

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

GLORIA PERSONHUBALLAH, et al.,)
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Plaintiffs,)
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v.)
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JAMES B. ALCORN, et al.,)
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Defendants.)
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Civil Action No. 3:13cv678 REP/LO/AD

NON-PARTY DONALD GARRETT PROPOSED REDISTRICTING PLAN

Non-party Donald Garrett (“Garrett”), appearing pro se, submits the following plan and map for consideration by this Court’s Special Master:

Introduction

Garrett, a student of Government and Public Administration at George Mason University, has been a citizen of Virginia since the early 1990’s. Having resided in at least three (3) separate congressional districts, he understands the negative impact that poorly drawn lines can have upon the representative process enshrined as a portion of American democracy. This Court’s Order of September 3, 2015 directed “On September 18, 2015...any non-parties desiring to do so, shall file their proposed remedial plans and maps with supporting data and briefs explaining their respective proposals” (ECF No. 207). Garrett, as a student, citizen, and voter of Virginia, wishes to provide a fair proposal.

Proposed Districts

Garrett proposes eleven at-large Congressional seats, namely:

District One: The entirety of the Commonwealth of Virginia;

District Two: The entirety of the Commonwealth of Virginia;

District Three: The entirety of the Commonwealth of Virginia;

District Four: The entirety of the Commonwealth of Virginia;

District Five: The entirety of the Commonwealth of Virginia;

District Six: The entirety of the Commonwealth of Virginia;

District Seven: The entirety of the Commonwealth of Virginia;

District Eight: The entirety of the Commonwealth of Virginia;

District Nine: The entirety of the Commonwealth of Virginia;

District Ten: The entirety of the Commonwealth of Virginia; and

District Eleven: The entirety of the Commonwealth of Virginia.

Garrett requests that these eleven districts be in effect until the General Assembly has the opportunity to choose its lines in 2021. A map of the proposed districts is attached to this brief as Exhibit A.

Argument

This plan for redistricting has precedent in the Commonwealth of Virginia. The results of the 1880 Census gave Virginia an additional seat in the US House of Representatives. For the 48th Congress (March 1883 to March 1885) the Virginia General Assembly simply made the additional seat an at-large seat. For the 73rd Congress (March 1933 to January 1935) the Virginia General Assembly elected for all nine of its US House members to be elected at-large.

Historically the Commonwealth opted to use at-large representation on a temporary basis until greater time and attention could be given to the redistricting process so that the General Assembly could meet its duty to apportion the seats. The Court normally should give deference


to the Virginia General Assembly remedy the shapes of its Congressional representation, as the legislative branch has the greatest expertise in these areas; however, in light of the General Assembly's abdication to abide this Court's Order, an interim action essentially abolishing the current districts would wipe the slate clean (so to say). Without arbitrary lines, all of the Congressional districts would be fair because there is nothing with which to compare.

This proposed plan complies with the "one person, one vote" doctrine. In *Reynolds v. Sims*, the Supreme Court held, "one person's vote must be counted equally with those of all other voters in a State." 377 U.S. 533, 560 (1964). Each voter of Virginia would equally be entitled to eleven votes in the United States House of Representatives.

Conclusion

In conclusion, Garrett asks this Court to approve this remedial redistricting plan until the Virginia General Assembly redraws the district lines in 2021. Garrett would be available in-person should the Court desire to hear additional argument orally.

Respectfully submitted,



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Certificate of Service

I certify September 18, 2015 I faxed the above filing with the Clerk of the Court at 804-916-2216, concurrently providing a copy to the following via fax:

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CERTIFICATION TO ACCOMPANY ECF NO. 238

I declare under penalty of perjury that:

(1) No attorney has prepared, or assisted in the preparation of this document.

Donald Garrett

Name of *Pro Se* Party (Print or Type)

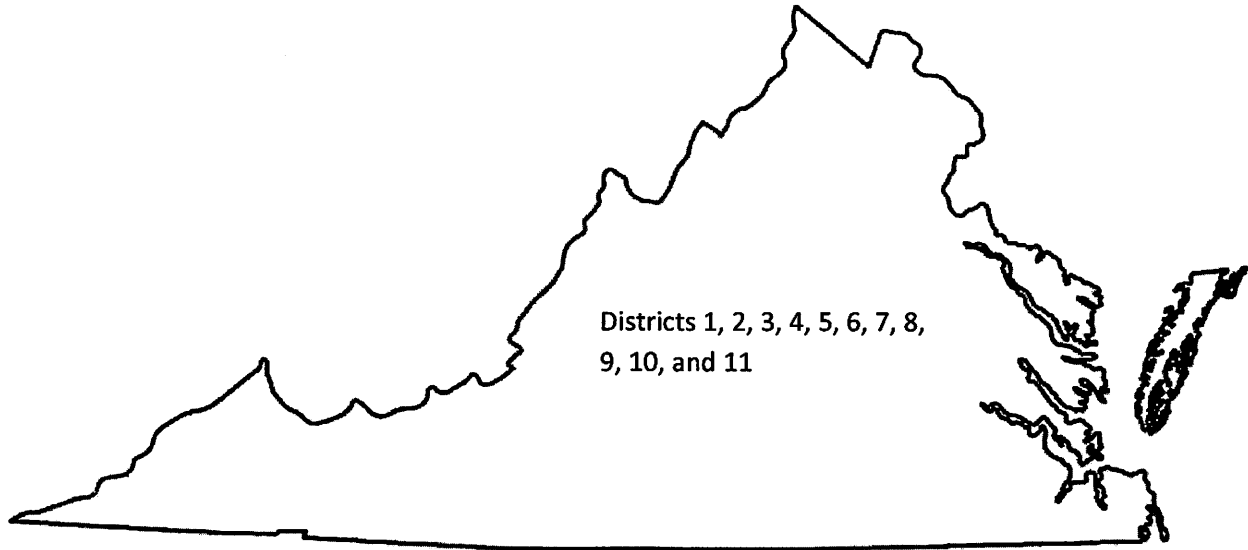


Signature of *Pro Se* Party

Executed on:

10/7/15

EXHIBIT A: MAP OF PROPOSED REDISTRICTING PLAN



September 18, 2015

Fernando Galindo
Clerk
US District Court for Eastern District of Virginia
701 East Broad Street
Richmond, VA 23219
Sent via fax to 804-916-2216

Re: Civil Action No. 3:13cv678

Dear Mr. Galindo:

Please accept the attached document for filing in the above referenced case. Although the Court's Order of September 17, 2015 stated that "non-parties submitting proposed remedial plans shall file their briefs supporting their respective proposals, along with any accompanying exhibits, through the Court's CM/ECF system," (ECF No. 221) I am a pro-se individual. As such, according to the Court's website I am unable to register for e-filing (*See <http://www.vaed.uscourts.gov/ecf/E-Filing%20Registration.html>*).

Rule 5(d)(4) of the Federal Rules of Civil Procedure provide that "The clerk must not refuse to file a paper solely because it is not in the form prescribed by these rules or by a local rule or practice." Please include the attached document in the file although it was not filed using CM/ECF. As a pro se non-party, I am eligible under the Court's Order of September 3, 2015 (ECF No. 207) to still file a brief in this case.

Please do not hesitate to contact me if you have any additional questions. I am

Sincerely yours,



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Enclosure.

