IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION!

JACKSONVILLE BRANCH OF THE NAACP; NORTHSIDE COALITION OF JACKSONVILLE, INC.; ACLU OF FLORIDA NORTHEAST CHAPTER; FLORIDA RISING TOGETHER, INC.; MARCELLA WASHINGTON; INGRID MONTGOMERY; AYESHA FRANKLIN; TIFFANIE ROBERTS; ROSEMARY McCOY; SHEILA SINGLETON; EUNICE BARNUM; JANINE WILLIAMS; HARAKA CARSWELL; and DENNIS BARNUM,

Plaintiffs,

v.

CITY OF JACKSONVILLE and MIKE HOGAN, in his official capacity as Duval County Supervisor of Elections,

Defendants

Case No. 3:22-cv-493

/

COMPLAINT

Preliminar and Permanent Injuncti e Relief Requested
Declarator Relief Requested

1.! In late March, the Jacksonville City Council passed, and Mayor Lenny Curry signed, Ordinance 2022-01-E (the "Enacted Plan"), redrawing the City Council and Duval County School Board districts for the next decade.

2.! Shortly before the Enacted Plan cleared a key procedural hurdle, a prominent councilmember shared her "support [for] the rich history of [civil rights groups] bringing litigation to ensure the full actualization of citizenship for African

> Councilmember Gaffney, for the same reasons it works for Councilmember Gaffney, it would work for [District 2] Councilmember Ferraro.

209. Killingsworth's statement indicated the Councilmembers' mutual interest in keeping Black voters out of District 2 and in District 7.

210. In rejecting this map, the Committee kept the area—with its thousands of people and 70.5% white population—in District 2 and out of District 7.

211. The racial data accompanying the proposal indicated that Killingsworth's proposed District 7 would have been 58% Black.

212. As enacted, District 7 is 62% Black.

213. Killingsworth acted on Gaffney's request to look further north, adding population to District 7 in an area east of Main Street near Yellow Bluff Road.

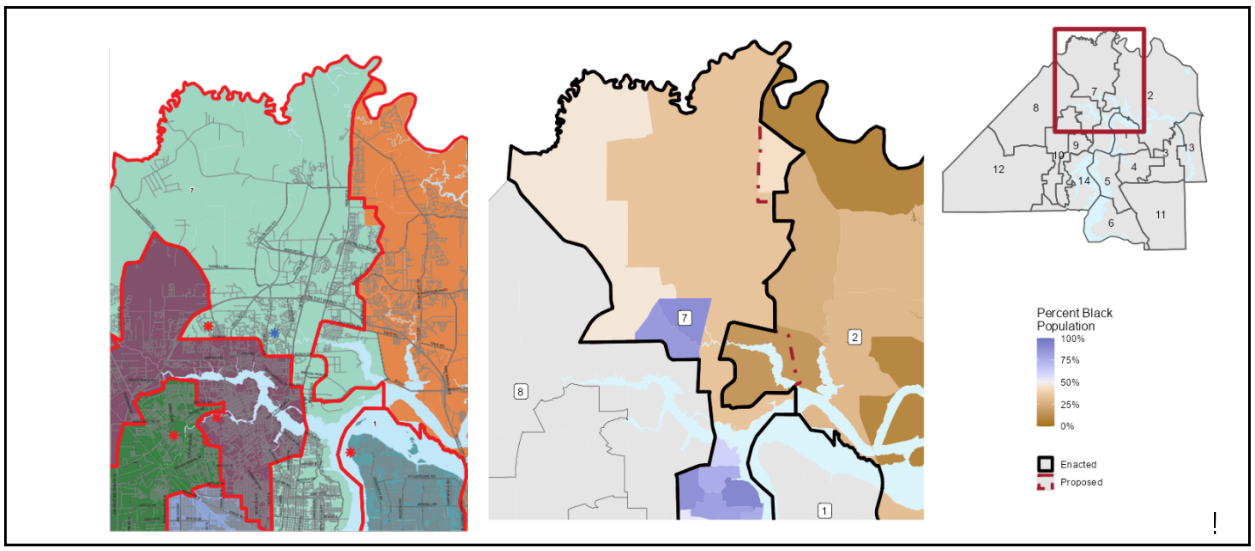

Figure 7 – Racial Demographics of Killingsworth's Rejected Proposal. The map at left displays the proposed change to Districts 7 and 2 in maps created in Figure 6. The map at right shows racial demographics with the Enacted Plan (solid black line) and rejected proposal (dashed red line) overlaid. Darker purples indicate precincts that are more Black, darker browns indicate precincts that are whiter.

214. Unlike Killingsworth's rejected proposal, the Enacted Plan does not

feature a smooth line along Districts 2 and 7 in this area. Instead, the enacted border zigs and zags. The map above on the left is Killingsworth's proposal (the same map as in Figure 6); the map on the right shows the Enacted Plan (solid black line) and the rejected proposal (dashed red line).

215.! The border zig-zags with racial precision. The map of the Enacted Plan (on the right) is shaded based on the Black percentage of each precinct (or, where the map splits precincts, each portion of a split precinct). A darker brown indicates a lower Black population; a lighter brown indicates a Black population approaching 50%; a darker purple indicates a higher Black population. As the map illustrates, the border's northernmost portion cuts along racial lines, with the whitest areas placed in District 2 and the more racially mixed areas placed in District 7. (The land bridge itself, while heavily white, is sparsely populated with just 221 residents.)

216.! The smooth line between Districts 2 and 7 in Killingsworth's rejected proposal (and in the 2011 Plan) follows a precinct border, along a major roadway: Main Street. Instead of maintaining that border, the mapmakers deviated from Main Street and split Precinct 205. In so doing, they moved a relatively diverse segment out of District 2 and into District 7, as depicted below:

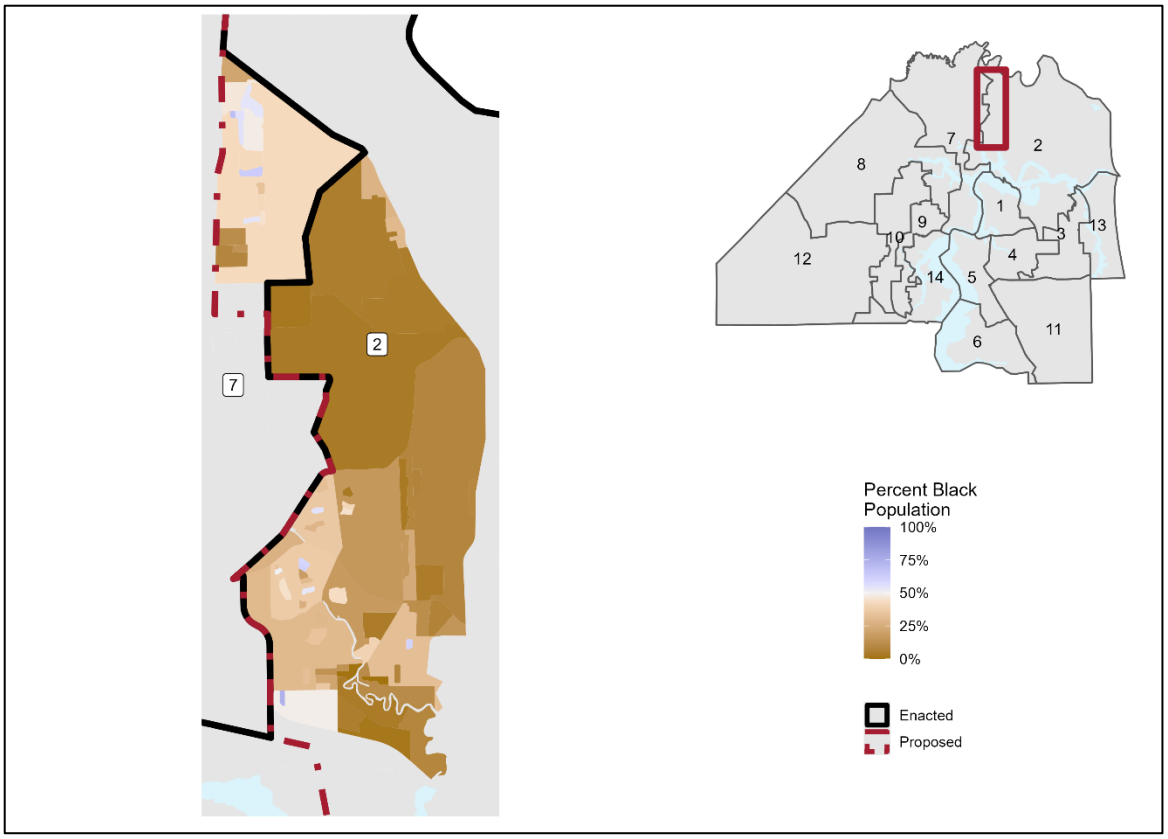

Figure 8 Ð Race-Based Splitting of Precinct 205. Proposed changes to the border between Districts 7 and 2 overlayed on racial makeup of Census blocks within Precinct 205. Lighter browns indicate blocks that are more diverse, while darker browns indicate blocks that are whiter.

217.! At the February 10, 2022, Rules Committee public hearing, a local resident noted that the splitting of the area (the Yellow Bluff Landing neighborhood) in this way constituted packing and did nothing to advance local interests. The resident explained: "the interests and concerns of the Yellow Bluff community are tied with that Yellow Bluff corridor. It should be left intact where its interests lie."

E. District 10

218.! Race was the predominant factor in drawing District 10. Race was not employed in a narrowly tailored manner to advance any compelling government interest, including compliance with VRA Section 2.

219.! District 10 is the third most packed district in the Enacted Plan. It is 61.3% Black.

220.! During the redistricting process, District 10's incumbent Councilwoman Brenda Priestly Jackson (who does not plan to seek re-election in District 10) announced that she was "very comfortable with the demographics of District 10" that elected her.

221.! District 10 has a visually bizarre, illogical, and non-compact shape. This shape is attributable to racial predominance.

222.! At its northernmost portion, District 10 widens to capture heavily Black neighborhoods including Sherwood Forest, Harborview, and Carver Manor.

223.! As it snakes south, District 10 extends over a vast, empty region, then narrows to a precinct-wide land bridge, and expands again, capturing Black voters by splitting neighborhoods with District 12 along racial lines.

224.! District 10's land bridge avoids predominantly white neighborhoods while connecting the District's heavily Black northern neighborhoods to predominantly Black neighborhoods further south, including Jacksonville Heights, Sweetwater, and Cedar Hills.

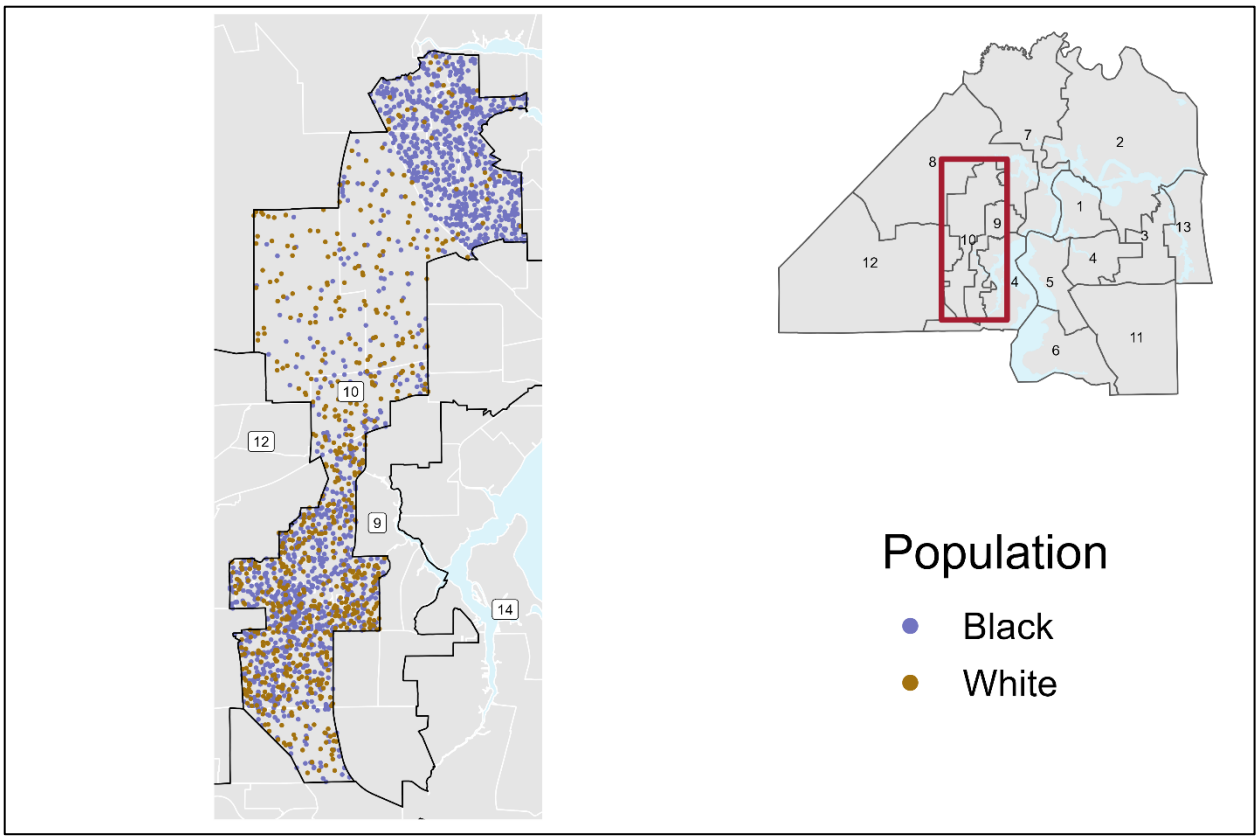

Figure 9 Ð District 10. Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.

F. Districts 10Õs Border with District 12

225.! Race was the predominant factor in drawing the border between Districts 10 and 12—packing the former and stripping the latter—and it was not employed in a narrowly tailored manner to advance any compelling government interest, including compliance with VRA Section 2.

226.! As the map below illustrates, the shared border divides the Packed District 10 from the Stripped District 12 with racial precision.

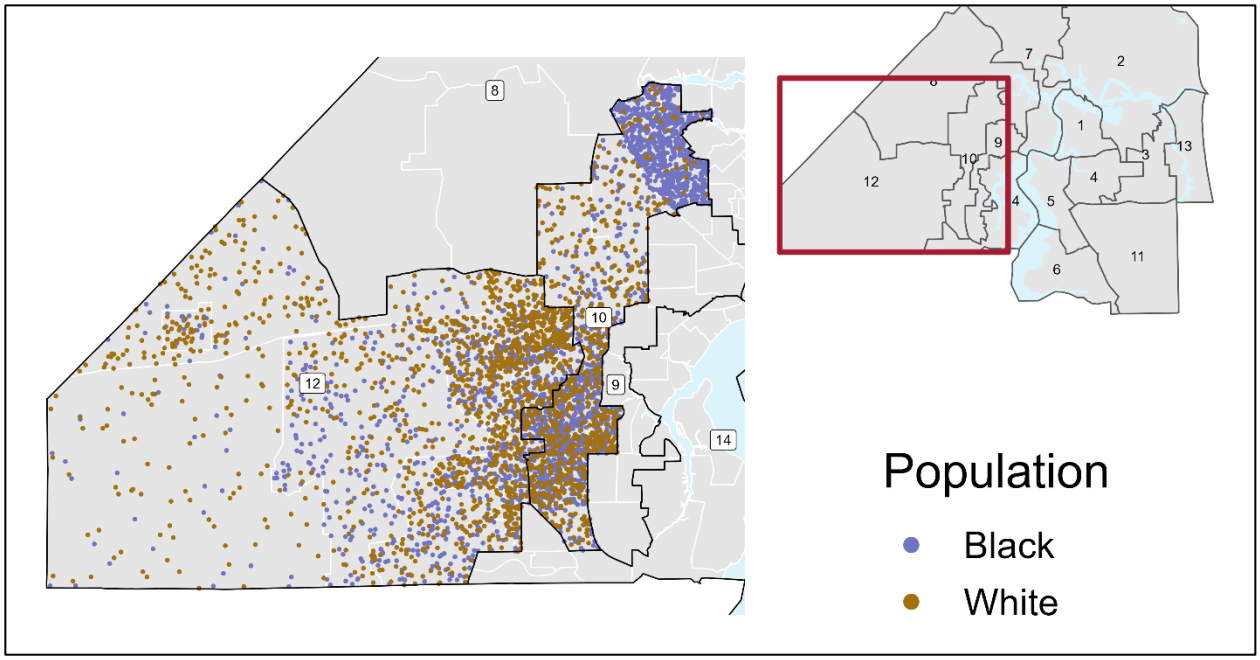

Figure 10 – Race-Based District 10 / 12 Border. Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.

