

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
ALBANY DIVISION**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 STATE OF NEW YORK and THE NEW)
 YORK STATE BOARD OF ELECTIONS,)
)
 Defendants.)
)
 _____)

Case No. 1:10-CV-1214 (GLS/RFT)

SUPPLEMENTAL REMEDIAL ORDER

WHEREAS on January 27, 2012 this Court ordered New York’s federal primaries shall be held on the fourth Tuesday in June until the State amends its laws to provide for another primary date that is complaint with the Move Act (ECF Docket # 59), and

WHEREAS pursuant to the thirteenth decretal paragraph of the aforesaid Order this Court retained jurisdiction in this matter, and

WHEREAS on April 27, 2022 the New York State Court of Appeals struck New York’s congressional lines for congressional districts for the United States House of Representatives as unconstitutional under the State Constitution and new congressional maps will not be promulgated until May 20, 2022 rendering a UOCAVA compliant June primary impossible to conduct in 2022, and

WHEREAS, Steuben County Supreme Court has advanced an August 23, 2022 primary date to effectuate the conduct of elections in 2022 on State Constitutionally compliant lines, it is now

ORDERED that New York's federal primary for Member of the United States House of Representatives in 2022 shall be held on August 23, 2022 to accommodate New York's congressional redistricting process, and that such primary shall be conducted such that ballots for UOCAVA voters shall be duly transmitted for such primary and the subsequent general election in conformance with federal law.

Date: _____

Gary L. Sharpe
United States District Court Judge