IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHAUNA WILLIAMS, *et al.*, *Plaintiffs*, v. REPRESENTATIVE DESTIN HALL, in his official capacity as Chair of the House Standing Committee on Redistricting, *et al.*, *Defendants,*	Civil Action No. 23-cv-1057
NORTH CAROLINA STATE CONFERENCE OF THE NAACP, *et al.*, *Plaintiffs*, v. PHILLIP BERGER, in his official capacity as President Pro Tempore of the North Carolina Senate, *et al.*, *Defendants,*	Civil Action No. 23-cv-1104

MEMO IN SUPPORT OF MOTION OF NORTH CAROLINA BLACK ALLIANCE, BLACK VOTERS MATTER, REPAIRERS OF THE BREACH, THEODORE MCNEAL JR., MAYOR WILLIAM "MONDALE" ROBINSON, VIOLA HARRIS, GLENDORA BROTHERS AND WESLEY STOKES FOR LEAVE TO FILE AMICUS CURIAE BRIEF IN SUPPORT OF NAACP PLAINTIFFS AND WILLIAMS PLAINTIFFS

The North Carolina Black Alliance, Black Voters Matter, Repairers of the Breach, Theodore McNeal Jr., Mayor William "Mondale" Robinson, Viola Harris, Glendora Brothers and Wesley Stokes ("Amici") have a special interest in this litigation and can offer their unique perspective to the Court as it considers the Congressional maps passed by the Defendants on October 22, 2025 as Senate Bill 249 (S.L. 2025-95) ("S.B. 249"). Specifically, Amici offers the Courts its

perspective on the history of the Black Belt region of North Carolina and what it has looked like for Black men and women to seek to build political power in that region in the face of all types of voter suppression over the years. Amici thus respectfully request leave to file the accompanying proposed amicus curiae brief in support of NAACP Plaintiffs' and Williams Plaintiffs' Motions for Preliminary Injunction, ECF Nos. 183 and 187.

ARGUMENT

District courts have discretion whether to grant leave to file an amicus brief. *Jin v. Ministry of State Sec.*, 557 F. Supp. 2d 131, 136 (D.D.C. 2008); *see also Stuart v. Huff*, 706 F.3d 345, 355 (4th Cir. 2013) (noting that non-parties have the option to file amicus briefs in district court proceedings and that such amici "often make useful contributions to litigation"). District courts exercising this discretion often look for guidance to Federal Rule of Appellate Procedure 29, which applies to amicus briefs in federal appellate cases. *See, e.g.*, *Am. Humanist Ass'n v. Md.-Nat'l Capital Park & Planning Comm'n*, 147 F. Supp. 3d 373, 389 (D. Md. 2015). Rule 29 provides that prospective amici must file along with the proposed brief, a motion that states "the movant's interest" and "the reason why an amicus brief is desirable and why the matters asserted are relevant to the disposition of the case." Fed. R. App. Proc. 29(a)(3). Likewise, the Middle District of North Carolina's local rules instruct that a motion for leave to file an amicus brief "shall concisely state the nature of the movant's interest, identify the party or parties supported, and set forth the reason why an amicus brief is desirable and why the matters asserted are relevant to the disposition of the case." M.D.N.C. Local Rule 7.5(b) (2024)

I. INTERESTS OF AMICI CURIAE

Black Voters Matter Fund, North Carolina Black Alliance and Repairers of the Breach (collectively, "Amici") have historically been at the forefront of fighting against laws and legislation that negatively impact the rights of North Carolina's Black voters. Because of the detrimental impact that racially gerrymandered districts have on Black voters statewide, Amici have strong interests in being heard on this issue.

Black Voters Matter Fund ("Black Voters Matter") is a nonpartisan civic organization organized under 501(c)(4) of the Internal Revenue Code. Its goal is to increase power in communities of color. Black Voters Matter knows that effective voting allows a community to determine its own destiny, but communities of color often face barriers to voting that other communities do not. Black Voters Matter focuses on removing those barriers. It does so by engaging in get-out-the-vote activities, educating voters on how to vote, and advocating for policies to expand voting rights, and access to the ballots thus creating more political representation for Marginalized communities. In the 2024 general election, Black Voters Matter was on the ground working to turn out the vote in North Carolina, particularly in communities that tend to have less access to national, state, and local resources and that have low-income and working-class populations.