227. South of the I-10/I-295 interchange, District 12 protrudes eastward into District 10 to capture Precinct 1201 (69.8% white population).

228. Further south, District 10's western boundary protrudes irregularly into District 12 to split Precinct 1208.

229. In splitting the precinct, the Council changed boundaries from the 2011 Plan to capture Black voters. The area added to District 10 is 59.7% Black, while the portion left in District 12 is only 36.7% Black.

230. This was another instance of the Council prioritizing race over its other stated criteria.

231. Continuing south, District 12 retracts, ensuring that the plurality-Black Precinct 1014 is in District 10, divided from the plurality-white Precinct 1213 just across the border in District 12.

232.! The table below indicates the Black population of the precincts along the border between Districts 10 and 12, moving from north to south. In the case of split precincts (denoted with an asterisk), the Black population figure reflects the Black population of only the portion of the precinct in the relevant district:

Precinct in 12	Black % in 12	Black % in 10	Precinct in 10
1203	9.8	25.1	1011
1201	15.9		
		44.7	1007
1205	34.3		
1208*	36.7	41.9	1013
		57.9	1008
		53.4	1009
		59.7	1208*
1213	38.1	53.4	1009
		61.2	1012
		51.2	1014
		39.1	1016

233.! Along the entire border, the precincts (or split precincts) on the District 10 side have a larger Black population than the adjacent precincts in District 12.

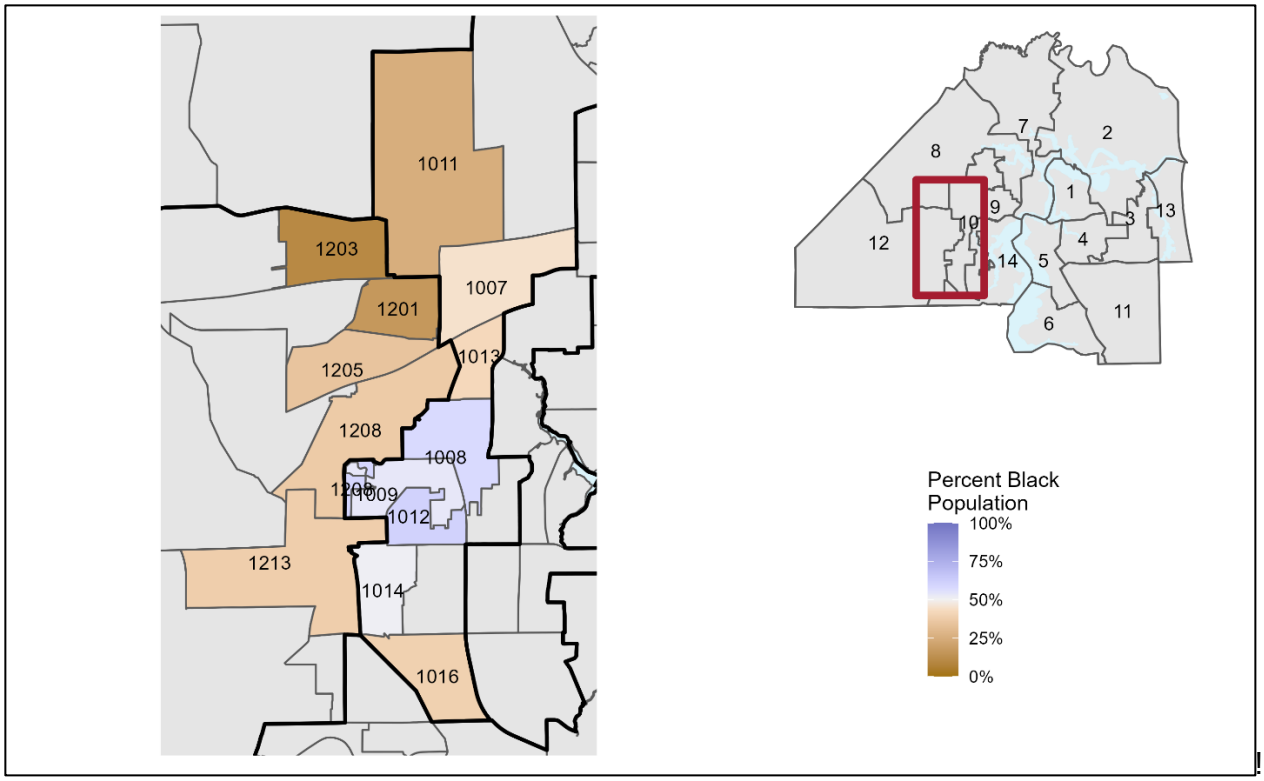

Figure 11: Precincts Along District 10's 12 Border. Darker purples indicate precincts that are more Black; darker browns indicate precincts that are whiter.

G. District 10's Border with District 14

234. Race was the predominant factor in drawing the border between Districts 10 and 14—packing the former and stripping the latter—and race was not employed in a narrowly tailored manner to advance any compelling government interest, including compliance with VRA Section 2.[12]

235. District 14's land bridge—no wider than a single precinct—reaches under Districts 9 and 10 to capture Precinct 1406 (54.6% white population) and the plurality-white Precincts 1403 and 1402. The land bridge also permits District 14 to jut up to split Precinct 1210, capturing a 52.2% white population portion of the precinct.

[12] Plaintiffs allege additional facts about this part of District 14 and its interaction with District 9 in ¶¶ 257–258, infra.

236.! Along the entire border, the precincts on the District 10 side have a larger Black population than the adjacent precincts (or split precinct) in District 14.

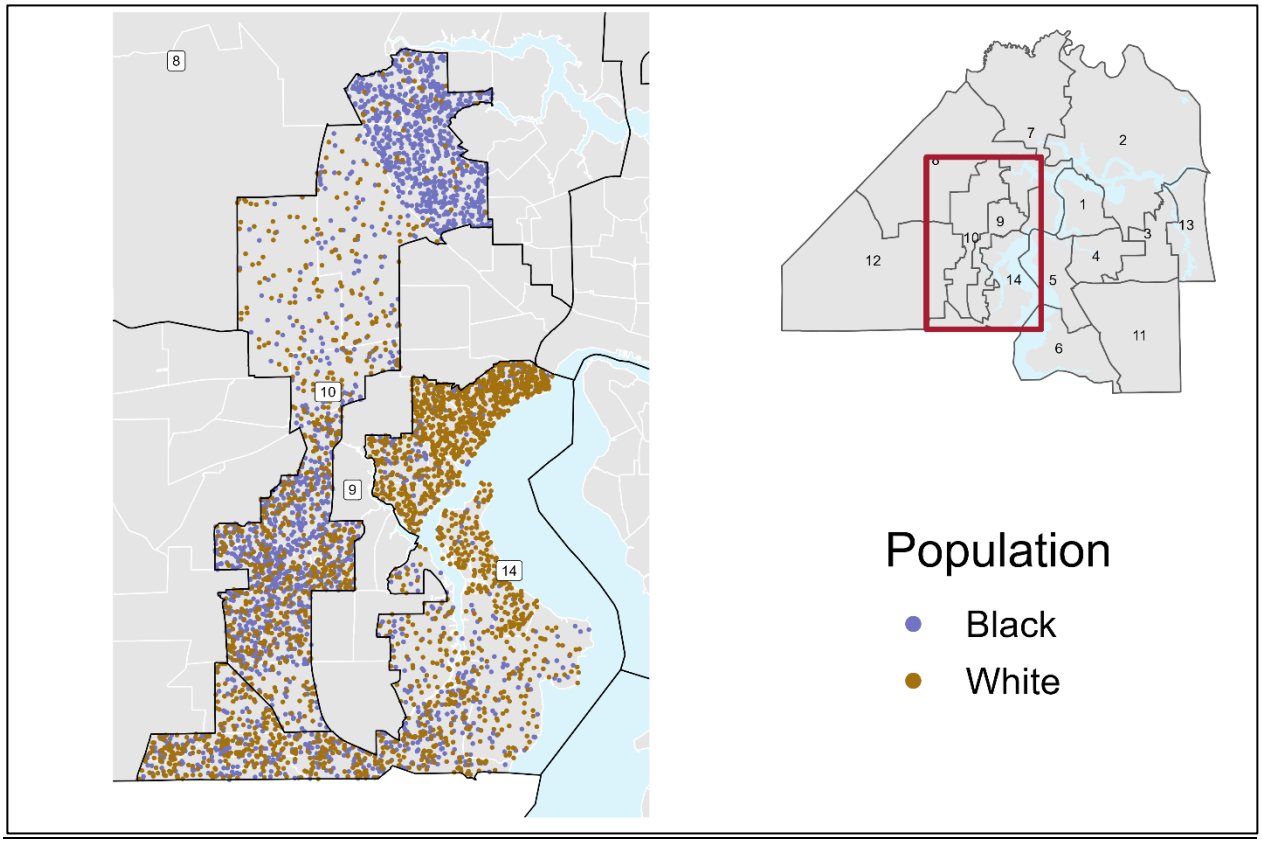

Figure 12 – Race Based District 10 / 14 Border. Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.

H. District 9

237.! Race was the predominant factor in drawing District 9. Race was not employed in a narrowly tailored manner to advance any compelling government interest, including compliance with VRA Section 2.

238.! District 9 has a visually bizarre, illogical, and non-compact shape that is attributable to racial predominance.

239.! District 9 is packed, with a 60.6% Black population.

240.! At its northern bulb, the District encompasses heavily Black

neighborhoods including Grand Park, New Town, and Woodstock.

241. District 9's land bridge is the most aggressive of them all. At its narrowest point, the land bridge is an isthmus the width of just two city blocks.

242. The land bridge captures parts of more heavily Black neighborhoods—including Hillcrest and Oak Hill—while avoiding whiter neighborhoods such as Avondale, Riverside, Lakeshore, and Fairfax.

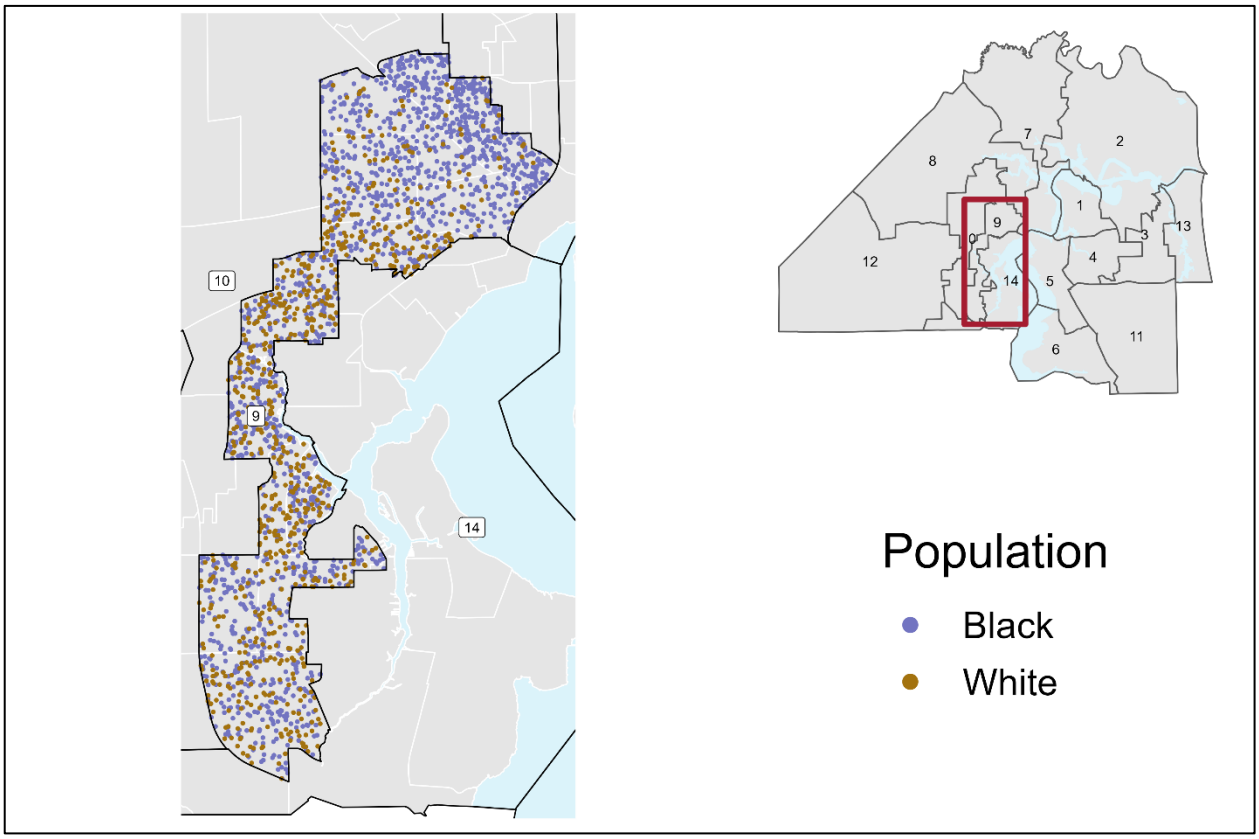

Figure 13: District 9. Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.

243. As District 9 continues south, a "hitchhiker's thumb" protrudes to hook Black voters from the Stripped District 14 into the Packed District 9. The map below shows the surgical-like precision with which the mapmakers deployed race to place residents into or out of the district.

I. District 9Õs Border with District 14

244.! Race was the predominant factor in drawing the border between Districts 9 and 14—packing the former and stripping the latter—and it was not employed in a narrowly tailored manner to advance any compelling government interest, including compliance with VRA Section 2.

