

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

ALPHA PHI ALPHA FRATERNITY  
INC., et al.,  
Plaintiffs,

v.

BRAD RAFFENSPERGER, in his official  
capacity as Secretary of State of Georgia,  
Defendant.

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COAKLEY PENDERGRASS et al.,  
Plaintiffs,

v.

BRAD RAFFENSPERGER,  
Defendant.

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ANNIE LOIS GRANT et al.,  
Plaintiffs,

v.

BRAD RAFFENSPERGER,  
Defendant.

CIVIL ACTION FILE

No. 1:21-CV-05337-SCJ

CIVIL ACTION FILE

No. 1:21-CV-05339-SCJ

CIVIL ACTION FILE

No. 1:22-CV-00122-SCJ

ORDER

This matter appears before the Court on Motion for Leave to File Brief as *Amici Curiae* in Opposition to Defendant's Proposed Remedial Maps by Proposed Amici (i.e., the Georgia State Conference of the NAACP, the Georgia Coalition for the People's Agenda, Inc., GALEO Community Development Fund, Inc., Common Cause, League of Women Voters of Georgia, Dr. Cheryl Graves, Dr. Ursula Thomas, Dr. H. Benjamin Williams, Jasmine Bowles, and Brianne Perkins). Alpha Doc. No. [353], Grant Doc. No. [316], Pendergrass Doc. No. [316].

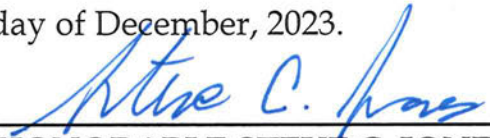
Although there is no formal rule governing the filing of amicus curiae briefs, district courts possess the inherent authority to grant or refuse amicus parties leave to file. In re Bayshore Ford Trucks Sales, Inc., 471 F.3d 1233, 1249 n.34 (11th Cir. 2006). "The decision whether to allow a non-party to participate as an amicus curiae is solely within the broad discretion of the Court." DeJulio v. Georgia, 127 F. Supp. 2d 1274, 1284 (N.D. Ga. 2001) rev'd on other grounds, 276 F.3d 1244 (11th Cir. 2001); see also Concerned Area Residents for Environ. v. Southview Farm, 834 F. Supp. 1410, 1413 (W.D.N.Y. 1993) ("District courts have broad discretion in deciding whether to accept amicus briefs.").

Here, Proposed Amici are the plaintiffs in a separate pending action before a three-judge court, also challenging the maps whose use this Court enjoined in

the above-captioned cases. Proposed Amici have an interest in the remedial proceeding involving the maps enacted by the State of Georgia following this Court's Order enjoining the use of the challenged maps. Alpha Doc. No. [333], Grant Doc. No. [294], Pendergrass Doc. No. [286]. Proposed Amici represent that Plaintiffs in the above-referenced matters do not oppose the amicus filing and Defendant takes no position on it. Alpha Doc. No. [353], Grant Doc. No. [316], Pendergrass Doc. No. [316], 4,

For the foregoing reasons, the Court **GRANTS** the Motion for Leave to File Brief as *Amici Curiae* in Opposition to Defendant's Proposed Remedial Maps. Alpha Doc. No. [353], Grant Doc. No. [316], Pendergrass Doc. No. [316]. The Clerk is **DIRECTED** to refile Alpha Doc. Nos. [353-1], Grant Doc. No. [316-1], and Pendergrass Doc. No. [316-1] as a new docket entry in each case on CM/ECF.

IT IS SO ORDERED this 14th day of December, 2023.

  
HONORABLE STEVE C. JONES  
UNITED STATES DISTRICT JUDGE