but have adhered to Georgia law as enacted by the legislature and enforced by the courts of this State. Judgment against the Macon-Bibb Defendants for following properly enacted legislation would therefore be unjust and inappropriate.

(e)(i) Subsection (e)(i) contains a request for relief that requires no response from the Macon-Bibb Defendants. To the extent such a response is required, the Macon-Bibb Defendants state that they will comply with Georgia law and whatever associated orders this Court effects.

(e)(ii) Subsection (e)(ii) contains a request for relief that requires no response from the Macon-Bibb Defendants because such relief is sought only as to the Chatham, Forsyth, Gwinnett, and Spalding County Defendants.

(e)(iii) Subsection (e)(iii) contains a request for relief that requires no response from the Macon-Bibb Defendants because such relief is sought only as to Defendant Brad Raffensperger and the Chatham, Forsyth, Gwinnett, and Spalding County Defendants.

(e)(iv) The Macon-Bibb Defendants deny any implication that they have purposefully or optionally engaged in “discriminatory voter removals” as alleged in subsection (e)(iv); however, the Macon-Bibb Defendants defer questions of constitutionality regarding S.B. 189 to the Court and state that they will comply with Georgia law and whatever associated orders this Court effects.

(e)(v) The Macon-Bibb Defendants have no objection to preserving the stated records until December 31, 2026.

(e)(vi) Subsection (e)(vi) contains a request for relief that requires no response from the Macon-Bibb Defendants because such relief is sought only as to the State Election Board Defendants.

(e)(vii) The Macon-Bibb Defendants defer questions of constitutionality regarding S.B. 189 to the Court and state that they will comply with Georgia law and whatever associated orders this Court effects.

(e)(viii) The Macon-Bibb Defendants deny any implication that they have “fail[ed] to count all ballots” required to be counted by Georgia law; however, the Macon-Bibb Defendants defer questions of constitutionality regarding S.B.

189 to the Court and state that they will comply with Georgia law and whatever associated orders this Court effects.

(e)(ix) Subsection (e)(ix) contains a request for relief that requires no response from the Macon-Bibb Defendants because such relief is sought only as to the State Election Board Defendants.

(f) The Macon-Bibb Defendants deny that the relief requested by subsection (f) is justified or appropriate. Answering further, the Macon-Bibb Defendants were not involved in the passing of S.B. 189, but have adhered to Georgia law as enacted by the legislature and enforced by the courts of this State. An award of such relief against the Macon-Bibb Defendants for following properly enacted legislation would therefore be unjust and inappropriate.

(g) The Macon-Bibb Defendants deny that the relief requested by subsection (g) is justified or appropriate. Answering further, the Macon-Bibb Defendants were not involved in the passing of S.B. 189, but have adhered to Georgia law as enacted by the legislature and enforced by the courts of this State. As such, the Macon-Bibb Defendants are not proper parties to this action and should be dismissed from this suit.

(h) The Macon-Bibb Defendants deny that the relief requested by subsection (h) is justified or appropriate.

WHEREFORE, having answered Plaintiffs' Complaint and stated defenses and objections, the Macon-Bibb Defendants respectfully request that

Plaintiff's claims be dismissed, Plaintiff's prayers for relief be denied in each and every particular with all costs, including attorney's fees, taxed to the Plaintiffs pursuant to 52 U.S.C. § 20510(c) and 42 U.S.C. § 1988, and that the Macon-Bibb Defendants be granted such other relief as this Court may deem just and proper.

Respectfully submitted this 15th day of October, 2024.

/s/ Grace Simms Martin

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CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing has been prepared in accordance with the font type and margin requirements set forth in Local Rule 5.1, using Century Schoolbook font and 13-point type.

This 15th day of October, 2024.

/s/ Grace Simms Martin

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CERTIFICATE OF SERVICE

I hereby certify that I have filed the foregoing using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

This 15th day of October, 2024.

/s/ Grace Simms Martin

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