

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**Form 7. Mediation Questionnaire**

*Instructions for this form: <https://www.ca9.uscourts.gov/forms/form07instructions.pdf>*

**9th Cir. Case Number(s)** 24-2603

**Case Name** Garcia v. Hobbs, et al.

**Counsel submitting this form** Jason B. Torchinsky

**Represented party/parties** Appellant (Garcia)

*Briefly describe the dispute that gave rise to this lawsuit.*

This case arises from a challenge to Washington's Legislative Districts map under the Equal Protection Clause of the federal Constitution's Fourteenth Amendment. Plaintiff-Appellant alleged that LD-15, wherein Plaintiff resides, was a racial gerrymander violating the Constitution because it was intentionally drawn with a racial target without justification under the federal Voting Rights Act.

A three-judge district court was convened to hear the case in a bench trial.

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*Briefly describe the result below and the main issues on appeal.*

The district court dismissed the case as moot based on another district court's decision in *Soto Palmer v. Hobbs, et al*, that had found that LD-15 violated Section 2 of the VRA and enjoined LD-15 from future use. That case is currently being litigated in a separate consolidated appeal.

The three-judge district court majority did not reach the merits. Judge VanDyke, sitting by designation, dissented, writing that the case was not moot and that Plaintiff had proven his Fourteenth Amendment claim on the merits.

The sole issue on appeal is:

(1) Did the district err in dismissing Garcia's claim as moot where LD-15 continues to be litigated in a separate appeal and where the district court's remedial map exacerbated Garcia's racial classification injury?

*Describe any proceedings remaining below or any related proceedings in other tribunals.*

No proceedings remain below.

Plaintiff-Appellant Garcia had sought direct appeal to the Supreme Court, which directed Plaintiff-Appellant to take an appeal in this Court. The judgment issued on March 25, 2024. No. 23-467.

As noted, LD-15 is also the subject of the consolidated appeals in this Court, *Trevino, et al., v. Soto Palmer, et al.*, Nos. 23-35595 & 24-1602.

Signature /s/ Jason B. Torchinsky

Date 04/30/24

(use "s/[typed name]" to sign electronically-filed documents)

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