

**STATE DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME
TO DELIVER COPIES OF SIX EXHIBITS AND CORRECTED EXHIBIT LIST
TO JUDGE MARCUS'S CHAMBERS IN MIAMI**

Come now the State Defendants and move the Court for an extension of time to deliver six corrected exhibits—DX010, DX027, DX051, DX054, DX161(b), and DX263—along with a corrected exhibit list to Judge Marcus's Chambers in Miami, and as grounds therefore state:

1. On January 8, 2025, in these three Congressional redistricting cases, the State Defendants filed unopposed motions for leave to file six corrected exhibits—DX010, DX027, DX051, DX054, DX161(b), and DX263—along with a corrected exhibit list. *Singleton*, doc. 273; *Milligan*, doc. 422; *Caster*, doc. 326.

2. On January 8, 2025, this Court granted the motion, ordering that the corrected exhibits and exhibit list be filed on or before January 10, 2025, and that three copies be sent “as soon as practicable after the corrected exhibits and amended exhibit list are filed, but in any event for confirmed delivery on or before January 15, 2025[,]” which is today. *Singleton*, doc. 275; *Milligan*, doc. 424; *Caster*, doc. 328.

3. On January 8, 2025, the State Defendants filed the corrected exhibits and exhibit list in *Milligan*, *Milligan*, docs. 425 – 425-7, and, by operation of a prior Order, the documents were deemed filed in the other two cases as well, *Singleton*, doc. 269; *Milligan*, doc. 408; *Caster*, doc. 318.

4. On January 9, 2025, three copies were shipped *via* FedEx to the Chambers of Judge Marcus, Judge Manasco, and Judge Moorer, using shipping options that should have been sufficient to ensure delivery by today.

5. Judge Manasco and Judge Moorer have received their copies. *Singleton*, doc. 277; *Milligan*, doc. 429; *Caster*, doc. 335; *see also* FedEx Tracking Nos. 771326702881 & 771327014460.

6. According to FedEx, the copies for Judge Marcus have been in Ellenwood, Georgia since January 11, 2025. The package does not appear to be moving. This is despite the fact that the copies were scheduled for overnight delivery and so should have arrived before 5:00 p.m. on January 10, 2025. FedEx Tracking No. 771326411752.

7. The State Defendants have today prepared another set of copies for Judge Marcus and taken the same to UPS to be delivered using Next Day Air Saver. UPS Tracking No. 1Z94X7E32310000174. However, as with FedEx, the State Defendants are unable to ensure that there will not be delays.

8. Given the distance to Miami from the Alabama Attorney General's office in Montgomery, Alabama, and even from the Balch & Bingham, LLP office in Jacksonville, Florida, the State Defendants believe that using UPS to deliver the copies to Judge Marcus is the most reasonable course of action.

9. After the second set of copies had been prepared and before this motion was finalized, the Court today entered an Order noting that “Judges Manasco and Moorer have each received three hard copies of the defendants’ six corrected exhibits” but that only one full set of the State Defendants’ exhibits had been received in each Chambers. The Court ordered two additional full sets of exhibits be delivered to each Judge “as soon as practicable, but in any event for a confirmed delivery on or before January 21, 2025.” *Singleton*, doc. 277; *Milligan*, doc. 429; *Caster*, doc. 335.

10. The State Defendants respectfully move the Court for an extension of time to January 21, 2025 to deliver to Judge Marcus’s Chambers in Miami the six corrected exhibits—DX010, DX027, DX051, DX054, DX161(b), and DX263—along with a corrected exhibit list.

11. The *Singleton*, *Milligan*, and *Caster* Plaintiffs do not oppose this motion.

Respectfully submitted,

Steve Marshall
Attorney General

s/ Misty S. Fairbanks Messick
Edmund G. LaCour Jr. (ASB-9182-U81L)
Solicitor General

Soren Geiger (ASB-0336-T31L)
Assistant Solicitor General

James W. Davis (ASB-4063-I58J)
Deputy Attorney General
Richard D. Mink (ASB-4802-M76R)
Misty S. Fairbanks Messick (ASB-1813-T71F)
Brenton M. Smith (ASB-1656-X27Q)
Benjamin M. Seiss (ASB-2110-O00W)
Charles A. McKay (ASB-7256-K18K)
Assistant Attorneys General

OFFICE OF THE ATTORNEY GENERAL
STATE OF ALABAMA
501 Washington Avenue
P.O. Box 300152
Montgomery, Alabama 36130-0152
Telephone: (334) 242-7300
Fax: (334) 353-8400
Edmund.LaCour@AlabamaAG.gov
Soren.Geiger@AlabamaAG.gov
Jim.Davis@AlabamaAG.gov
Richard.Mink@AlabamaAG.gov
Misty.Messick@AlabamaAG.gov
Brenton.Smith@AlabamaAG.gov
Ben.Seiss@AlabamaAG.gov
Charles.McKay@AlabamaAG.gov

Counsel for Secretary of State Allen

s/J. Dorman Walker

J. Dorman Walker (ASB-9154-R81J)
BALCH & BINGHAM LLP
Post Office Box 78 (36101)
445 Dexter Avenue, Suite 8000
Montgomery, Alabama 36104
Telephone: (334) 269-3138
DWalker@Balch.com

Michael P. Taunton (ASB-6833-H00S)
Riley Kate Lancaster (ASB-1002-X86W)
BALCH & BINGHAM LLP
1901 Sixth Avenue North, Suite 1500
Birmingham, Alabama 35203
Telephone: (205) 251-8100
MTaunton@Balch.com
RLancaster@Balch.com

Counsel for Sen. Livingston & Rep. Pringle