

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

KRIS WARNER, in his Official Capacity as  
WEST VIRGINIA SECRETARY OF STATE,

*Defendant.*

Case No.: 2:26-cv-00156

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**WEST VIRGINIA ALLIANCE FOR RETIRED AMERICANS’  
MOTION TO INTERVENE AS DEFENDANT**

West Virginia Alliance for Retired Americans moves to intervene as a Defendant in this matter to defend its members’ significant interests as well as its own organizational interests, which stand to be impaired by this litigation.

For the reasons discussed in the supporting memorandum filed alongside this Motion, and the declaration attached thereto, Proposed Intervenor is entitled to intervene in this case as a matter of right under Federal Rule of Civil Procedure 24(a)(2). In the alternative, Proposed Intervenor requests permissive intervention under Rule 24(b). Pursuant to Rule 24(c), a Proposed Answer is also attached to this Motion.<sup>1</sup>

**WHEREFORE**, Proposed Intervenor respectfully requests that the Court grant its intervention in the above-captioned matter.

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<sup>1</sup> Proposed Intervenor respectfully requests leave to file a Rule 12(b) motion within the time period prescribed by the Federal Rules of Civil Procedure or pursuant to any schedule set by this Court.

Dated: March 6, 2026,

Respectfully submitted,

**POWELL & MAJESTRO PLLC**

/s/ Christina L. Smith

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\* Statement of Visiting Attorney filed concurrently  
with motion

*Counsel for Proposed Intervenor*

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 6th day of March, 2026, with a copy of this document via the Court's CM/ECF system. All other counsel will be served in accordance with Federal Rule of Civil Procedure 5(a).

*/s/ Christina L. Smith*  
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