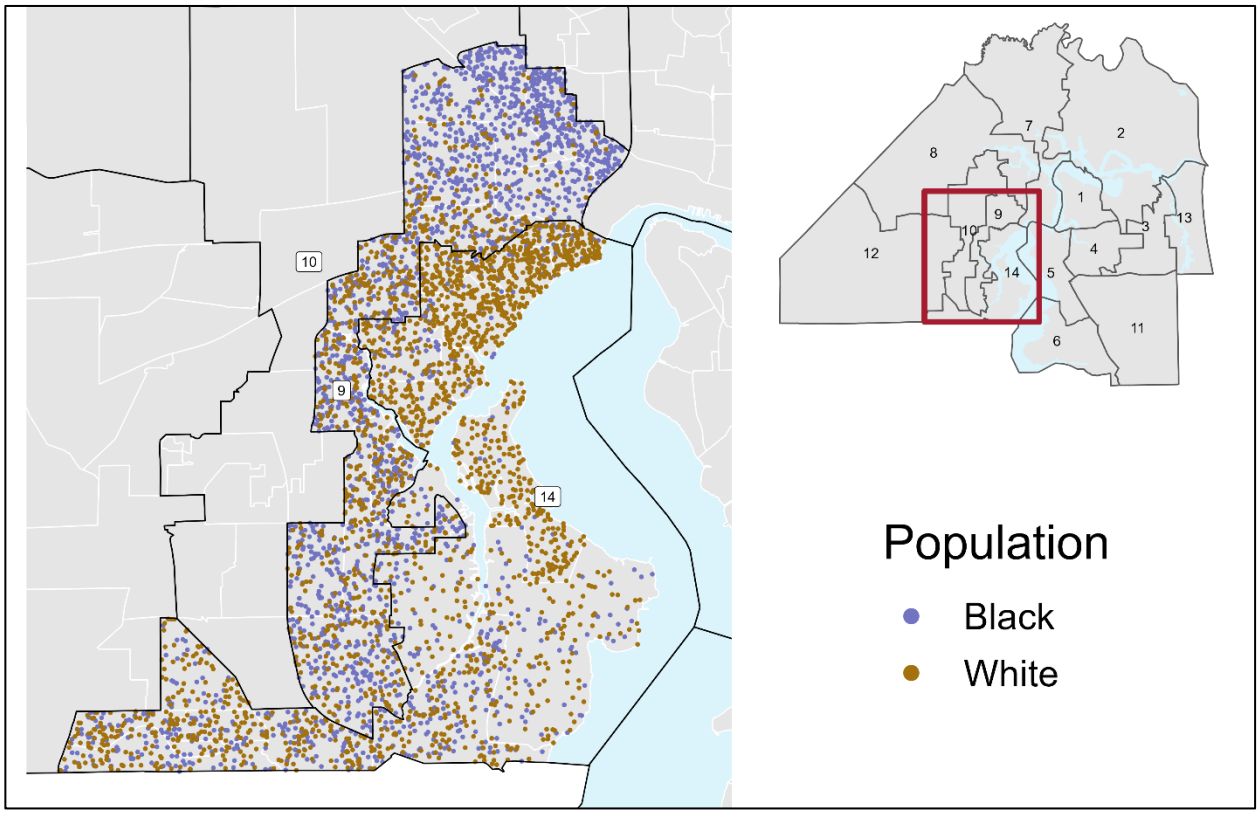

Figure 14 Ð Districts 9 and 14. Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate

245.! At the northernmost portion of the border between Districts 9 and 14, District 9 juts irregularly southward to split the Murray Hill neighborhood, capturing its more heavily Black parts while leaving its whiter portion to District 14.

246.! While Murray Hill overall has a Black population of 23.9%, the portion placed in District 9 has a higher Black population of 33.9%. Meanwhile, the portion

across the border in District 14 has a Black population of just 10.5%.

247. The irregular protrusion splitting Murray Hill also ensures that whiter areas in Riverside (11.2% Black) and Avondale (3.5% Black) are placed in District 14. The map below illustrates the race-based border:

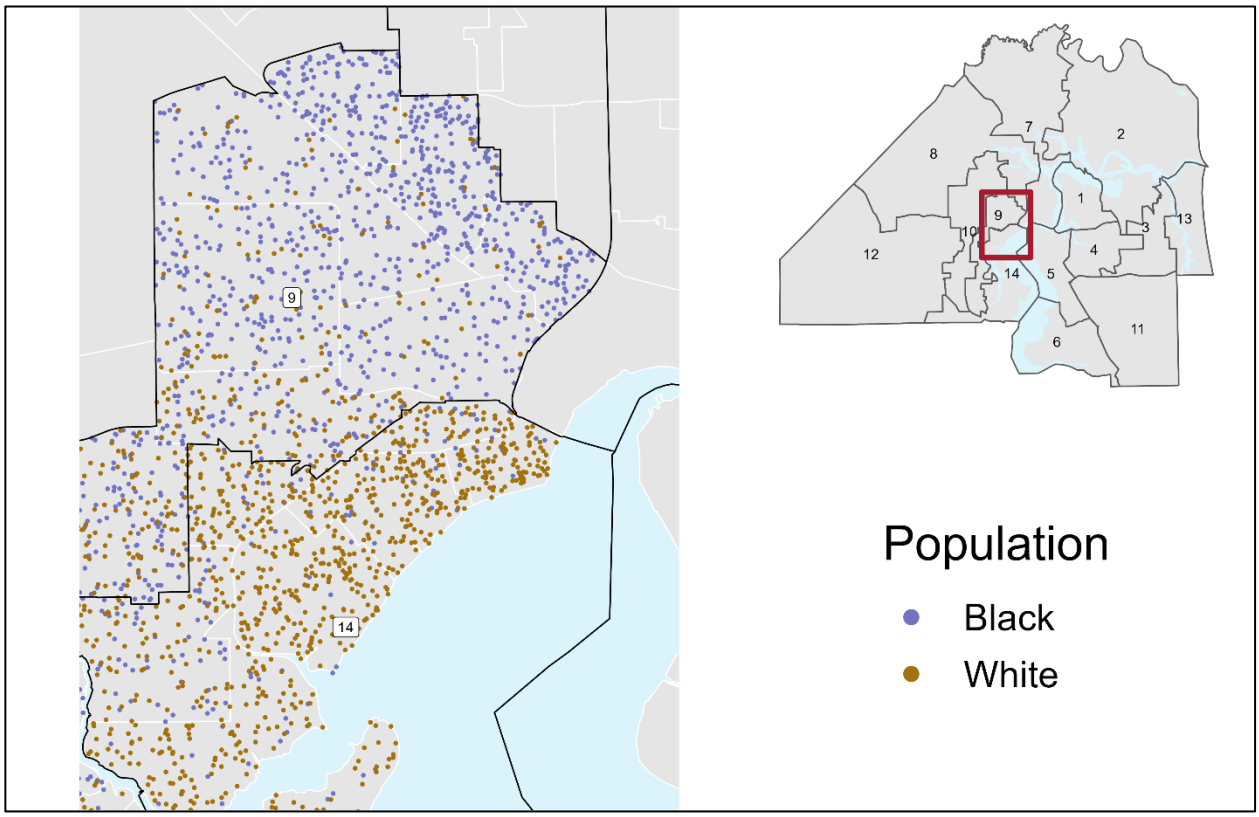

Figure 15 – Race-Based District 9 / 14 Border. Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.

248. At its easternmost point, the border runs south of Precinct 909 (83.9% Black population) to ensure its inclusion in District 9. Adjacent Precinct 1407 (63.9% white population) is on the other side of the border in District 14.

249. Moving westward, the border divides Precinct 901 (41.8% Black and in District 9) from Precinct 1405 (76% white and in District 14).

250. Slightly further south, District 9's land bridge begins as a single precinct

wide, comprising Precinct 908, which is 46.8% Black.

251.! The land bridge continues south with the majority-Black Precinct 903. Immediately to its east is Precinct 1412 (56.5% white), which is located in District 14.

252.! Next, the land bridge moves south through the plurality-Black Precinct 906. By keeping District 9 one precinct wide at this point, the mapmakers ensured that District 14 could keep the adjacent Precinct 1408, with its 77.9% white population.

253.! District 9 then widens slightly, jutting into District 14 to capture the plurality-Black Precinct 907.

254.! District 9 then narrows again to avoid the 42.9% white Precinct 1409.

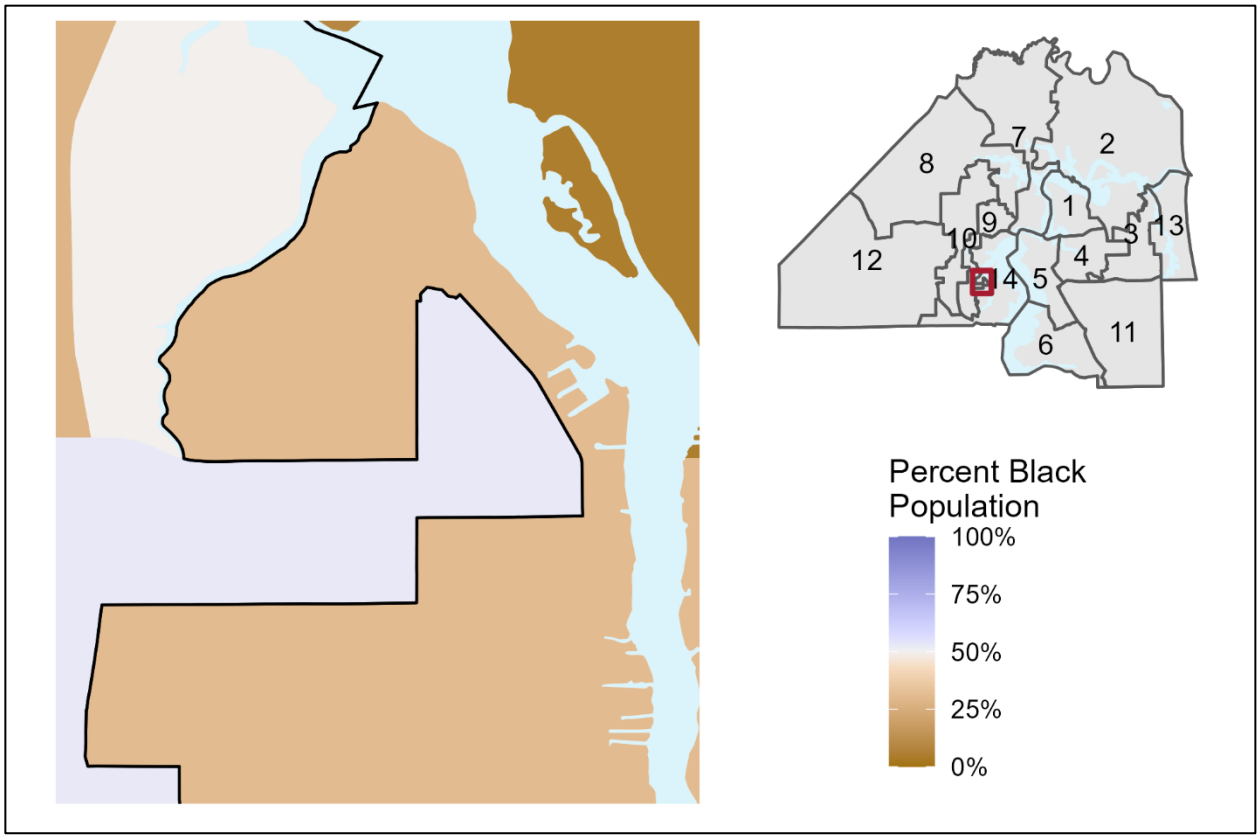

Figure 16: Hitchhiker's Thumb. Darker purples indicate precincts that are more Black, while darker browns indicate precincts that are whiter.

255.! District 9 reaches into Precinct 1409 with a protrusion resembling a

"hitchhiker's thumb" to hook in Black voters, as depicted above. This appendage also splits the Ortega Farms neighborhood, which would not otherwise be divided.

256. The northward-pointing thumb is majority Black. The adjacent areas in District 14 are majority white.

257. Further south, District 14's land bridge interrupts District 9's march southward just a precinct shy of the city limit. As alleged in Paragraphs 234–236, District 14's land bridge squeezes between the city limit and Districts 9 and 10 to capture disproportionately white areas.

258. The precincts that comprise the land bridge are whiter than the precincts in District 9 immediately to their north; the district borders in this area ensure that District 14 minimizes and District 9 maximizes their respective Black populations.

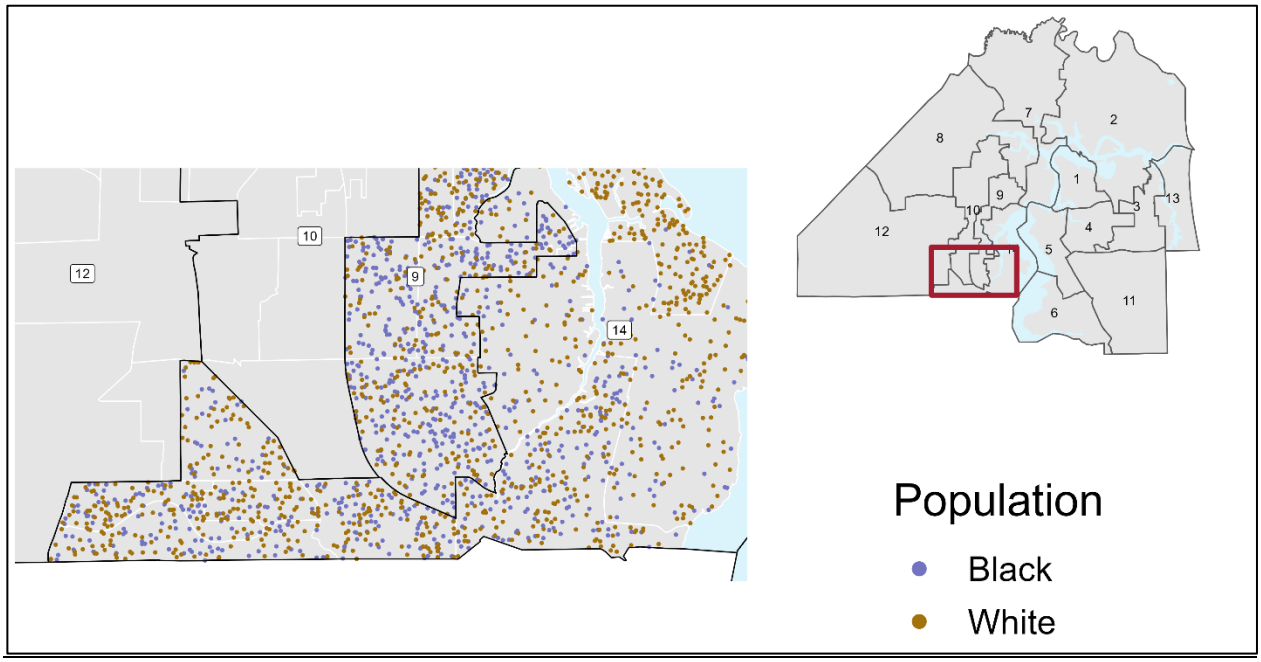

Figure 17 – Race-Based District 9/14 border. Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.

259. The table below indicates the Black population of the precincts along the

border between Districts 9 and 14, moving from north to south. In the case of split precincts (denoted with an asterisk), the Black population figure reflects the Black population of only the portion of the precinct in the relevant district:

Precinct in 9	Black % in 9	Black % in 14	Precinct in 14
909	83.9	18.8	1407
901	41.8	8.3	1413
		10.8	1405
908	46.8		
		28.8	1412*
903	54.5		
906	28.1	8.7	1408
907	49.5		
		30.6	1409*
913	53.8		
1409*	17.0		
914	44.2	36.9	1410
		36.9	1401

260.! Along the entire border,[13] the precincts on the District 9 side have a larger Black population than the adjacent precincts in District 14.

[13] With the sole exception of the majority-white portion of split Precinct 1409, which was moved into District 9 due to changing Census block boundaries and has a population of about 200.

