

STATE OF NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
No. 24CV026995-910

REPUBLICAN NATIONAL COMMITTEE;  
and NORTH CAROLINA REPUBLICAN  
PARTY,

*Plaintiffs,*

v.

NORTH CAROLINA STATE BOARD OF  
ELECTIONS; KAREN BRINSON BELL, in  
her official capacity as Executive Director of  
the North Carolina State Board of Elections;  
ALAN HIRSCH, in his official capacity as  
Chair of the North Carolina State Board of  
Elections; JEFF CARMON, in his official  
capacity as Secretary of the North Carolina  
State Board of Elections; STACY EGGERS  
IV, KEVIN N. LEWIS, and SIOBHAN  
O'DUFFY MILLEN, in their official  
capacities as members of the North Carolina  
State Board of Elections,

*Defendants.*

**MOTION TO INTERVENE AS  
DEFENDANTS AND TO EXPEDITE  
CONSIDERATION OF SAME**

NOW COME Proposed Intervenors North Carolina State Conference of the NAACP (“North Carolina NAACP”) and Jackson Sailor Jones pursuant to Rule 24(a)(2) of the North Carolina Rules of Civil Procedure move to intervene as of right as Defendants in this matter, or in the alternative, move for permissive intervention pursuant to Rule 24(b). Pursuant to Rule 24(c), an unsigned proposed Answer by Proposed Intervenors is attached hereto as **Exhibit A**. In support of their Motion, Proposed Intervenors show the Court as follows:

**INTRODUCTION AND BACKGROUND**

Plaintiffs seek to quickly force Defendants to identify and remove approximately 225,000 North Carolinian voters from the state’s voter registration rolls less than sixty-five days before the

2024 presidential election. Plaintiffs’ request, on the eve of the impending General Election, is unprecedented and improper. The action is founded on the unsupported belief that every one of these 225,000 voters is “ineligible” because they allegedly did not include their driver’s license number or Social Security number on their voter registration forms when registering to vote. The notion that these voters are “unlawfully” registered to vote and therefore must be purged is patently false. The exclusion of this information from many individuals’ voter registration forms is largely due to a simple fact—until December 2023, North Carolina’s voter registration forms made this information *optional* rather than *mandatory*. This cannot and does not justify purging individual voters, who would find themselves kicked off of the rolls through no fault of their own.

Proposed Intervenor North Carolina NAACP seeks to intervene on behalf of its members, some of whom are also directly implicated by the present Complaint. Plaintiffs’ requested relief would not only deny these members of their right to vote, it would also cause North Carolina NAACP to divert organizational resources from its voter mobilization and election protection efforts to identify, contact, and assist voters affected by the Complaint in time to participate in the upcoming 2024 General Election. Proposed Individual Intervenor Jackson Sailor Jones is an eligible North Carolina voter directly implicated by the present Complaint, by which Plaintiffs’ requested relief would strip him of his right to vote.

The existing Defendants do not adequately represent Proposed Intervenors’ interests here. They necessarily represent the interests of the government, which has a wide array of constituents who may not have the same needs as the 225,000 vulnerable voters targeted by Plaintiffs’ requested purge. Furthermore, the Democratic National Committee (“DNC”), intervening on behalf of the Democratic Party to defend the specific interests of Democratic voters and candidates, cannot adequately represent Proposed Intervenors’ interests. Proposed Intervenors seek to protect their

own fundamental right, and the right of North Carolina NAACP's members and the voters it has engaged in the political process on a nonpartisan basis, to have their voices heard on Election Day.

In sum, Plaintiffs' assertion that Defendants' actions will "jeopardize the individual right to vote that is guaranteed to every qualified voter in North Carolina," Compl. ¶ 9, is unjustified and clearly false. In fact, it is Plaintiffs, not Defendants, that jeopardize the fundamental right to vote of eligible citizens of this state in filing a request for *en masse* removal of voters from North Carolina's voter rolls on the eve of the 2024 General Election and mere days before voting is to begin. Eligible North Carolina voters, including Proposed Intervenor Jones and members of the North Carolina NAACP, risk having their registrations canceled and their right to vote denied or unlawfully subject to casting provisional ballots.

Because Proposed Intervenors satisfy each requirement for intervention as a matter of right under North Carolina Rule of Civil Procedure 24(a)(2), the Court should grant their motion to intervene. Alternatively, the motion should be granted on a permissive basis under Rule 24(b)(2).

### **ARGUMENT**

#### **I. Proposed Intervenors Are Entitled to Intervene as a Matter of Right.**

Proposed Intervenors meet all the requirements under Rule 24(a)(2) of the North Carolina Rules of Civil Procedure, which permits intervention as of right "upon timely application," "[w]hen the applicant claims an interest relating to the property or transaction which is the subject of the action and he is so situated that the disposition of the action may as a practical matter impair or impede his ability to protect that interest, unless the applicant's interest is adequately represented by existing parties." *See Alford v. Davis*, 131 N.C. App. 214, 217 (1998) (citing N.C.R. Civ. P. 24(a)(2)). North Carolina's Rule 24 "is virtually identical to Rule 24 of the Federal Rules of Civil Procedure," and North Carolina courts "look to the federal court decisions for guidance." *Nicholson v. F. Hoffmann-Laroche, Ltd.*, 156 N.C. App. 206, 208 (2003) (quotations omitted). The

Fourth Circuit has stated that “liberal intervention is desirable to dispose of as much of a controversy ‘involving as many apparently concerned persons as is compatible with efficiency and due process.’” *Feller v. Brock*, 802 F.2d 722, 729 (4th Cir. 1986) (quotation omitted). Proposed Intervenor meets each of Rule 24(a)(2)’s requirements and are thus entitled to intervene in this case.

