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MAY - 4 2022

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT

EASTERN MISSOURI

EASTERN DIVISION

PAUL BERRY III,

Plaintiff,

Case Number: No.4:22-CV-465-JAR

v.

JOHN R. (JAY) ASHCROFT,
in his official capacity as
Missouri Secretary of State and
STATE OF MISSOURI,

Defendants.

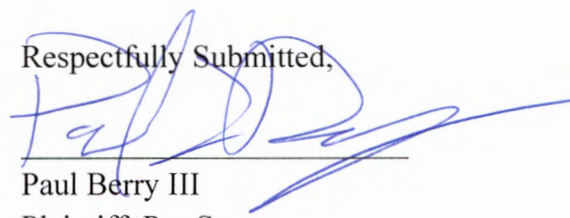
**MOTION TO ADJUDICATE PLAINTIFF MOTION TO CONVENE THREE-JUDGE
COURT UPON PLEADINGS**

Plaintiff, Paul Berry III, files this Motion to Adjudicate Plaintiff Motion to Convene Three-Judge Court Upon Pleadings to inform the Court that the Defendants have replied to Plaintiff's Motion to Convene Three-Judge Court (Doc. 13) per the Court's April 27 Order (see Doc. 15). Due to the concurrence between all underlying parties that the underlying complaint seeks to challenge the malappointment of a congressional district pursuant to 28 U.S.C. § 2284 and the empanelment of a three-judge court by the Chief Judge of the Circuit is appropriate pursuant to 28 U.S.C. § 2284, Plaintiff Berry forgoes any optional reply to Defendants' reply to Plaintiff's Motion to Convene Three-Judge Court set per the Court's April 27 Order (see Doc. 15).

The Court has set a hearing on Plaintiff's Motion to Convene Three-Judge Court for May

9, 2022, per the Court's April 27 Order (see Doc. 15), to which, the Court may now deem unnecessary due to the underlying parties agreeing that the empanelment of a three-judge court by the Chief Judge of the Circuit is appropriate pursuant to 28 U.S.C. § 2284, and as such, Plaintiff Berry requests the Court cancel the motion hearing set for Plaintiff's Motion to Convene Three-Judge Court on May 9, 2022, and immediately grant Plaintiff's Motion to Convene Three-Judge Court upon the pleadings from the underlying parties.

Respectfully Submitted,



Paul Berry III

Plaintiff, Pro Se

11932 Barbara

Maryland Heights, MO 63043

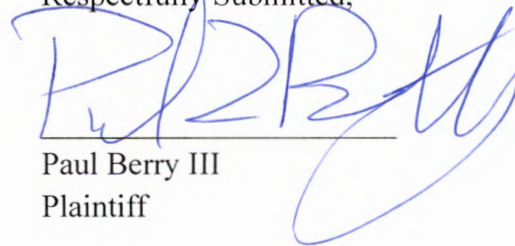
PBIIIUSA@gmail.com

314-755-9252

CERTIFICATE OF SERVICE

A copy of the foregoing motion shall be served by United States Postal Service delivery to Defendant John ("Jay") Ashcroft and Defendant State of Missouri by email transmission to each Defendant's attorney of record at John.Sauer@ago.mo.gov and Jeff.Johnson@ago.mo.gov.

Respectfully Submitted,



Paul Berry III

Plaintiff