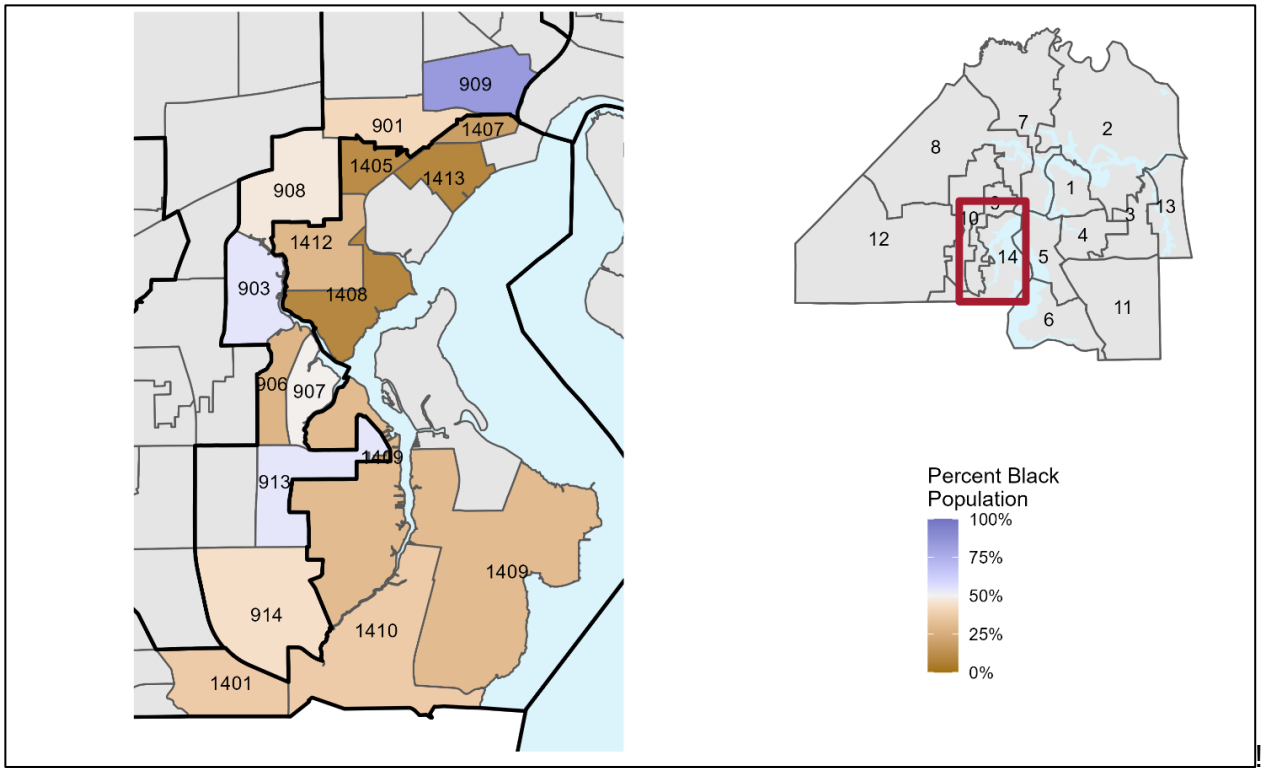

Figure 18: Precincts Along District 9/ 14 Border. Darker purples indicate precincts that are more Black; darker browns indicate precincts that are whiter.

CLAIMS FOR RELIEF

COUNT ONE

Racial Gerrymandering in Violation of the Fourteenth Amendment to the U.S. Constitution (42 U.S.C. § 1983)

261. Plaintiffs reallege and reincorporate by reference all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

262. The Fourteenth Amendment to the U.S. Constitution provides in relevant part: "No State shall . . . deny to any person within its jurisdiction the equal protection of the laws."

263. Under the Fourteenth Amendment's Equal Protection Clause, a racial

classification is prohibited unless it is narrowly tailored to serve a compelling state interest.

264.! As alleged in detail above, race was the predominant factor in the design of City Council Districts 2, 7, 8, 9, 10, 12, and 14 in Ordinance 2022-01-E. Race predominated over all other redistricting criteria when each of these districts was drawn.

265.! The use of race as the predominant factor in creating City Council Districts 2, 7, 8, 9, 10, 12, and 14 was not narrowly tailored to advance any compelling state interests, including compliance with Section 2 of the VRA.

266.! Consequently, these districts do not survive strict scrutiny.

267.! Council Districts 7 and 8 together compose School Board District 4. Council Districts 9 and 10 together compose School Board District 5. Council Districts 12 and 14 together compose School Board District 6. As a result, race was necessarily the predominant factor in the design of School Board Districts 4, 5, and 6 in Ordinance 2022-01-E.

268.! Race predominated over all other redistricting criteria in creating School Board Districts 4, 5, and 6, and its use was not narrowly tailored to advance any compelling state interest, including compliance with Section 2 of the VRA.

269.! Therefore, City Council Districts 2, 7, 8, 9, 10, 12, and 14, and School Board Districts 4, 5, and 6 violate Plaintiffs' rights under the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution and 42 U.S.C. § 1983.

COUNT TWO

Illogical and/or Non-Compact Districts in Violation of the Jackson ille Cit Charter, Sec. 5.02(a)

270.! Plaintiffs reallege and reincorporate by reference all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

271.! Section 5.02(a) of the Jacksonville City Charter mandates: "the [city] council shall redistrict the 14 council districts . . . so that all districts . . . are arranged in a logical and compact geographic pattern to the extent possible."

272.! The Florida Supreme Court has concluded that compactness is a standard that "refers to the shape of [a] district," and "seeks to 'ensure that districts are logically drawn and that bizarrely shaped districts are avoided.'" In re Senate Joint Resol. of Legis. Apportionment 1176, No. SC22-131, __ So. 3d __, 2022 WL 619841, at *3 (Fla. Mar. 3, 2022) (quoting In re Senate Joint Resol. of Legis. Apportionment 1176, 83 So. 3d 597, 636 (Fla. 2012)).

273.! To be considered compact under Florida law, a district "should not have an unusual shape, a bizarre design, or an unnecessary appendage." In re SJR 1176, 83 So. 3d at 634.

274.! City Council Districts 2, 7, 8, 9, 10, 12, and 14 have unusual shapes, bizarre designs, and unnecessary appendages.

275.! City Council Districts 2, 7, 8, 9, 10, 12, and 14 are non-compact.

276.! City Council Districts 2, 7, 8, 9, 10, 12, and 14 do not preserve traditional communities of interest. Instead, they split precincts and neighborhoods and connect

far-flung regions of the City that lack common economic or social interests.

277.! City Council Districts 2, 7, 8, 9, 10, 12, and 14 are not arranged in a logical geographic pattern. The decisions that informed their borders involved illogical choices, including but not limited to the use of race in a manner prohibited by the federal Constitution.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court enter judgment in their favor and:

A.! Declare the City Council Districts 2, 7, 8, 9, 10, 12, and 14 adopted in Ordinance 2022-01-E to be unconstitutional in violation of the Fourteenth Amendment to the U.S. Constitution as racially gerrymandered; and non-compact and/or illogical in violation of the Jacksonville City Charter;

B.! Declare the School Board Districts 4, 5, and 6 adopted in Ordinance 2022-01-E to be unconstitutional in violation of the Fourteenth Amendment to the U.S. Constitution as racially gerrymandered;

C.! Preliminarily and permanently enjoin Defendants and their agents from calling, holding, supervising, or certifying any elections in the Challenged Districts as defined in Ordinance 2022-01-E;

D.! Order Defendants to hold special elections in the Challenged Districts as defined in Ordinance 2022-01-E to limit the harm to Plaintiffs should adequate relief be unavailable prior to the next regularly scheduled elections;

E.! Retain jurisdiction to render any and all further orders that this Court may deem necessary;

F.! Award Plaintiffs their attorneys' fees in this action;

G.! Award Plaintiffs their costs of suit; and

H.! Grant any and all other relief this Court deems just and proper.

Respectfully submitted this 3rd day of May, 2022,

/s/ Nicholas Warren !
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Attorneys for Plaintiffs

Designated lead counsel * Special admission motion forthcoming [à] Federal practice only

APPENDIX – FULL-PAGE MAPS

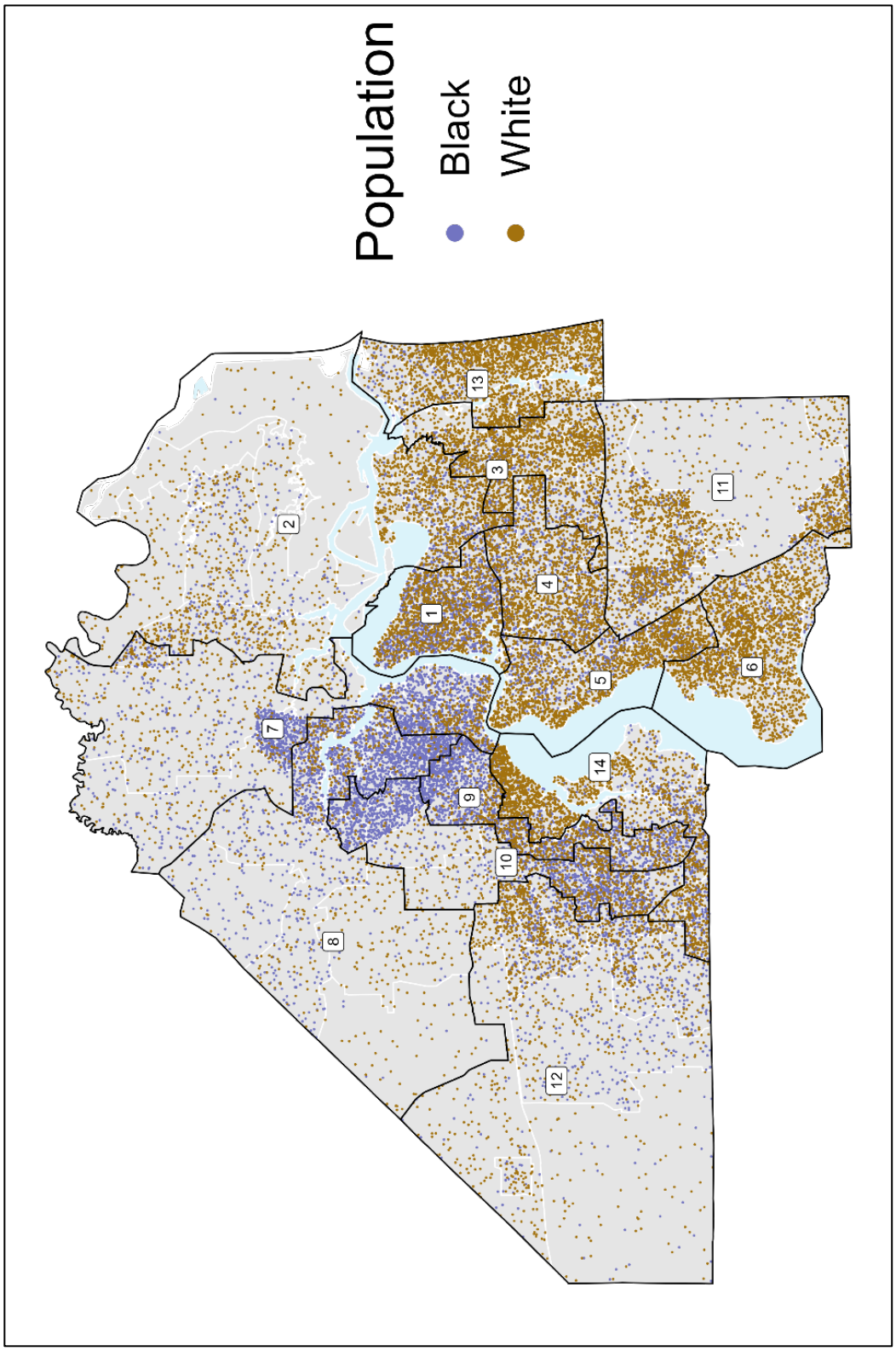

Figure 1 – Jacksonville Dot Density Map. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

Figure 2 – Noncompact District Shapes. *The silhouettes of Districts 10, 14, and 9 are shown on the first row. Districts 8, 2, and 7 are shown on the second row.*

