

STATE OF NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
No. 24CV028888-910

REPUBLICAN NATIONAL  
COMMITTEE; and NORTH  
CAROLINA REPUBLICAN PARTY,

Plaintiffs,

v.

NORTH CAROLINA STATE  
BOARD OF ELECTIONS; ALAN  
HIRSCH, JEFF CARMON, KEVIN  
N. LEWIS, SIOBHAN O'DUFFY  
MILLEN, STACY "FOUR" EGGERS  
IV, in official capacity as members of  
the NCSBE; and KAREN BRINSON  
BELL, in official capacity as  
Executive Director of the NCSBE,

Defendants,

and

DEMOCRATIC NATIONAL  
COMMITTEE, and AFFIRMATIVE  
ACTION COALITION,

Intervenor-Defendants.

**INTERVENOR-DEFENDANT  
THE DEMOCRATIC NATIONAL  
COMMITTEE'S MOTION TO DISMISS**

Intervenor-Defendant the Democratic National Committee ("DNC"), by and through counsel, and pursuant to Rule 12(b)(1) of the North Carolina Rules of Civil Procedure, moves to dismiss this action in its entirety for lack of subject matter jurisdiction. In the alternative, pursuant to Rule 12(c) of the North Carolina Rules of Civil Procedure, the DNC moves for judgment on the pleadings on the same grounds. In support of the motion, the DNC respectfully shows the Court the following:

1. Plaintiffs commenced this action on September 12, 2024, seeking declaratory and injunctive relief that the North Carolina State Board of Elections exceeded its authority under N.C. Gen. Stat. §§ 163-166.16, 163-166.17, and 163-166.18 by approving the University of North Carolina at Chapel Hill's student and employee digital identification cards for use as photo identification in the 2024 general election. Plaintiffs alleged that allowing such digital cards to be used in the election would dilute the votes of their members in the 2024 general election. Plaintiffs also moved for a temporary restraining order, which was denied by the trial court on September 20, 2024.

2. Plaintiffs subsequently petitioned the North Carolina Court of Appeals for a writ of supersedeas on September 20, 2024. On September 27, 2024, the North Carolina Court of Appeals granted Plaintiffs' petition, enjoining the State Board from "accepting the University of North Carolina - Chapel Hill Mobile One Card, or any other 'image of a photo ID, either as a photocopy or a photo on a mobile device' that is prohibited by the State Board of Election's Numbered Memo 2023-03, for the purpose of casting a ballot in the November 2024 general election."

3. The Court of Appeals' order remained in effect until January 9, 2025, when the Court granted Plaintiffs' consent motion to dismiss their appeal.

4. All student and employee photo identification previously approved by the State Board for voting in the last election cycle expired on December 31, 2024, including the digital UNC ID at issue in this case. N.C. Gen. Stat. §§ 163-166.17(b), 163-166.18(b).

5. The North Carolina State Board of Elections has not approved any student or employee digital identification cards for use in the 2025-2026 elections. The list of student and employee identification cards currently approved by the North Carolina State Board of Elections is publicly available at <https://www.ncsbe.gov/voting/voter-id/student-and-public-employee-ids-approved-voting>. A true and correct copy of “2025 Voter Application Approvals.csv”, downloaded from the North Carolina State Board of Elections website, also is attached hereto as Exhibit A.

6. Plaintiffs have not alleged that any state or local governments have sought the State Board’s approval of a digital student or employee identification card for use in the 2025-2026 elections. Plaintiffs have not alleged that the State Board intends to approve a digital student or employee identification card for use the 2025-2026 elections. For all these reasons, the case is moot and the Court lacks subject matter jurisdiction.

WHEREFORE, Intervenor-Defendant the Democratic National Committee respectfully requests the Court grant its motion and dismiss this action in its entirety pursuant to Rule 12(b)(1) for lack of subject matter jurisdiction. In the alternative, Intervenor-Defendant the Democratic National Committee requests enter judgment on the pleadings pursuant to Rule 12(c) for lack of subject matter jurisdiction.

Respectfully submitted, this 2<sup>nd</sup> day of June, 2025.

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## CERTIFICATE OF SERVICE

The foregoing document was served by electronic mail upon the following:

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This 2<sup>nd</sup> day of June, 2025.

/s/ William A. Robertson  
William A. Robertson

# **EXHIBIT A**

## **2025 Voter ID Application Approvals**

RETRIEVED FROM DEMOCRACYDOCKET.COM

Institution	Category
Alamance Community College	Student, Employee, Early College Student, Early College Employee
Appalachian State University	Student & Employee
Asheville-Buncombe Technical Comm College	Student
Beaufort County Community College	Student
Caldwell Community College & Technical Institute	Student
Caldwell County Government & Caldwell County Sheriff's Office	Employee
Campbell University	Student Voter ID Card
Cape Fear Community College	Student & Employee
Catawba College	Student (Catawba One Card)
Chatham County Schools	Employee
Chowan University	Student (HawksCard)
City of Conover	Employee
City of Gastonia	Employee
Cleveland Community College	Student
College of the Albemarle	Student
Davidson College	Student (CatCard)
Davidson-Davie Community College	Student Voter ID Card
Duke University	Student Voter ID Card & DukeCard
Durham County Government	Employee
Durham Technical Comm College	Student
East Carolina University	Student & Employee
Elizabeth City State Univ	Student
Elon University	Student
Fayetteville State University	Student & Employee
Girls Leadership Academy of Wilmington	Employee
Greene County Government	Employee
Guilford College	Student
Halifax Community College	Student
Isothermal Community College	Student (Includes REaCH Student Early College ID)
James Sprunt Community College	Student
KIPP NC Public Schools	Employee
Lees-McRae College	Student
Lenoir-Rhyne University	Student
Livingstone College	Student
Mars Hill University	Student
Mayland Community College	Student
Meredith College	Student
Methodist University	Student
NC A&T	Student & Employee
NC Dept. of Administration	Employee
NC Dept. of Adult Correction	Employee
NC Dept. of Insurance	Employee
NC State University	Student & Employee
North Carolina Central University	Student & Employee
Orange County Government	Employee
Piedmont Community College	Student
Pitt Comm. College	Student & Employee
Queens University of Charlotte	Student
Randolph Community College	Student & Employee
Rowan-Cabarrus Community College	Student & Employee
Saint Augustine's University	Student
Sandhills Community College	Student, SandHoke Early College Student, Employee
Shaw University	Student
Southwestern Community College	Student

St. Andrews University	Student
The Franklin School of Innovation	Employee
Town of Hillsborough	Employee
UNC Asheville	Student & Employee
UNC Chapel Hill	Student & Employee (Physical card only)
UNC Charlotte	Student & Employee (Physical card only)
UNC Greensboro	Student & Employee
UNC Pembroke	Student & Employee
UNC School of the Arts	Student & Employee
UNC Wilmington	Student & Employee
Wake Forest University	Student (Deacon OneCard)
Wake Technical Comm College	Student
Warren Wilson College	Student
Wayne Community College	Student (Includes Early/Middle College Student ID)
Western Carolina University	Student & Employee
Western Piedmont Comm College	Student
Wilkes Community College	Student & Employee
Wilson Community College	Student
Wingate University	Student
Winston-Salem State Univ	Student & Employee

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