

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

LATASHA HOLLOWAY et. al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:18-cv-69

CITY OF VIRGINIA BEACH, et. al.,

Defendants.

ORDER

Before the Court is Defendant City of Virginia Beach’s (“the City”) Motion to Dismiss the Amended Complaint pursuant to Federal Rule of Civil Procedure (“FRCP”) 12(b)(6). ECF No. 342. For the reasons set forth below, the proceedings before this court are **STAYED** pending the City’s adoption of an electoral system with the appropriate charter change.

A district court “has broad discretion to stay proceedings as an incident to its power to control its own docket.” *Clinton v. Jones*, 520 U.S. 681, 706 (1997); see also *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936) (“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”). The Court may exercise the power to stay a case *sua sponte*. *Carter v. Ely*, No. 7:20cv713, 2025 U.S. Dist. LEXIS 37499 (W.D. Va. Mar. 3, 2025). In doing so, the Court may consider “the interest of judicial economy, potential prejudice to a party if the action is stayed, and potential prejudice to a party if the action is not stayed. *Id.*”

On August 7, 2025, Plaintiff filed an Amended Complaint alleging that the City’s proposed 7-3-1 electoral system would deny minority voters an equal opportunity to participate in the political process in violation of Section 2 of the Voting Rights Act 52 U.S.C. § 10301 and the

Virginia Voting Rights Act Va. Code Ann. § 24.2-125 *et seq.* On August 21, 2025, the City filed a Motion to Dismiss pursuant to FRCP 12(b)(6), arguing *inter alia*, that Plaintiffs' have failed to plead a cognizable claim because the City has not adopted a specific electoral system. ECF No. 342 at 15-20.

On November 4, 2025, the City voted on a charter change referendum to determine whether to adopt a 7-3-1 electoral system or adopt a 10-1 electoral system. The citizens of Virginia Beach voted to adopt a 10-1 electoral system and re-submit a city charter amendment to the Virginia General Assembly. This Court has discretion to stay proceedings *sua sponte*, and we find that it is in the interest of judicial economy to exercise that discretion and order a stay of the proceedings.

Accordingly, the proceedings before this Court are **STAYED** pending the City's adoption of an electoral system with the appropriate charter change. The Court **DIRECTS** the Clerk to provide a copy of this Order to the Parties.

IT IS SO ORDERED

Norfolk, Virginia
November 6, 2025



Raymond A. Jackson
United States District Judge