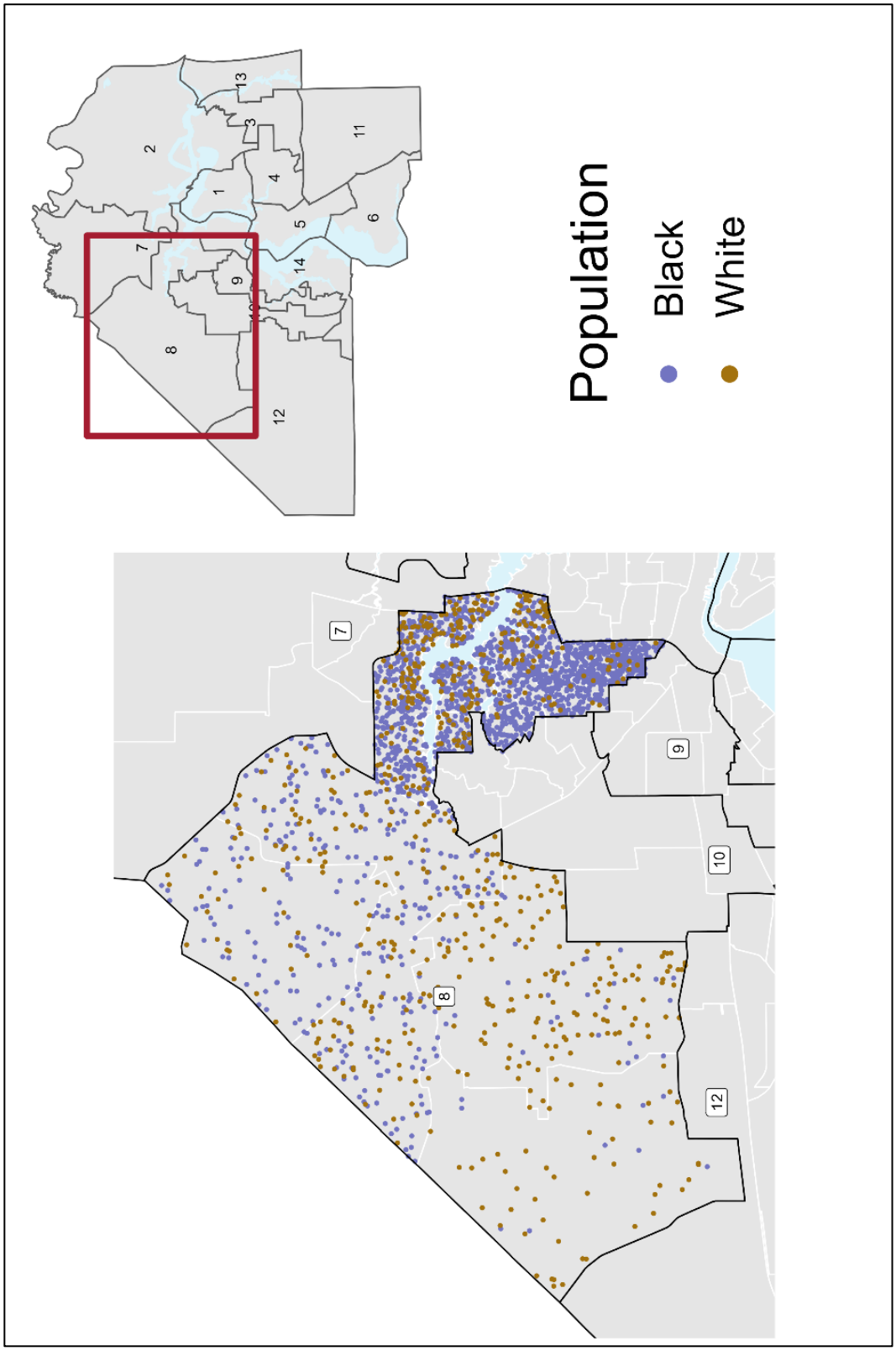

Figure 3 – District 8. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

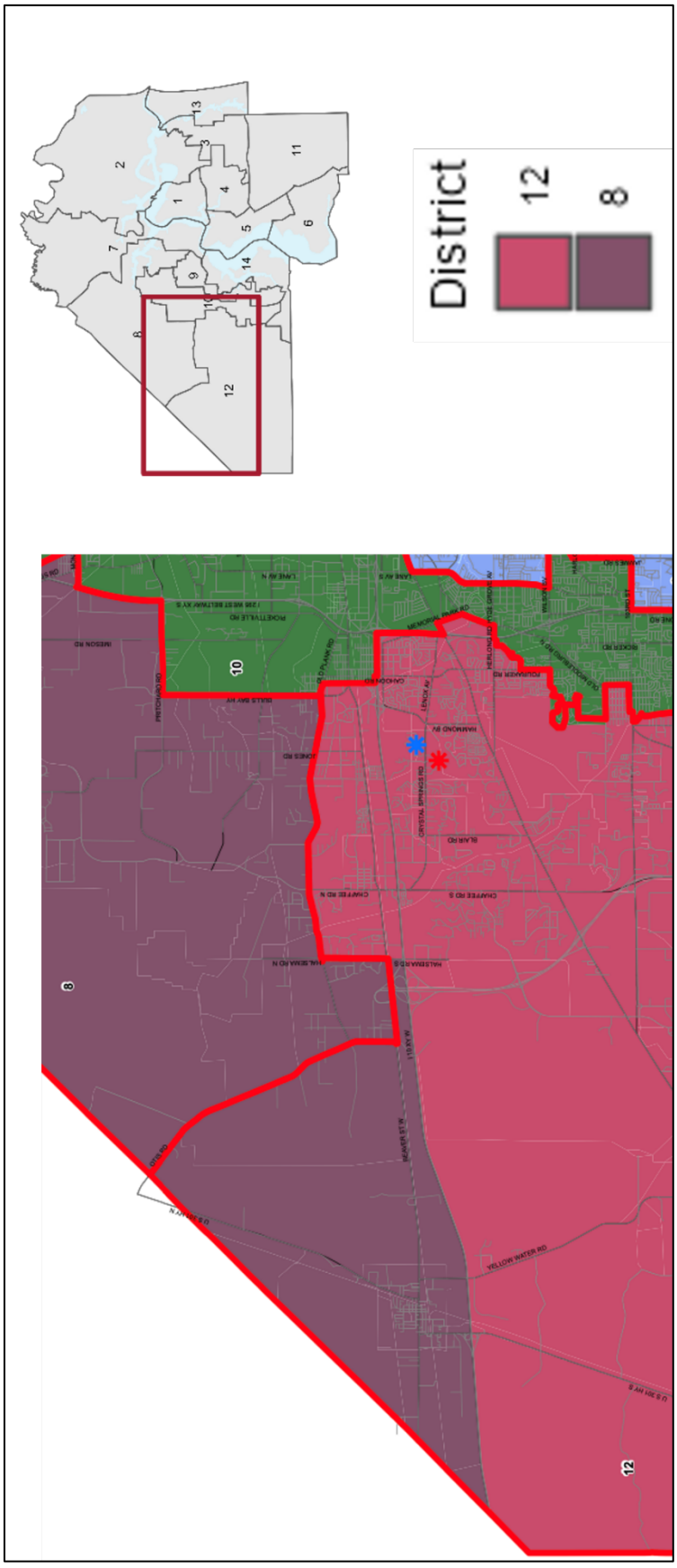

Figure 4 – Killingsworth's Rejected District 8 Southwestern Border Extension. *The proposed District 12 is colored pink; the proposed District 8 is purple. The 2011 plan is outlined in red.*

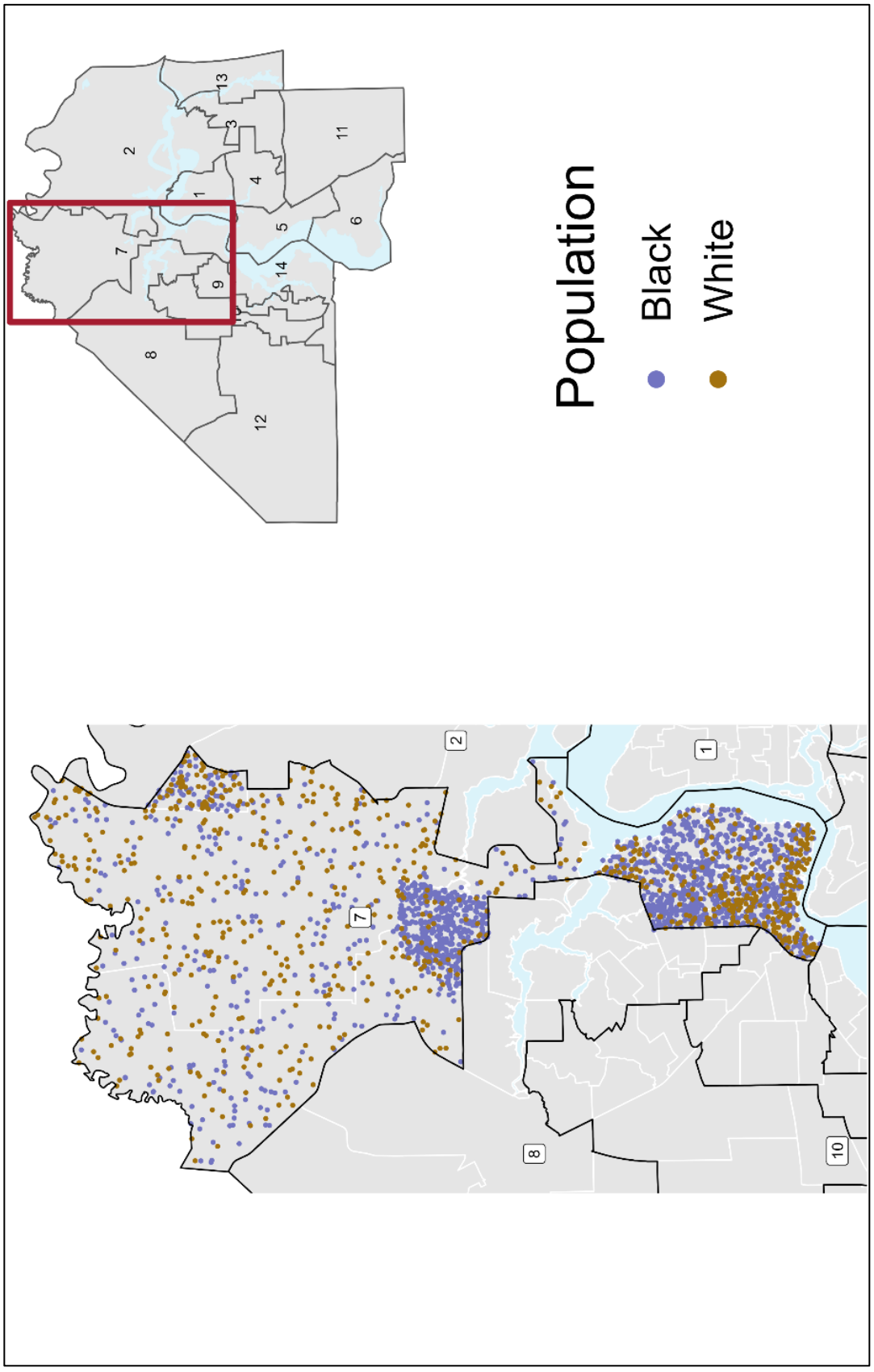

Figure 5 – District 7. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

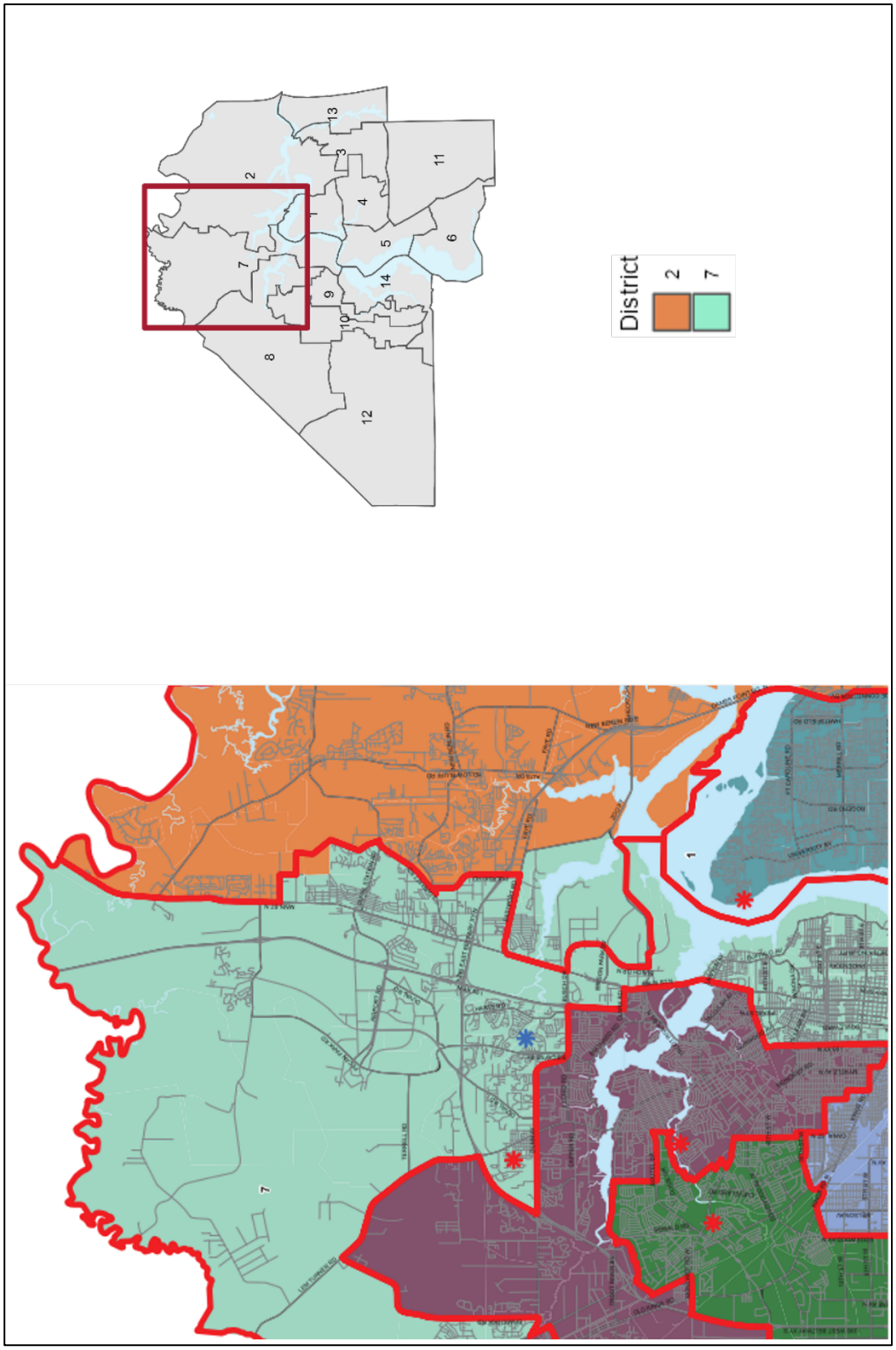

Figure 6 – Killingsworth's Rejected Proposal to Widen District 7 Land Bridge. *The proposed District 7 is mint green; the proposed District 2 is orange. The 2011 plan is outlined in red.*

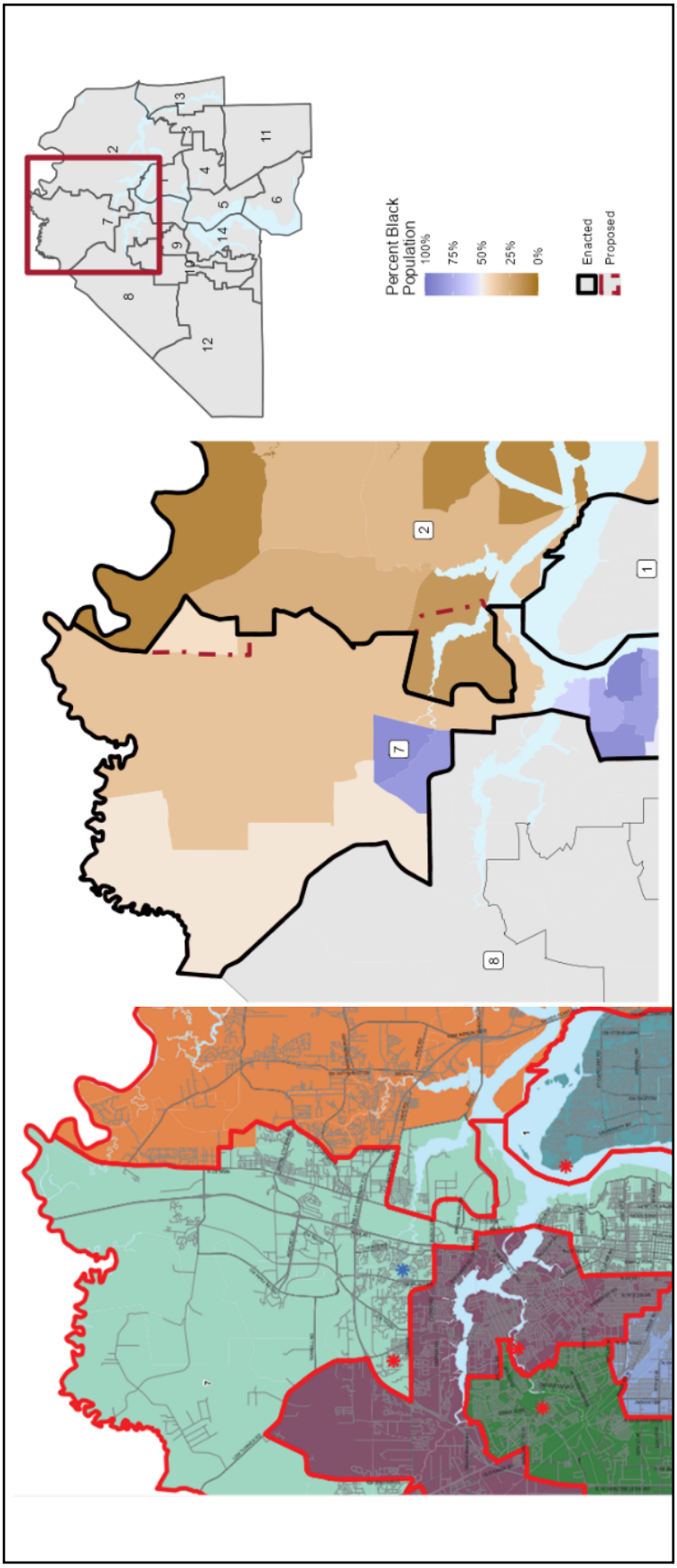

Figure 7 – Racial Demographics for Killingsworth's Rejected Proposal. *The map at left displays the proposed change to Districts 7 and 2 in mint green, as in Figure 6. The map at right shows racial demographics, with the Enacted Plan (solid black line) and rejected proposal (dashed red line) overlaid. Darker purples indicate precincts that are more Black; darker browns indicate precincts that are whiter.*

