

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

NAACP SOUTH CAROLINA STATE
CONFERENCE; ROBERT CALDWELL;
JONATHAN BELL; SHERRY JENKINS,

Plaintiffs,

v.

ALAN WILSON, in his official capacity as
the South Carolina Attorney General;
JENNY WOOTEN, in her official capacity
as Interim Executive Director of the State
Election Commission; DENNIS W. SHEDD,
in his official capacity as Chairman of the
State Election Commission; JOANNE DAY,
CLIFFORD J. ELDER, LINDA McCALL,
and SCOTT MOSELEY in their official
capacities as members of the State Election
Commission,

Defendants.

C/A No. 3:25-cv-13754-MGL

State Election Commission Defendants' Motion to Withdraw their Motion to Dismiss

Consistent with the State Election Commission Defendants' (SEC) response to the Court's Text Order, Dkt. No. 53, the SEC respectfully requests that the Court allow the SEC to withdraw its Motion to Dismiss, Dkt. No. 15, which was filed January 20, 2026, as the SEC believes that the Court's adjudication of the SEC's pending Motion for Summary Judgment, Dkt No. 38, renders the SEC's Motion to Dismiss moot. The arguments outlined in the SEC's Motion to Dismiss and Memorandum in Support are fully incorporated in the SEC's subsequently filed Motion for Summary Judgment and Memorandum in Support. As further agreed in the SEC's response to Dkt. No. 53, the SEC believes it is appropriate to withdraw its Motion to Dismiss for the sake of judicial efficiency.

Pursuant to Local Rule 7.02, counsel for Plaintiffs and Defendant Wilson consent to the SEC's withdrawal of its Motion to Dismiss.

Respectfully submitted,

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Columbia, South Carolina