

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION



LATASHA HOLLOWAY,

plaintiff,

vs.

ACTION NO. 2:18-cv-69 AWA-RJK

CITY OF VIRGINIA BEACH, VIRGINIA,

defendants.

RENEWED MOTION FOR APPOINTMENT OF COUNSEL

I am the plaintiff in this case and am currently not represented by counsel. I believe that I am unable to proceed with the assertion of my vote dilution claims in this case without the assistance of counsel. I believe I qualify for the appointment of counsel under 28 U.S.C. §1915 (d) (e) (1).

Under the court's [FRCP] 28 U.S.C. §1915 (d) (e) (1), this court may enter an Appointment Order authorizing appointment or assignment of counsel when the following considerations weigh in favor of appointment:

(1) On November 20, 2017, I filed a complex vote dilution and discrimination complaint against against

the Virginia Beach City Council, alleging that the City's at-large system dilutes or minimizes "minority voting strength" and deprives African-Americans and others similarly situated an equal opportunity to elect candidates of their choice in violation of Section 2 of the Voting Rights Act of 1965, as amended 42 U.S.C. §1973 et. seq., 42 U.S.C. §1983, the First, Fourteenth and Fifteenth Amendments to the United States Constitution through adoption in the 1906-1962 city charter of the at-large elections scheme as a means to promote racially discriminatory objectives.

(2) The vote dilution claims and discrimination against The City of Virginia Beach, also, alleges it deprives elderly individuals and all people with disabilities basic accessible or alternate polling places in elections in violation of the Voting Rights Act of 1965, as amended 42 U.S.C. §1973, 42 U.S.C. §1983, Title II of the Americans with Disabilities Act (ADA), the Voting Accessibility for the Elderly and Handicapped Act of 1984 (VAEHA), and of the First, Fourteenth and Fifteenth Amendments to the United

States Constitution while acting under color of state law, complies with Fed. R. Civ. Pro. 8(a)(2).

Bell Atl. Corp. V. Twombly, 550 U.S. 544, 570 (2007).

(3) the plaintiff has diligently made a reasonable good faith effort to secure representation from the Lawyers Committee for Civil Rights Under Law, and other private attorneys without success;

(4) The appointment of counsel is justified to assist in the preparation of responsive pleadings, affidavits, briefs, discovery, amendments, etc., that exceptional circumstances exist in this complex case, and plaintiff lacks the legal and financial capability to investigate the critical issues that are so complex that, as a pro se litigant, she can not reasonably be required to present this case with any effectiveness that legal assistance is necessary in the interest of justice for the fair presentation of a proper case to the Court, will be served by appointment of counsel. Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975).

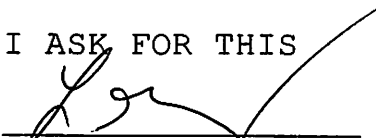
(5) Plaintiff suffers from cognitive impairment and cares for her special needs children and a parent which suffers from intellectual disability and depression, that hinders her ability to focus and prosecute case.

I am aware that I am obligated, as a party in this case representing myself, to meet all obligations and deadlines imposed under the law and the rules of procedure, local rules, and the practice of standards of this court until appointed counsel formally enters an appearance in this case authorized under 28 U.S.C. § 1915 (d) (e) (1).

(6) Plaintiff believes she will likely succeed on the merits of the case if granted appointment of counsel for good cause shown and as a matter of Law.

(7) Plaintiff and defendants will not be prejudiced by granting motion and all other legal defenses not specifically stated herein in support.

I ASK FOR THIS



Ms. Latasha Holloway
3683 Windmill Drive
Virginia Beach, Virginia 23453
(757) 348-0456

5/22/18

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2018, a true copy of the foregoing was mailed to Mark D. Stiles Counsel for defendants, City Attorney Office of the City Attorney 2401 Courthouse Dr Building 1 Virginia Beach, Virginia 23456. (757)385-5687 mstiles@vbgov.com



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