



IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

_____)	
PAUL GOLDMAN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:21-cv-420
)	
ROBERTH. BRINK, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

MOTION TO INTRODUCE SUPPLEMENTAL AUTHORITY ON AN ISSUE RAISED AGAIN BY DEFENDANTS

Now comes Plaintiff, having found the definitive statement on the matter from the highest court in the land, which supports the constitutional position of Plaintiff made at the October 12, Hearing but continued to be denied by the government in its April 1, 2022, filing.

1. THE COURT TO MR. GOLDMAN: "Do you intend to vote in House District 68? JA 086.
2. Mr. GOLDMAN: "Yes. Can I address that..." Id.
3. THE COURT: "Yeah." Id.
4. MR. GOLDMAN: "I've read all the cases from *Davis v. Mann*...sent down the same day as *Reynolds v. Sims*. There's never been...intent to vote has never been standing in terms of a (*Reynolds* type challenge)." Id.
5. MS. SAMUELS (the lawyer from the Attorney General's office representing the Defendants): "I mean, we're happy to put together stipulated facts to the extent that Mr. Goldman wants to swear under oath that he intends to vote..." JA 104.

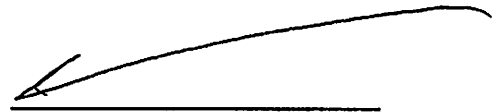
6. With all due respect, the government has been forcing this *pro se* Plaintiff to fight any number of issues that are settled law.
7. Here is what the United States Supreme Court said, 58 years ago, in as clear and simple language as possible:

“In *Reynolds v. Sims, supra*, the Equal Protection Clause was applied to the apportionment of state legislatures. *Every qualified resident, Reynolds determined*, has the right to a ballot for election of state legislators of equal weight to the vote of every other resident, and that right is infringed when legislators are elected from districts of substantially unequal population. *Avery v. Midland County*, 390 U.S. 474, 478 (1968) (Emphasis added).
8. As Justice Harlan pointed out in his dissent in *Avery*, “[o]ur cases hold that people who stand in the same relationship to their government cannot be treated differently by the government.” *Id.* at 510, fn 2. (Harland, the lone dissenter, believed the *Reynolds* principle should not be extended to local governments).
9. Accordingly, in *Avery*, as in the cases following, the “intent to vote” test has never been applied to a *Reynolds* challenge in a Motion to Dismiss.
10. Accordingly, given this matter has now dragged on all these months, Plaintiff asks *Avery* to be accepted as a supplemental authority as it definitively resolves an issue for too long unfairly raised by Defendants. .

ACTION REQUESTED

To move this matter along, Plaintiff asks that *Avery, supra*, be admitted as supplemental authority, Plaintiff having viewed *Avery* as a local government case and thus only happened to have occasion to read it on Tuesday, April 19.

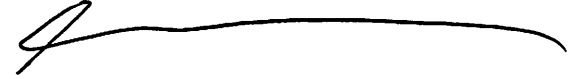
Office of the Attorney General
202 North Ninth Street
Richmond, Virginia 23219
(804) 786-7704 – Telephone

A handwritten signature in black ink, appearing to read "Paul Goldman", written over a horizontal line.

Paul Goldman
Pro se Plaintiff

Dated: April 20, 2022

Respectfully submitted,



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Pro se

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on April 20, 2022, I ^{MAILED} filed the foregoing ^{TO} with the Clerk of Court. A true copy was sent, via ~~first-class mail, to:~~ ^{Electronic Mail TO!}

Andrew N. Ferguson
Steven G. Popp

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
DIVISION

Goldman

Plaintiff(s),

v.

Civil Action Number: 3:21-cv-420

Brintz

Defendant(s).

LOCAL RULE 83.1(M) CERTIFICATION

I declare under penalty of perjury that:

No attorney has prepared, or assisted in the preparation of

Motion For NEGAD S
Motion For Supplemental Affidavit
(Title of Document)

Paul Goldman

Name of Pro Se Party (Print or Type)

[Signature]

Signature of Pro Se Party

Executed on: April 20, 2022 (Date)

OR

The following attorney(s) prepared or assisted me in preparation of

(Title of Document)

(Name of Attorney)

(Address of Attorney)

(Telephone Number of Attorney)

Prepared, or assisted in the preparation of, this document

(Name of Pro Se Party (Print or Type)

Signature of Pro Se Party

Executed on: _____ (Date)