

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ALABAMA LEGISLATIVE BLACK)
CAUCUS, et al.,)
)
Plaintiffs,) CASE NO. 2:12-CV-691
) (Three-Judge Court)
v.)
)
THE STATE OF ALABAMA, et al.,)
)
Defendants.)

ALABAMA DEMOCRATIC)
CONFERENCE, et al.,)
)
Plaintiffs,) CASE NO. 2:12-CV-1081
) (Three-Judge Court)
v.)
)
THE STATE OF ALABAMA, et al.,)
)
Defendants.)

**UNOPPOSED TIME-SENSITIVE MOTION TO APPROVE 2017
REMEDIAL PLAN FOR SPECIAL ELECTION IN HOUSE DISTRICT 21**

The Defendants respectfully give notice of a forthcoming special election in House District 21 and seek approval, in abundance of caution, to use the 2017 remedial district lines for that election.

1. The Court may take judicial notice that the incumbent in House District 21, Jim Patterson, died unexpectedly last week, which vacated his seat by operation of law.

2. House District 21 is a majority-white district that has never been challenged in this litigation. Nonetheless, the Legislature altered House District 21 in the 2017 remedial plan to accommodate changes to majority-black districts.

3. The Governor intends to call a special election to fill House District 21.

4. Because of overlap between the regularly-scheduled 2018 elections and the anticipated special election in House District 21, it is impracticable to use the 2011 district lines to conduct the special election. In other words, it would likely lead to voter confusion and administrative errors if the State were to conduct a special election using 2011 district lines shortly before a regularly-scheduled election using 2017 district lines. For that reason, Defendants intend to use the 2017 remedial district lines for the special election in House District 21.

5. In abundance of caution, Defendants respectfully request that this Court approve the use of the 2017 remedial district lines for the anticipated special election in House District 21.

6. Counsel for Defendants have conferred with Counsel for Plaintiffs, and Plaintiffs do not oppose this motion.

Respectfully submitted this the 10th day of October, 2017.

s/ Andrew Brasher

One of counsel for the defendants the
State of Alabama, the Governor of
Alabama, and the Secretary of State

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CERTIFICATE OF SERVICE

I hereby certify that, on October 10, 2017, I served the foregoing by electronic mail on the following counsel of record:

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