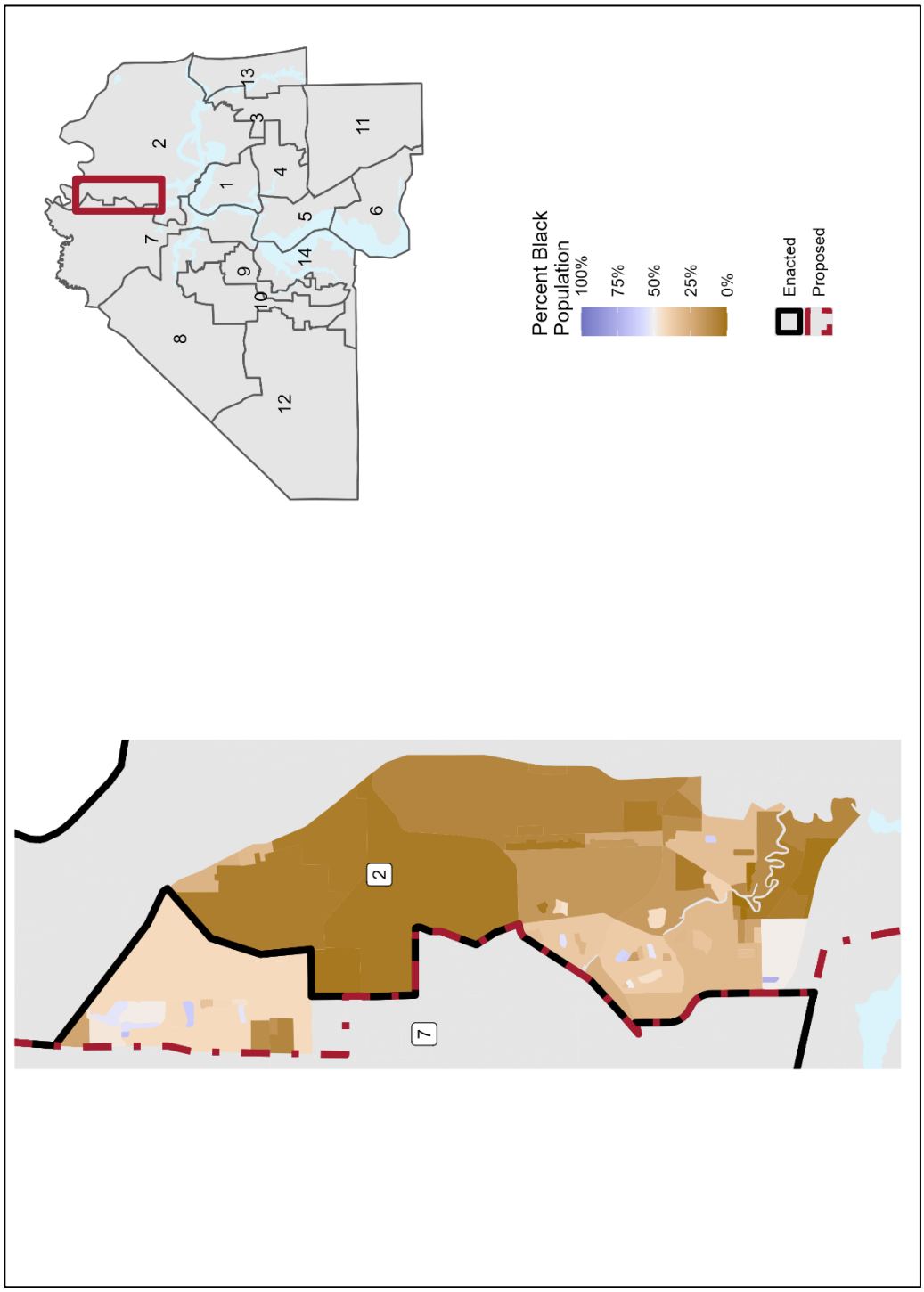

Figure 8 – Race-Based Splitting of Precinct 205. *Proposed changes to the border between Districts 7 and 2 overlayed on racial makeup of Census blocks within Precinct 205. Lighter browns indicate blocks that are more diverse, while darker browns indicate blocks that are whiter.*

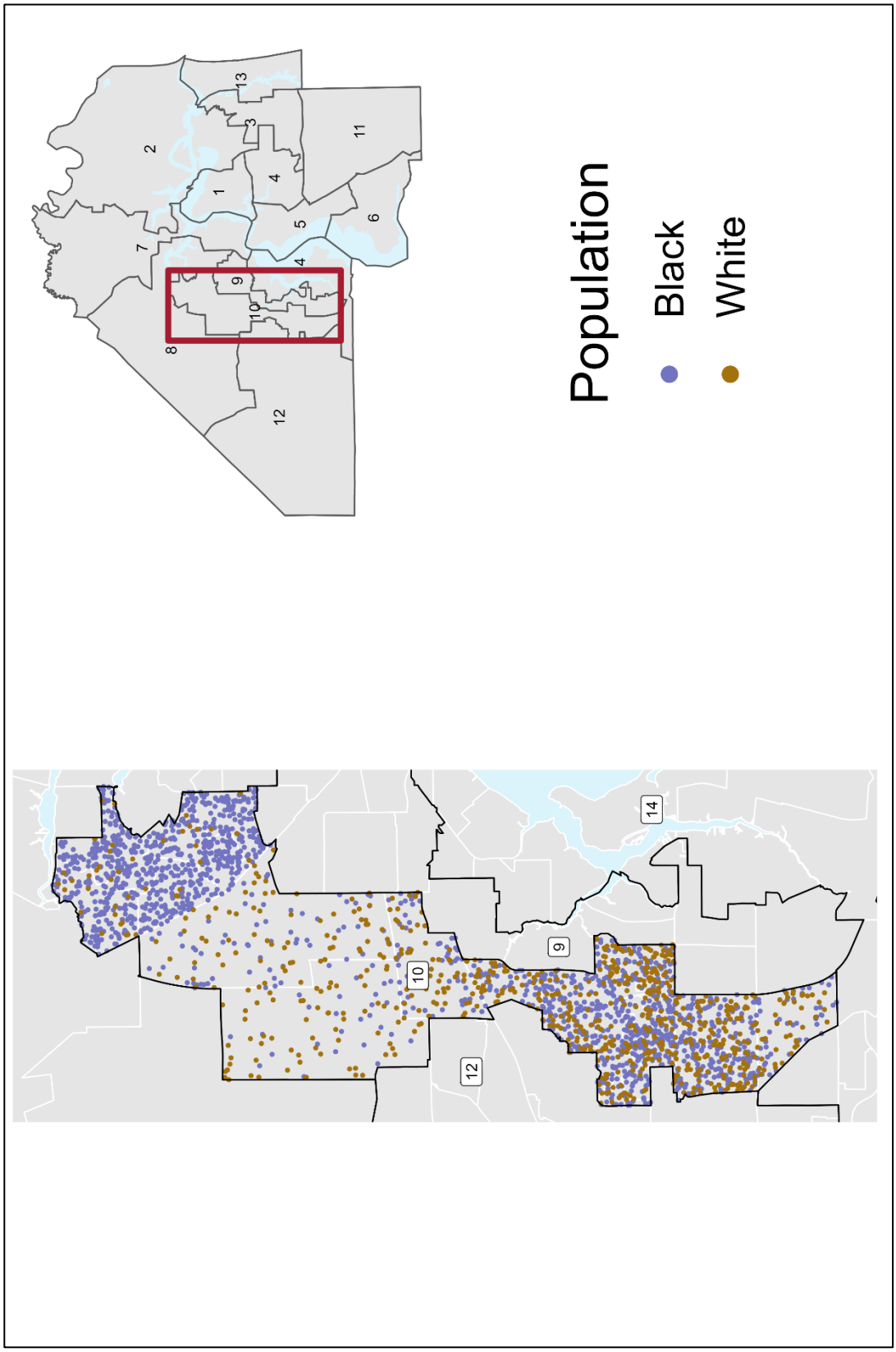

Figure 9 – District 10. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

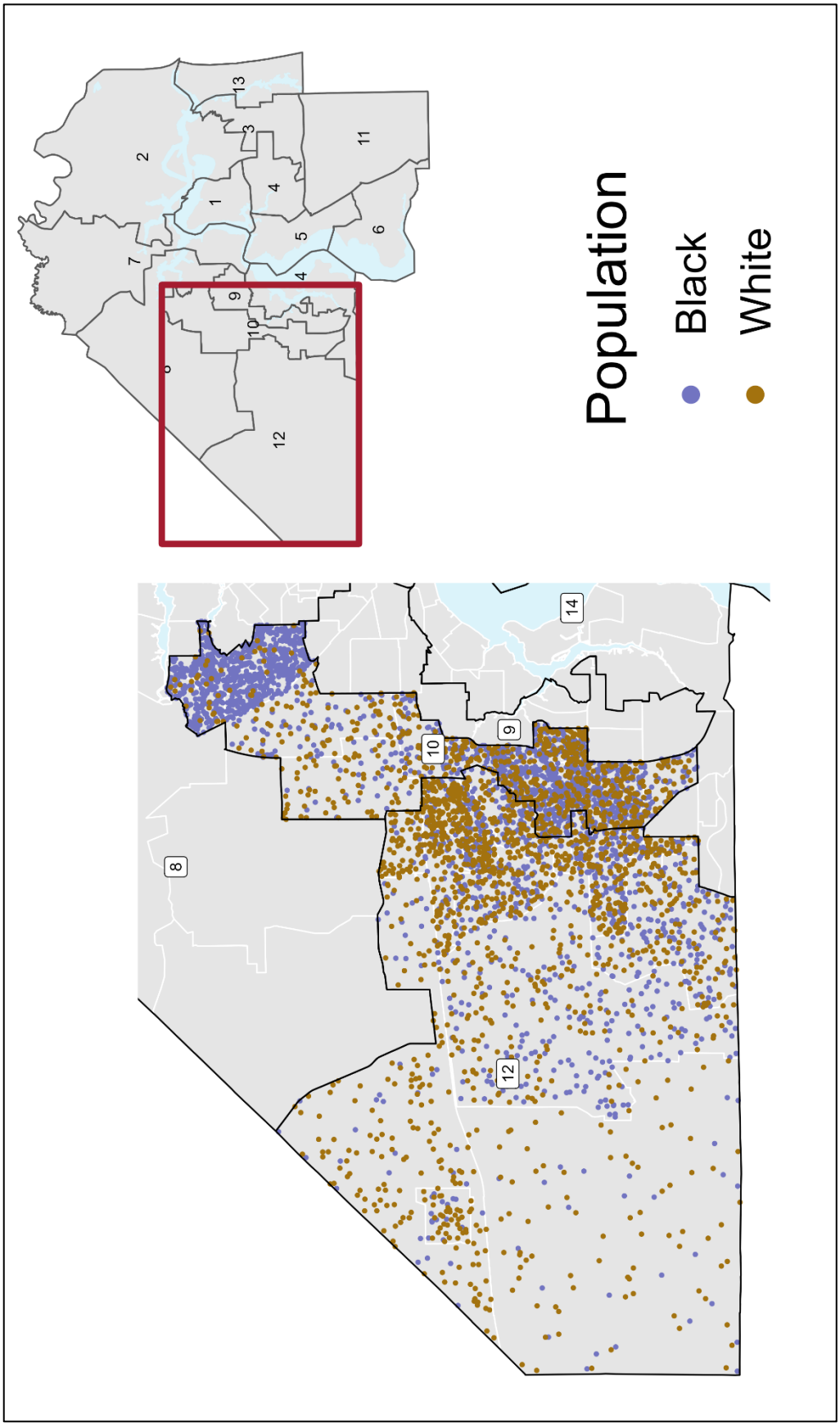

Figure 10 – Race-Based District 10/12 Border. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

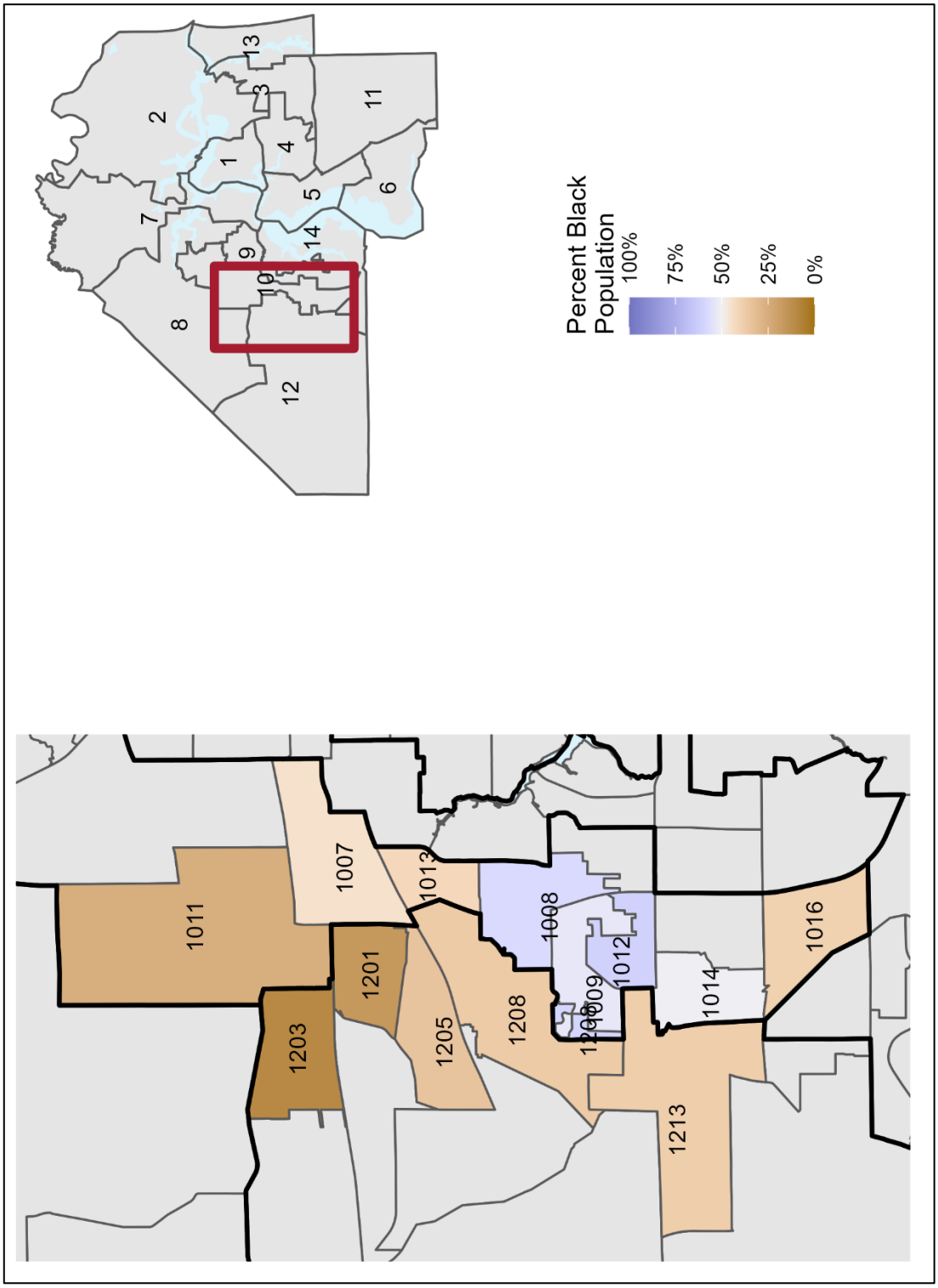

Figure 11 – Precincts Along District 10/12 Border. *Darker purples indicate precincts that are more Black; darker browns indicate precincts that are whiter.*