Black Voters Matter works primarily in Black communities and other communities of color that face unique barriers to voting. Black Voters Matter focuses on removing those barriers and increasing voter registration and turnout by providing voter education and encouragement, advocating for policies to expand voting rights and access, and providing assistance and financial grants that enable its partner organizations to engage in on-the-ground efforts to mobilize voters.

In conducting this work, Black Voters Matter's guiding principles include understanding, respecting, and supporting local infrastructure in pursuing civic engagement and community power; supporting individuals and organizations that strive for social justice throughout the year and not just on Election Day; and ensuring that Black voters and communities of color in rural counties and smaller cities and towns, who are often ignored, have their voices heard.

While Black Voters Matter seeks to empower voters and improve the voting efficacy of Black communities nationally, it focuses most of its work on a handful of states, including North Carolina. Black Voters Matter focuses its efforts on North Carolina because it contains some of the most under-resourced and neglected communities in the country. Although Black Voters Matter does not have a formal membership structure, it has a significant constituency of individuals and organizations in North Carolina's Black communities who are the primary beneficiaries of Black Voters Matter's activities. Black Voters Matter's constituents include Black voters in many of CD1's rural eastern NC counties. Black Voters Matter's constituents and supporters, as well as community partners and their members, include registered voters in CD1 who plan to vote in future federal Congressional races, including the 2026 primary election. Due to the foregoing reasons, Black Voters Matter has a strong vested interest in this matter.

North Carolina Black Alliance ("NC Black Alliance") is a 501(c)3 nonprofit organization with the mission of working toward state level systemic change by strengthening the network of elected officials representing communities of color throughout the state and collaborating with progressive, grassroots networks on intersecting issues. These issues range from voting rights, gerrymandering, criminal justice reform, health and wellness, economic development to education.

Founded in 2001, NC Black Alliance envisions a future where comprehensive state-level policy advancements prioritize the health, wellbeing and prosperity of Black communities, fostering equity, justice and opportunity for all. By implementing affirmative, forward-thinking strategies, NC Black Alliance ensures that policy change is not just aspirational but actionable, economic empowerment is sustained and generational, and leadership development creates a pipeline for lasting systemic impact.

NC Black Alliance offers a range of programs aimed at encouraging civic engagement and increasing political effectiveness and personal responsibility among constituents. Programs include Code Red Redistricting, Voter Safety + Protection, College Students Vote, and the Black Attorney Network. NC Black Alliance has been a vocal advocate for maps that represent and give voice to Black voters and against legislative policies that negatively impact Black communities and political power.

NC Black Alliance recognizes that CD1 has a rich history of Black political power. That fact, coupled with the diversity in the area has lead NC Black Alliance to spend a considerable amount of time focusing on providing services and programs to that part of the state. Because of NC Black Alliance's dedication to educating and empowering Black voters in eastern NC, coupled with the organization's deep ties and connections with local entities - including a strong relationship with the only Historically Black University in CD1 (Elizabeth City State University) - NC Black Alliance has a vested interest in this case.

Repairers of the Breach ("ROTB") is a nonpartisan 501(c)3 tax exempt, not-for-profit national organization that seeks to build a moral agenda rooted in a framework that uplifts deep moral and constitutional values to redeem the heart and soul of the country. ROTB is committed to building and supporting moral movements for social change and training moral, fusion leaders,

including activists, artists, and people of faith, who organize and mobilize around a moral agenda that lifts from the bottom so that everybody rises. Headquartered in North Carolina, ROTB has a national team, which includes organizers, religious leaders, artists, strategists, and advocates.

Founded in 2015 by the Rev. Dr. William J. Barber II, ROTB was born out of the North Carolina Forward Together Moral Movement, which built grassroots power to combat immoral and illegal policies on labor rights, voting rights, LGBTQ+ rights, healthcare, criminal justice, and other policies that negatively impacted poor and marginalized communities in the state. Today, ROTB sustains a national moral movement united across race, class, gender identity, sexuality, ethnicity, faith, and other divisions, with the goal of repairing the breaches caused by centuries of systemic oppression and injustice in our country. In all of the work, ROTB centers and elevates leaders who have been directly impacted by systemic injustice, including those affected by voter suppression and racist gerrymandered maps.

