

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE

NAACP FAYETTE-SOMERVILLE BRANCH,  
CHRISTINE WOODS, THOMAS GILMORE,  
VELISA FITZPATRICK, WILLIE LUELLEN,  
and MARANDY WILKERSON

*Plaintiffs,*

vs.

FAYETTE COUNTY, TENNESSEE, THE  
FAYETTE COUNTY BOARD OF COUNTY  
COMMISSIONERS, FAYETTE COUNTY  
ELECTION COMMISSION BOARD, and  
JOSHUA J. TAPP, in his official capacity as  
Fayette County Administrator of Elections,

*Defendants.*

No. 2:25-cv-02223-MSN-atc

**VOLUNTARY DISMISSAL OF COMPLAINT WITHOUT PREJUDICE**

On February 27, 2025, Plaintiffs NAACP Fayette-Somerville Branch, Christine Woods, Thomas Gilmore, Velisa Fitzpatrick, Willie Luellen, and Marandy Wilkerson (collectively, “Plaintiffs”) filed their complaint before this Court, bringing claims against Defendants for alleged violations of Section 2 of the Voting Rights Act of 1965 and the Fourteenth and Fifteenth Amendments to the U.S. Constitution. ECF No. 1. Plaintiffs allege that the Fayette County Board of County Commissioners’ (“County Commission”) 2021 electoral map (“2021 Plan”) diluted Black voting power in Fayette County by failing to provide Black voters with an opportunity to elect candidates of their choice and intentionally violated the constitutional rights of Black voters. *Id.*

In response to Plaintiffs’ complaint, the County Commission moved to reconvene the Fayette County Redistricting Committee, which was tasked with leading the 2025

redistricting process and reporting to the full County Commission. ECF Nos. 16-1, 20. As the 2025 legislative redistricting process proceeded, Defendants requested a stay of all deadlines in the case, ECF No. 16, which the Court granted, ECF No. 17. Under the Court's Stay Order, the Parties filed joint status reports. ECF Nos. 18, 20-21. Because of the Court's Stay Order, Defendants have not filed an answer or motion to dismiss the complaint.

During the 2025 legislative redistricting process, the Redistricting Committee held two public meetings and recommended a single map ("14 Orange B") to the County Commission for enactment. ECF No. 20. Before the County Commission's meeting on June 24, Plaintiffs jointly wrote to the County Commission urging it to adopt and implement the 14 Orange B map for the 2026 County Commission elections. In the letter, which is attached as Exhibit A, Plaintiffs explain why passage of the 14 Orange B map would likely resolve the pending lawsuit by remedying the alleged Section 2 and constitutional violations.

During the County Commission's June 24 meeting, it voted unanimously 19-0 to adopt the 14 Orange B map. In the County Commission's June 24 resolution, which is attached as Exhibit B, the 14 Orange B map is set to immediately replace the illegal and unconstitutional 2021 Plan and be in effect for the 2026 County Commission elections.

Based on the County Commission's June 24 resolution, under Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs' complaint is hereby voluntarily dismissed without prejudice.

Respectfully submitted,

/s/ John S. Cusick

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*\*Motion for admission forthcoming*

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2025, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ John S. Cusick

John S. Cusick

*Counsel for Plaintiffs*