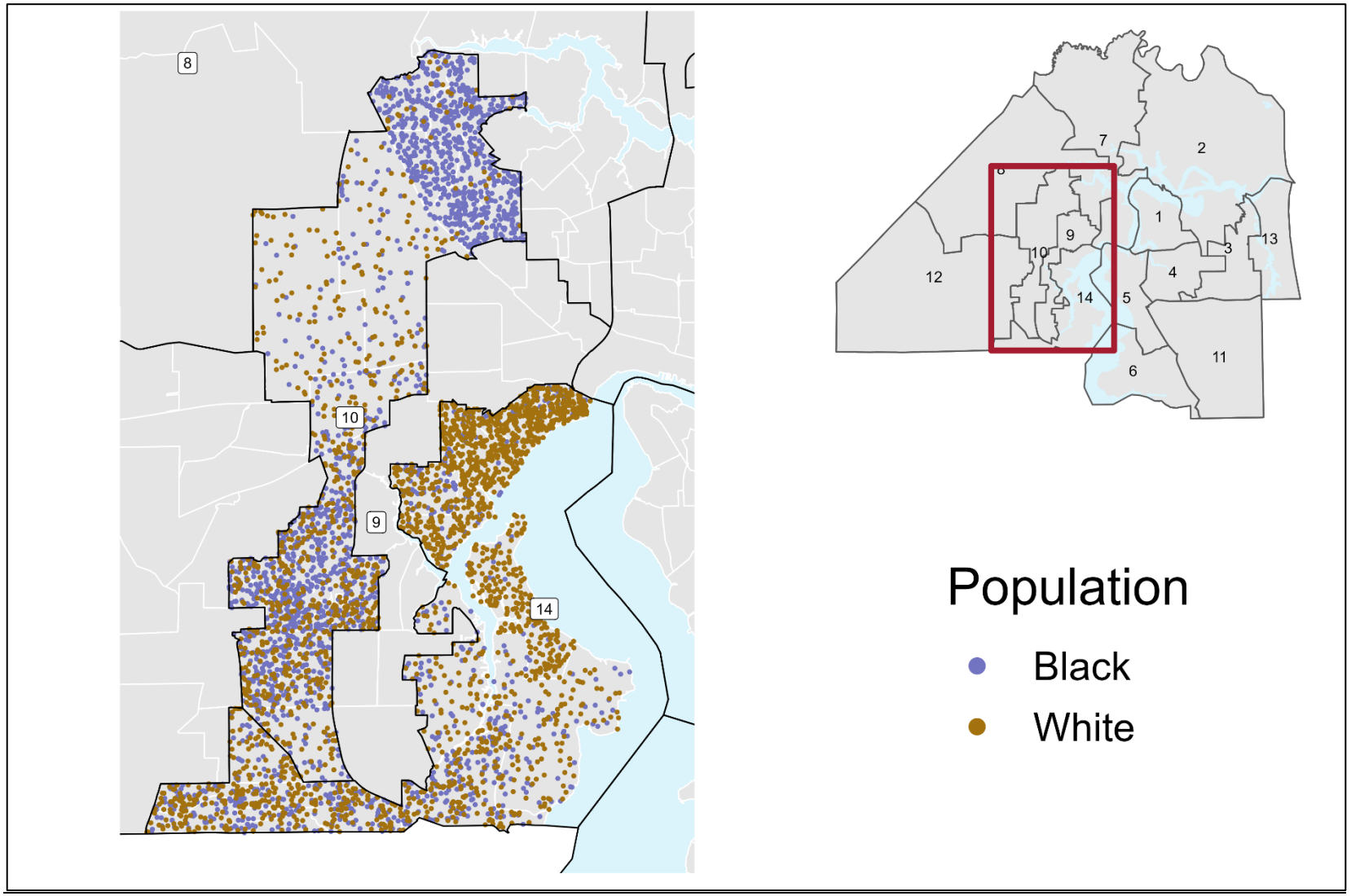

Figure 12 – Race-Based District 10/14 Border. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

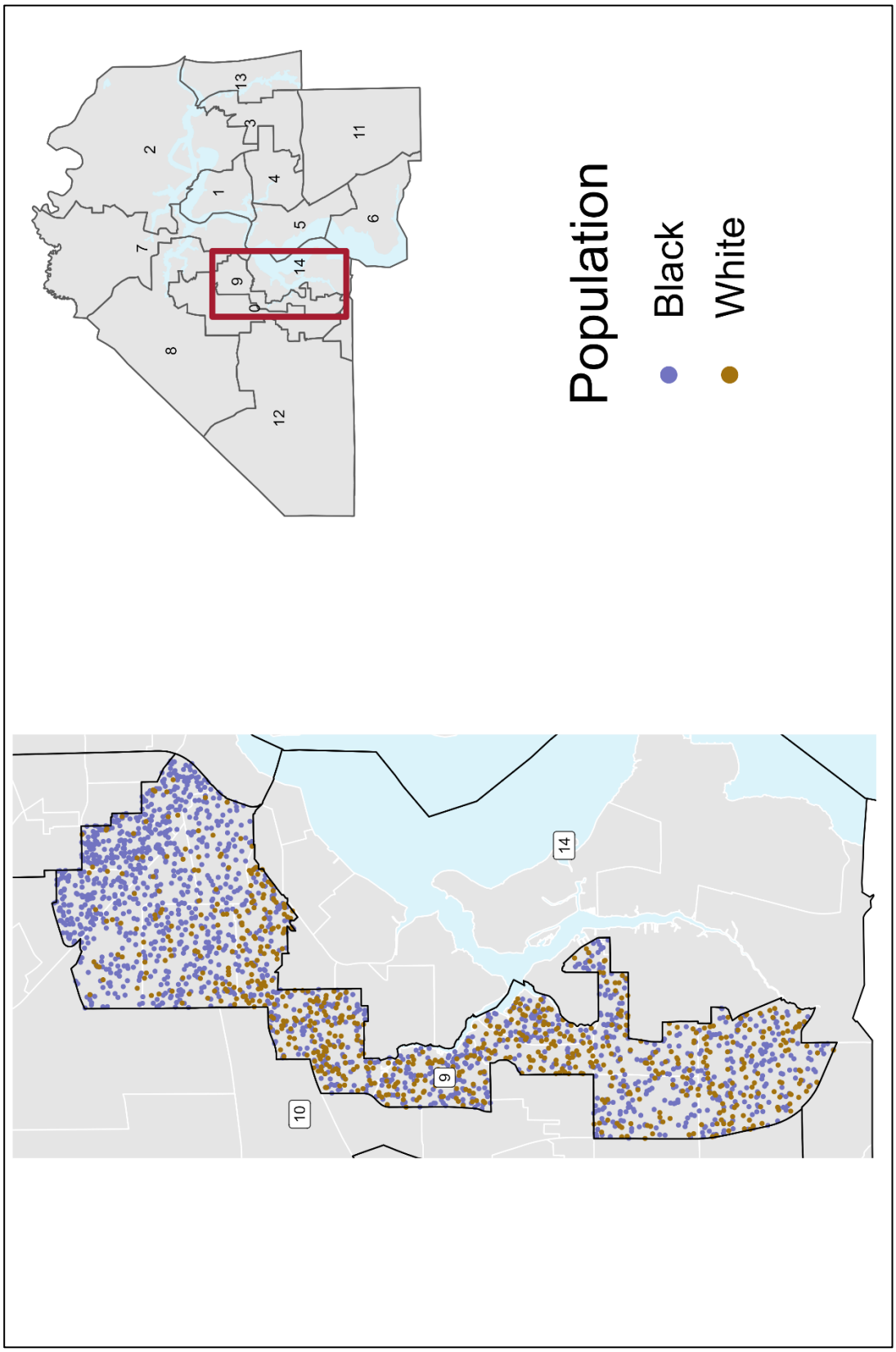

Figure 13 – District 9. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

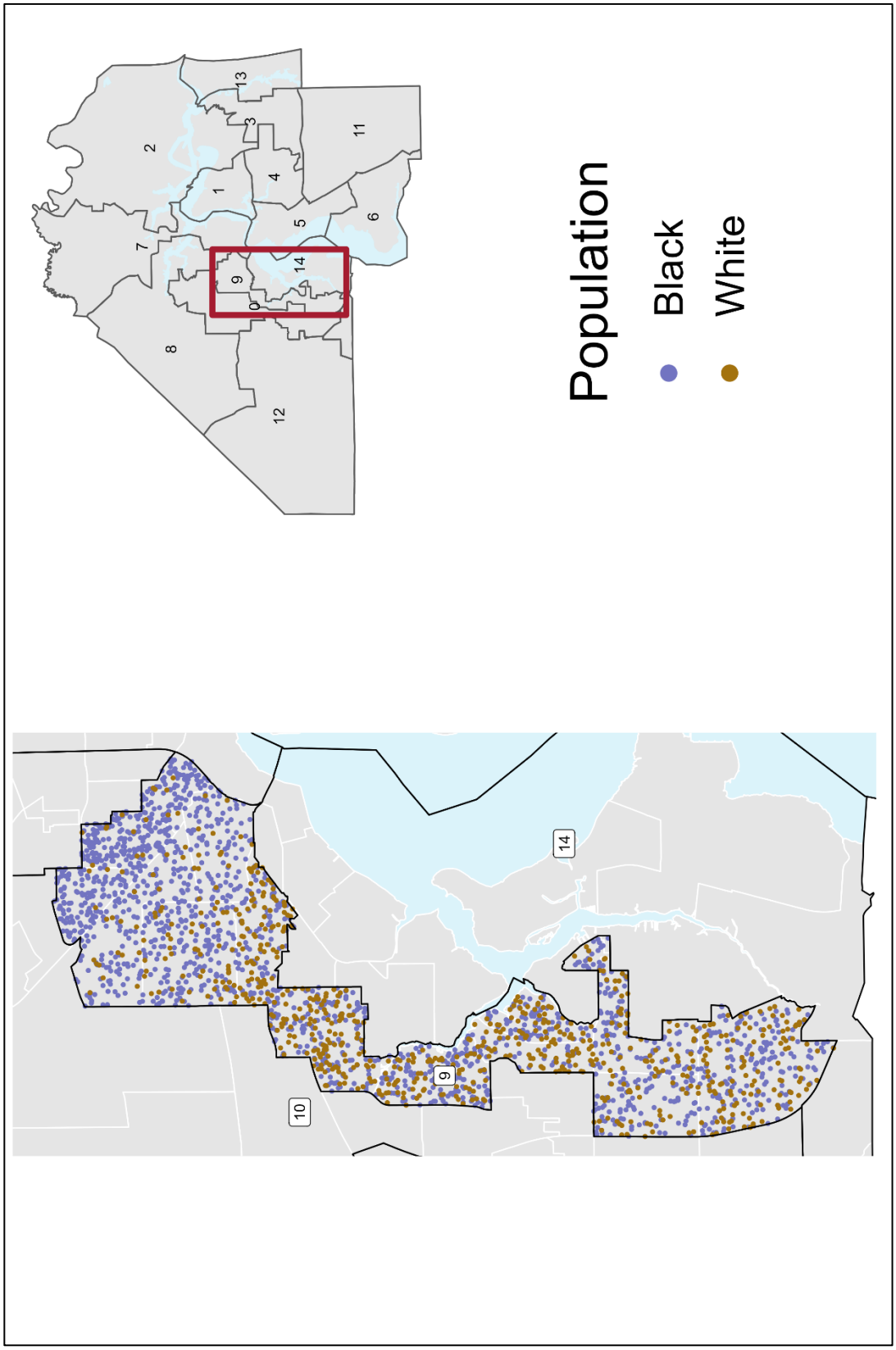

Figure 14 – District 9 and 14. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

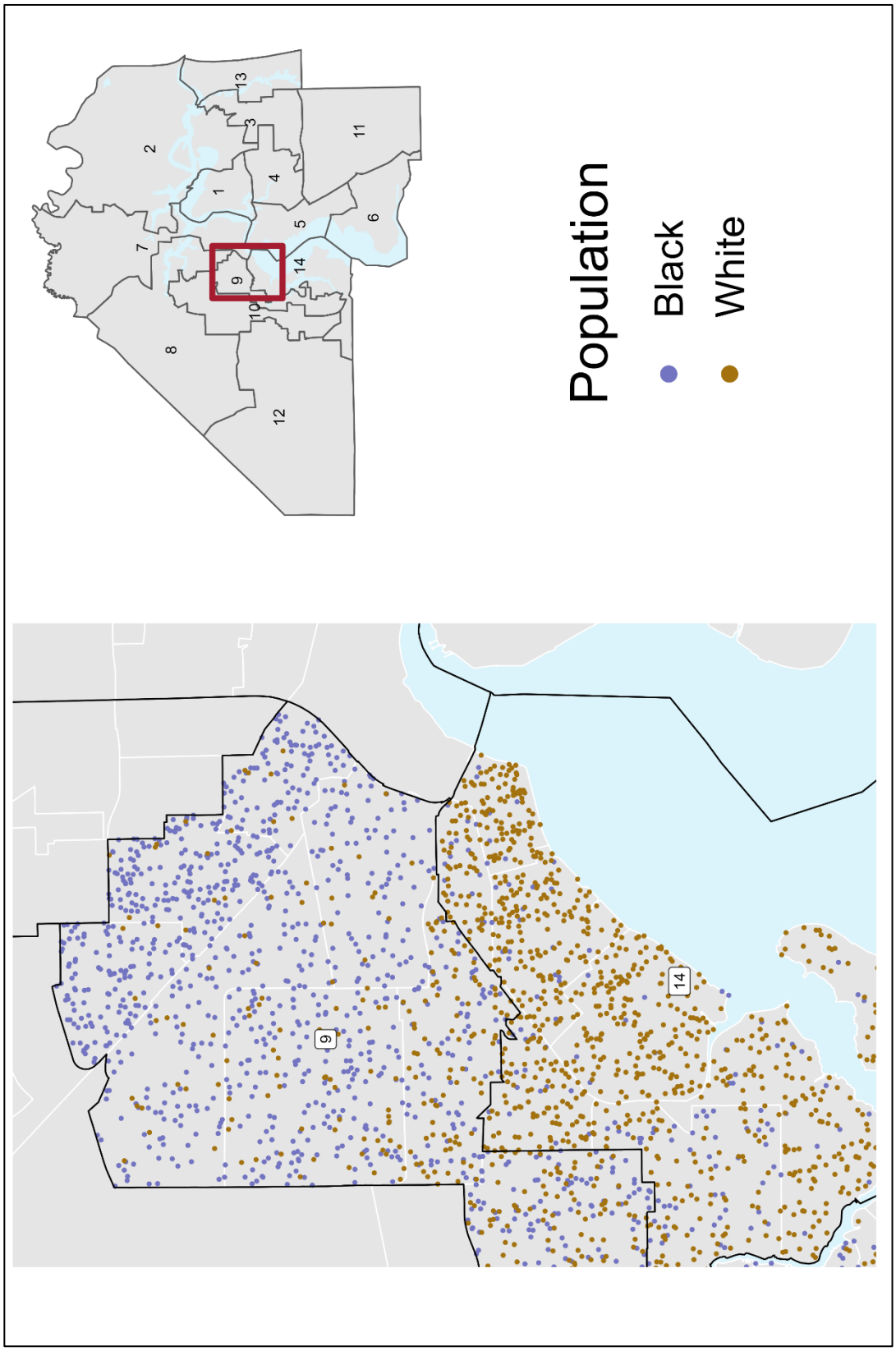

Figure 15 – Race-Based District 9/14 Border. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