Not only does ROTB engage the most impacted leaders, but they also recognize that it is increasingly imperative that those in ministry be prepared and trained to be engaged in their communities. ROTB believes faith communities have the power to shift the moral narrative in this country by *centering* messages of love, truth, liberation, and justice for all and by *challenging* the distorted false moral narrative of religious nationalism and how it is used in defense of regressive public policies. ROTB creates spaces in which interfaith leaders can come together to commune, learn, and act together through the work of their Prophetic Council, seminary tours, Justice Love Action Ministries, or by participating in a variety of local and national actions. CD1 is in what is known as the "Southern Bible Belt" where people depend heavily on their faith. ROTB has worked to organize clergy and faith leaders across the Southern Bible because they are working to develop generations of faith leaders who are committed to addressing systemic injustices through a moral

framework that centers the desire for peace within and among nations, the dignity and wellness of all people, equal protection under the law, and the responsibility to care for our common home.

ROTB has been engaged in advocacy and political education around redistricting in North Carolina since its inception and more recently, around the redistricting of CD1. ROTB has been diligently working to keep North Carolinians and CD1 residents informed about the most recent redistricting of CD1 through a mass moral meeting in Wilson County on November 4, 2025, press conferences, media and regular, mass email and text communication. In 2022, ROTB conducted a "Get Out The Vote Tour" across North Carolina, with stops in Wilson County and Elizabeth City, in CD1, where they registered voters and held mass meetings to encourage voter mobilization for the midterm elections and sought to reengage voters who had become disengaged in the electoral process due to the constant changes and redistricting.

ROTB has dedicated their organizational resources to restore, protect and advance equal voting rights for black people, poor whites, farmers, and the rural population of CD1, and remains committed to this work in eastern North Carolina and across the state. ROTB uplifts the voices of thousands of voters across the state who have faced direct harm and policy violence caused by racial gerrymandering and unjust redistricting and therefore has a vested interest in this case.

Wesley Stokes is a 65-year-old Black man who resides in Washington County and currently serves as the president of the Eastern North Carolina Civic Group ("ENCCG"). ENCGG is a 501(c)3 nonprofit organization founded for the purpose of providing equal opportunities for Black Americans, minorities, and poor people to participate in the political, social, and economic processes of government. ENCCG was founded in the late 1970s to support historically underserved Black communities that were struggling to find ways to obtain economic and political

power. It is a longstanding organization that fiercely defends equitable access to the ballot box and the protection of voting rights.

ENCCG's work and programming includes: (1) providing an organizational structure for Black Americans, minorities, and poor people; (2) encouraging, promoting, and involving members in all facets of government; (3) providing a district forum associated with issues and concerns that affect members; (4) creating a communication network with existing human rights and civil rights organizations; (5) assisting counties within the district structure with their plans, strategies, and programs; and (6) creating a monitoring system at the local, state, national, and international levels of government. Additionally, over the years, ENCCG has been a vocal advocate for maps that represent and give voice to Black voters and against legislative policies that negatively impact Black communities and political power.

ENCCG takes pride in representing the residents of CD1 and the constituents of the counties it serves. ENCCG has twenty-three counties that it targets: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Edgecombe, Gates, Greene, Halifax, Hertford, Hyde, Lenoir, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington counties. Because of the negative impact that the 2025 maps will have on the organization and the communities it serves, ENCCG has a vested interest to be heard in this matter.

Glendora Brothers is a 65-year-old Black woman who has been a resident of Pasquotank County in CD1 for her entire life. Ms. Brothers has been voting since she was 18-years-old and has a family history of being engaged and involved in getting out the Black vote. The lack of transparency surrounding the latest redistricting plan has caused her to be less trusting of the voting system. She believes the actions of the legislature communicate that they do not care about the wellbeing of Black voters. Ms. Brothers has several family members who have served in the

military, laying down their lives for their country, only to return home and be faced with efforts to dilute the Black vote in their home district. If the 2025 maps are not overturned, she believes it will be very difficult for herself and others in CD1 to have their voices heard in Congress.

Mayor William "Mondale" Robinson is the 46-year-old Black Mayor of Enfield, NC, located in Halifax County, as well as the Founding Principal of the Black Male Voters Project. Mayor Robinson's family has lived in CD 1 for generations, dating back to the time where the very first Black representatives were elected, and his great-uncle and great-grandmother witnessed Black people being lynched for trying to exercise their right to vote in CD 1. Mayor Robinson believes the current redistricting of CD 1 is building on the historical trauma that his people have endured for generations in this area and is a direct attack on Black political power. He is also greatly concerned about the voter apathy that will result from the passage of this map. Ex. 6 (Robinson Decl.).

Commissioner Viola Harris is a 66-year-old Black woman who was born and raised in Leggett, Edgecombe County, and has lived in Tarboro, Edgecombe County for 35 years and in CD1 for her entire life. Commissioner Harris has served as an Edgecombe County Commissioner for 25 years and has voted in CD1, supporting Democrat and black candidates since she was old enough to vote. She believes the current redistricting map is a plan to cut out Black voters and will have many negative impacts on the community.

According to Commissioner Harris, the redistricting will affect her, many of her family members who reside in Eastern, North Carolina, her constituents, economic development (particularly with energy and solar power), and projects they are currently working on in CD1. Commissioner Harris believes voters deserve representatives who understand the unique needs of her community and how they live; she is concerned that Black officials will face defeat because

the Black voting population is being broken up by redistricting and Black voters will not have a voice or advocates.

Theodore McNeal Jr. is a 72-year-old Black man from Kinston, North Carolina located in Lenoir County. He is an organizer for the North Carolina A. Philip Randolph Institute, a 501(c)3 nonprofit organization with the mission to improve the quality of life for economically disadvantaged families. Mr. McNeal registered to vote in Kinston for the first time in 1984 when Jesse Jackson came to Lenoir College to deliver his campaign speech. He remembers there being a time after the election of President Obama that his county was moved into CD3. He feels that state legislators intentionally bounce the county between CD1 and CD3 through redistricting to break up the Black vote. Mr. McNeal knows how redistricting is supposed to work and knows this is not the way. Redistricting should only happen after the census, not at random times. If the maps are not overturned, Mr. McNeal feels Black and low-income voters in eastern North Carolina will suffer.

II. THE MATTERS ASSERTED IN THE AMICUS BRIEF ARE USEFUL AND RELEVANT TO THE COURT'S REVIEW OF S.B. 249

North Carolina has a political history that is riddled with racism, discrimination, and inequities that has targeted Black voters statewide. Amici's views will assist this Court for multiple reasons. First, in efforts to avoid any further harm to this group of voters, Amici seeks to provide the Court with information on North Carolina's history of race-based gerrymandering and the devastating impact it has on Black voters, particularly those in Eastern North Carolina's Black Belt region. Second, this brief will shed light on the harmful impact the newly enacted 2025 maps will have on Black communities and Black voters statewide. Third, Organizational Amici files this Amicus Brief on behalf of its members and in its organizational capacity. Organizational Amici have members who are registered voters in North Carolina, including

registered voters in CD 1 and voters who identify as Black in CD 1. Each of these members and supporters have a right to representation in Congress that complies with the North Carolina Constitution, a right to be free of intentional discrimination, and a right to free association. For these reasons, Amici respectfully asks this Court to grant its motion to file the attached proposed amicus curiae brief.

ISSUES TO BE ADDRESSED

Amici offer the Court an important perspective on the severity of the injury imposed by S.B. 249, expressly the impact it will have on Black voters' ability to choose candidates of their choice to represent their voice in the state's legislature. S.B. 249 is significantly inconsistent with the federal Constitution, namely the Equal Protection Clause of the Fourteenth and Fifteenth Amendment, the First Amendment, and Section 2 of the Voting Rights Act, and should be scrutinized and determined by the Court to be unconstitutional. This brief will set forth a historical analysis of the impact of race-based gerrymandering in this state that has become the stepping stone to the current maps which have evenly split Black voters from eastern North Carolina into two different districts in order to ensure that it will be impossible for them to elect candidates that represent their interests. This Amici is necessary to show the severity of harms that will occur for Black voters in Congressional District 1 if S.B. 249 is not enjoined. As explained in the attached brief, the Court should enjoin any election conducted under S.B. 249's discriminatory plan, and at a minimum return to the status quo of the 2023 CD1 and CD3 maps pending an order of permanent relief against the 2023 Congressional Plan to ensure that fair, constitutionally permitted maps govern the 2026 Primary and General elections.

CONCLUSION

Amici respectfully request that the court consider the attached amicus brief.

Dated: November 14, 2025

Respectfully submitted,

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**Notice of special appearance pending*

WORD CERTIFICATION

Pursuant to Local Rule 7.3(d)(1), the undersigned certifies that the word count for Memorandum in Support of Motion for Leave to File *Amicus Curiae* Brief is 3,192 words. The word count excludes the case caption, signature lines, cover page, and required certificates of counsel. In making this certification, the undersigned has relied upon the word count of Microsoft Word, which was used to prepare the brief.

/s/ Kathleen Roblez
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CERTIFICATE OF SERVICE

I certify that on November 14, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Kathleen Roblez
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