

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-cv-00211-RJC-DCK**

JUDICIAL WATCH, INC.,)

Plaintiff,)

v.)

NORTH CAROLINA STATE BOARD OF)

ELECTIONS)

KAREN BRINSON BELL)

MECKLENBURG COUNTY BOARD OF)

ELECTIONS)

MICHAEL G. DICKERSON)

HORACE KIMEL JR.)

CAROL HILL WILLIAMS)

STATE OF NORTH CAROLINA)

GUILFORD COUNTY BOARD OF)

ELECTIONS)

CHARLIE COLLICUTT,)

Order

Defendants.

THIS MATTER comes before the Court on the League of Women Voters of North Carolina and the North Carolina A. Philip Randolph Institute’s motion to intervene and motion to expedite consideration (Doc. Nos. 19, 41), Defendants’ motions to dismiss (Doc. Nos. 38, 39), Plaintiff’s motion for extension of time for service of process (Doc. No. 42), Plaintiff’s motion for hearing (Doc. No. 55), the Magistrate Judge’s Memorandum and Recommendation (“M&R”) (Doc. No. 61), Plaintiff’s motion to vacate the M&R and response in opposition (Doc. Nos. 71, 73), and the parties’ joint stipulation of dismissal of this action (Doc. No. 72).

On February 17, 2022, Plaintiff and all Defendants filed a stipulation to dismiss this action with prejudice after fully resolving the matter. Despite dismissal, Plaintiff requests the Court retain jurisdiction to vacate the M&R. After full review and consideration of Plaintiff’s motion to vacate

and response in opposition the Court concludes vacating the M&R is not appropriate. However, the parties have fully resolved this matter and voluntarily stipulated to a full dismissal of the action with prejudice; therefore, the Court declines to adopt the M&R because the motions considered by the M&R are now moot.

IT IS, THEREFORE, ORDERED that:

1. The League of Women Voters of North Carolina and the North Carolina A. Philip Randolph Institute's motion to intervene and motion to expedite consideration of the motion to intervene (Doc. Nos. 19, 41) are **DENIED as moot**;
2. Defendants' motions to dismiss (Doc. Nos. 38, 39) are **DENIED as moot**;
3. Plaintiff's motion for extension of time for service of process (Doc. No. 42) is **DENIED as moot**;
4. Plaintiff's motion for hearing (Doc. No. 55) is **DENIED as moot**;
5. Plaintiff's motion to vacate the M&R is **DENIED** (Doc. Nos. 71);
6. The Court declines to adopt the Magistrate Judge's M&R (Doc. No. 61) because the motions considered by the M&R are moot; and
7. This action is **DISMISSED WITH PREJUDICE**.

The Clerk of Court is directed to close this case.

Signed: March 7, 2022



Robert J. Conrad, Jr.
United States District Judge