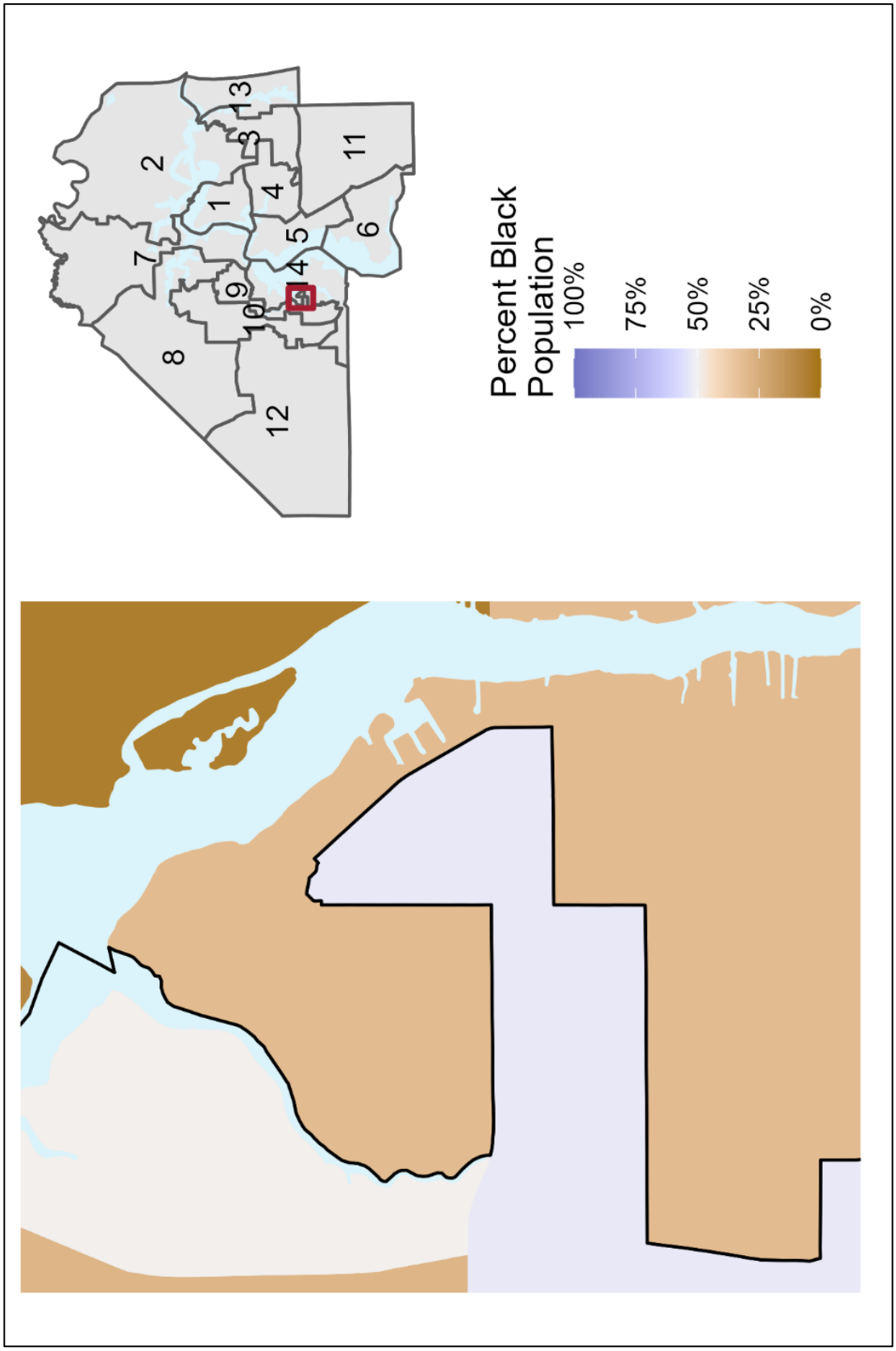

Figure 16 – Hitchhiker's Thumb. *Darker purples indicate precincts that are more Black, while darker browns indicate precincts that are whiter.*

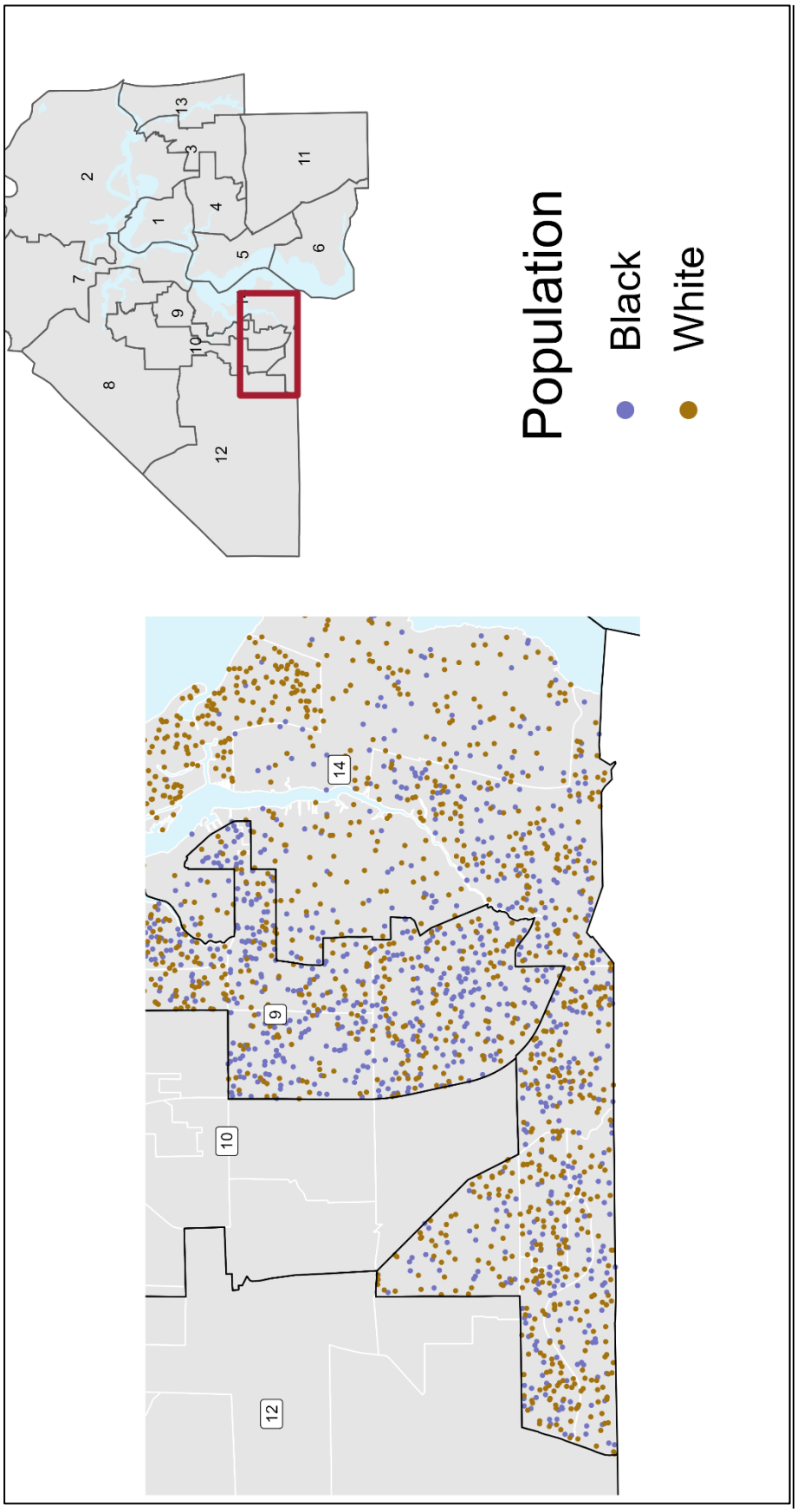

Figure 17 – Race-Based District 9/14 border. *Each purple dot represents 25 Black residents; each brown dot represents 25 white residents. Dot locations within precincts are approximate.*

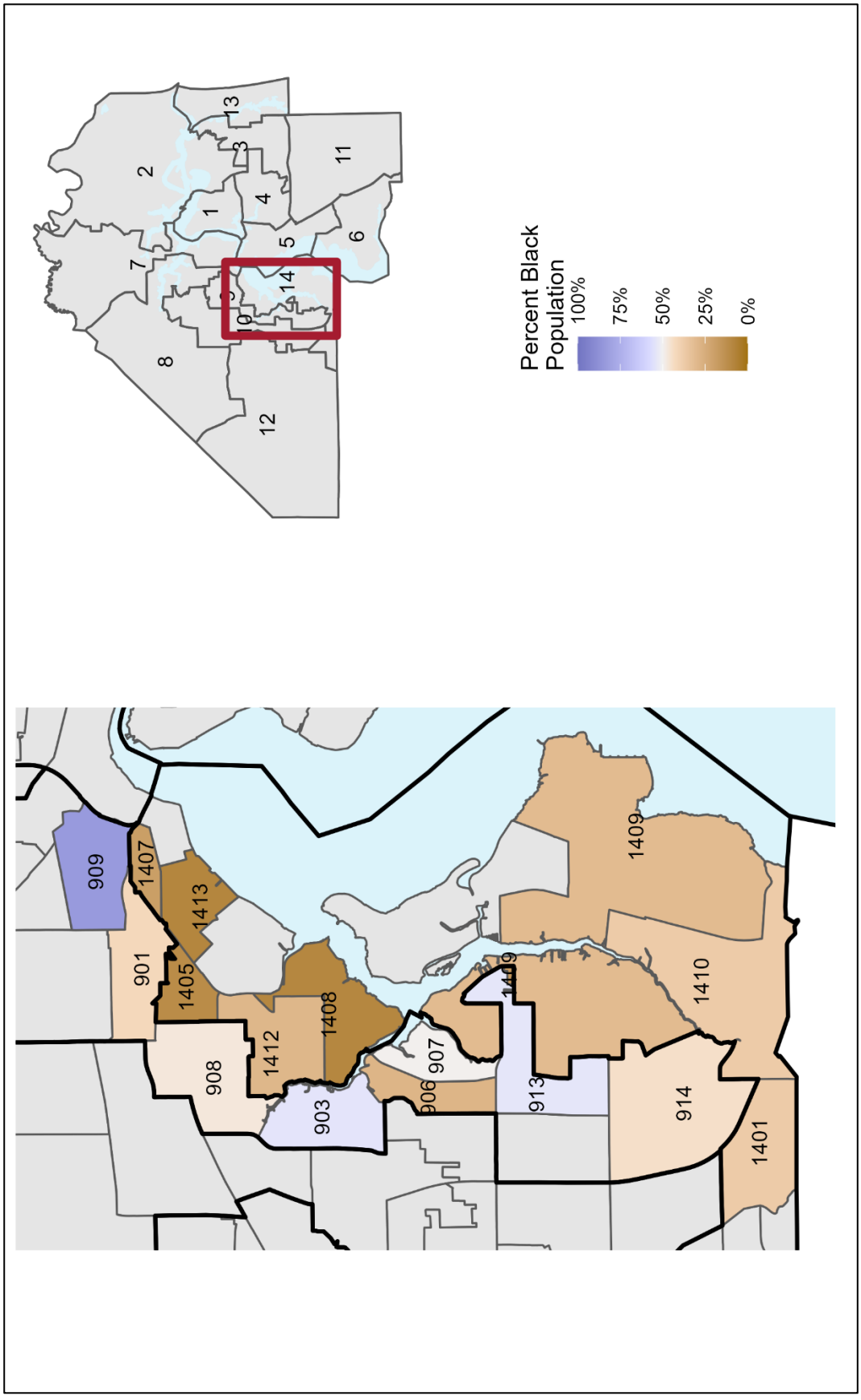

Figure 18 – Precincts Along District 9/14 Border. *Darker purples indicate precincts that are more Black; darker browns indicate precincts that are whiter.*

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

Jacksonville Branch of the NAACP; (see attachment)

(b) County of Residence of First Listed Plaintiff Duval
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
(see attachment)

DEFENDANTS

City of Jacksonville; Duval County Supervisor of Elections Hogan, Mike

County of Residence of First Listed Defendant Duval
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☒ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
42 USC 1983, 1988

Brief description of cause:
Challenging Jacksonville City Council and Duval County School Board districts and unconstitutional racial gerrymanders

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
5/3/2022

SIGNATURE OF ATTORNEY OF RECORD
/s/ Nicholas Warren

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

Attachment to Civil Cover Sheet

I. (a) Plaintiffs:

1. Jacksonville Branch of the NAACP
2. Northside Coalition of Jacksonville, Inc.
3. ACLU of Florida Northeast Chapter
4. Florida Rising Together, Inc.
5. Washington, Marcella
6. Montgomery, Ingrid
7. Franklin, Ayesha
8. Roberts, Tiffanie
9. McCoy, Rosemary
10. Singleton, Sheila
11. Barnum, Eunice
12. Williams, Janine
13. Carswell, Haraka
14. Barnum, Dennis

I. (c) Attorneys for Plaintiffs:

Nicholas Warren† (FBN 1019018)
ACLU FOUNDATION OF FLORIDA, INC.
336 East College Avenue, Ste. 203
Tallahassee, FL 32301
(786) 363-1769
nwarren@aclufl.org

Daniel B. Tilley (FBN 102882)
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4343 West Flagler Street, Ste. 400
Miami, FL 33134
(786) 363-2714
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Daniel Hessel*‡
Theresa J. Lee*
Nicholas Stephanopoulos*
ELECTION LAW CLINIC
HARVARD LAW SCHOOL
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dhessel@law.harvard.edu
thlee@law.harvard.edu
nstephanopoulos@law.harvard.edu

Krista Dolan (FBN 1012147)
SOUTHERN POVERTY LAW CENTER
P.O. Box 10788
Tallahassee, FL 32303-2788
(850) 521-3000
krista.dolan@splcenter.org

Bradley E. Heard*
Jack Genberg*
SOUTHERN POVERTY LAW CENTER
150 E Ponce de Leon Av, Suite 340
Decatur, GA 30030
(404) 521-6700
bradley.heard@splcenter.org
jack.genberg@splcenter.org

† *Designated lead counsel* * *Special admission motions forthcoming* ‡ *Federal practice only*

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

Jacksonville Branch of the NAACP, et al.,

Plaintiff(s)

v.

City of Jacksonville, et al.,

Defendant(s)

Civil Action No. 3:22-cv-493

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* City of Jacksonville
Office of General Counsel
117 West Duval Street, Suite 480
Jacksonville, FL 32202

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Nicholas Warren
ACLU Foundation of Florida, Inc.
336 East College Ave, Suite 203
Tallahassee, FL 32301

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No. 3:22-cv-493

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____ was received by me on *(date)* _____ .

❒ I personally served the summons on the individual at *(place)* _____ on *(date)* _____ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* _____ , a person of suitable age and discretion who resides there, on *(date)* _____ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* _____ , who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____ ; or

❒ I returned the summons unexecuted because _____ ; or

❒ Other *(specify):*

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

Jacksonville Branch of the NAACP, et al.,

Plaintiff(s)

v.

City of Jacksonville, et al.,

Defendant(s)

Civil Action No. 3:22-cv-493

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Mike Hogan
Duval County Supervisor of Elections
105 East Monroe Street
Jacksonville, FL 32202

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Nicholas Warren
ACLU Foundation of Florida, Inc.
336 East College Ave, Suite 203
Tallahassee, FL 32301

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No. 3:22-cv-493

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____ was received by me on *(date)* _____ .

❒ I personally served the summons on the individual at *(place)* _____ on *(date)* _____ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* _____ , a person of suitable age and discretion who resides there, on *(date)* _____ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* _____ , who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____ ; or

❒ I returned the summons unexecuted because _____ ; or

❒ Other *(specify):*

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc: