

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

<hr/>		
BALTIMORE COUNTY BRANCH OF)	
THE NATIONAL ASSOCIATION FOR)	
THE ADVANCEMENT OF COLORED)	
PEOPLE, <i>et al.</i> ,)	
)	Civil Action No. 21-cv-03232-LKG
Plaintiffs,)	
)	Dated: May 9, 2022
v.)	
)	
BALTIMORE COUNTY, MARYLAND,)	
<i>et al.</i> ,)	
)	
Defendants.)	
<hr/>		

DISMISSAL ORDER

This Voting Rights Act case involves a challenge to Baltimore County’s 2021 redistricting plan brought by Black citizens of Baltimore County (“the County”) and several civil rights organizations, pursuant to Section 2 of the Voting Rights Act, 52 U.S.C. § 10301. *See generally* Compl., ECF No. 1. After the Court granted plaintiffs’ motion for a preliminary injunction, the County submitted a remedial redistricting map (the “County Map”), pursuant to the Court’s February 22, 2022, Memorandum Opinion and Order directing the County to adopt and to file “a redistricting map that either includes two reasonably compact majority-Black Districts for the election of County councilmembers, or an additional County District in which Black voters otherwise have an opportunity to elect a representative of their choice and that comports with the requirements of the Voting Rights Act, 52 U.S.C. § 10301, and any other relevant constitutional and statutory requirements.” *See* Def. Mot. Ex. B, ECF No. 57-3; *see also* Feb. 22, 2022, Mem. Op. and Order, ECF No. 55.

On March 25, 2022, the Court issued a Memorandum Opinion and Order approving the County Map and modifying the preliminary injunction in this case to allow the Baltimore County Council to enact the County Map into law and to allow the County to conduct future elections pursuant to the County Map. *See* Def. Mot., ECF No. 57; Def. Mem., ECF No. 57-1; Mar. 25,

2022, Mem. Op. and Order, ECF No. 80. A primary election under the County Map is scheduled for July 19, 2022. *See* Apr. 29, 2022, Joint Status Report at 3, ECF No. 83. The parties advise that a Black candidate is mounting a campaign for Councilman in District 2 and that four other Black candidates have filed to run as candidates for Councilman in Districts 1, 5 and 6. *Id.* And so, as plaintiffs observe in the parties' April 29, 2022, joint status report to the Court, the question of whether the County Map provides Black voters with an opportunity to elect a representative of their choice "will soon be put to the test." *Id.*

Given this, the parties largely agree that dismissal of this action is appropriate. *See id.* at 3-5. Plaintiffs request, however, that any dismissal of this action be without prejudice, so that they may bring a challenge to the County Map if their analysis of the July 19, 2022, election demonstrates a violation of the Voting Rights Act and/or the Constitution, and they may file a motion for attorneys' fees. *Id.* at 4.

In light of the foregoing, the Court **DISMISSES** this matter without prejudice, to allow plaintiffs to bring a challenge to the County Map after the July 19, 2022, election if they determine that such challenge is warranted. The parties shall adhere to the following schedule for the filing and briefing of plaintiffs' motion for attorneys' fees:

- | | |
|------------------------------------------------------|-----------------------|
| 1. Plaintiffs' motion for attorneys' fees | June 6, 2022 |
| 2. Plaintiffs' memorandum in support of their motion | July 11, 2022 |
| 3. Defendants' response to plaintiffs' motion | July 25, 2022 |
| 4. Plaintiffs' reply in support of their motion | August 8, 2022 |

The Court thanks and commends all parties and counsel for their diligence in ensuring the prompt resolution of this Voting Rights Act matter.

IT IS SO ORDERED.

s/ Lydia Kay Griggsby
LYDIA KAY GRIGGSBY
United States District Judge