**A. The Motion to Intervene Is Timely.**

*First*, the Motion is timely. In determining the timeliness of a motion to intervene, the trial court must consider “(1) the status of the case, (2) the possibility of unfairness or prejudice to the existing parties, (3) the reason for the delay in moving for intervention, (4) the resulting prejudice to the applicant if the motion is denied, and (5) any unusual circumstances.” *Procter v. City of Raleigh Bd. of Adjustment*, 133 N.C. App. 181, 183 (1999) (citing *State Emps. Credit Union, Inc. v. Gentry*, 75 N.C. App. 260, 264 (1985) (holding “motions to intervene made prior to trial are seldom denied” due to lack of timeliness)).

The Complaint in this action was filed less than two weeks ago, on August 23, 2024. To date, no hearings have occurred nor have any briefs on the merits of Plaintiffs’ claims been filed. Proposed Intervenor has not delayed in moving to intervene and there are no unusual circumstances in the case that would warrant denying intervention. Indeed, as described in further detail below, granting the proposed Motion would not prejudice the existing parties whereas denying the proposed Motion would prejudice Proposed Intervenor’s interests.

**B. The Disposition of This Case Will Impede the Ability of Proposed Intervenor to Protect Their Fundamental Voting Rights.**

*Second*, Proposed Intervenor has a direct interest in the disposition of this action. An intervenor’s interest is sufficient for intervention purposes if it is of “such direct and immediate character that he will either gain or lose by the direct operation and effect of the judgment.”

*Virmani v. Presbyterian Health Servs. Corp.*, 350 N.C. 449, 459 (1999) (quoting *Strickland v. Hughes*, 273 N.C. 481, 485 (1968)). Proposed Intervenor Jones and those members of North Carolina NAACP who purportedly lack a driver's license or Social Security number in their voter files, are directly implicated by the present Complaint.

North Carolina NAACP has 70 adult branches and numerous students and youth branches, composed of well over 10,000 members across the State. North Carolina NAACP engages in educational advocacy to ensure that communities of color and other marginalized communities throughout North Carolina can exercise the right to vote. This includes registering eligible individuals to vote, engaging in election protection, and mobilizing voters to the polls such as through its Souls-to-the-Polls events hosted by branches of the State Conference. In addition, North Carolina NAACP conducts voter education events and educational campaigns intended to inform voters about the requirements to register and vote, as well as any legal changes that might affect how, where, or when they are able to vote. The list of voters identified by Plaintiffs includes current North Carolina NAACP members. These members were not aware that their names were identified by Plaintiffs and alleged to be unlawfully registered to vote and thus subject to immediate removal from the rolls. Through no fault of their own, these voters are at risk of disenfranchisement. North Carolina NAACP has a direct interest in protecting the interests of its members who are predominantly Black. Upon information and belief, Black voters comprise at least 22 percent of those registrants on the list who have demographic information included in their registration file, and Black voters are disproportionately more likely than white voters to appear on the list. **Exhibit B** (Declaration of Deborah Dicks Maxwell) ¶ 12. Thus, Black voters are more likely than voters of any other race to be impacted by the disposition of this action. Consequently,

North Carolina NAACP has a strong interest in protecting the right to vote of Black voters and especially of its members.

Jackson Sailor Jones has voted in North Carolina for more than three decades. **Exhibit C** (Declaration of Jackson Sailor Jones) ¶ 4. He re-registered to vote on July 8, 2022, after changing residences. *Id.* Despite presenting his driver’s license when voting in the 2024 Primary Election and having provided his Social Security number to election officials in the past, Mr. Jones appears as not having either number in the list generated in response to Carol Snow’s Public Records Request 24-16. *Id.* ¶ 9.

Furthermore, Plaintiffs have not plead any facts to support the allegation that 225,000 North Carolina voters are actually ineligible to vote. By all accounts, these voters are lawfully registered and could not have voted in past elections without furnishing proof of identity in some way. Moreover, in addition to this lack of evidentiary support, Plaintiffs’ requested relief is precluded under both the Help America Vote Act (“HAVA”) and the National Voter Registration Act (“NVRA”); there is no appeal of HAVA determinations under state law per N.C.G.S. § 163-91 and subsequent State Board rulemaking; there is no private right of action to enforce the provisions of HAVA on which Plaintiffs rely; and the relief sought would violate other federal protections and state law. *See Exhibit A* at 33–40. If Plaintiffs prevail, then Proposed Intervenors will have their right to vote and their members’ right to vote stripped away. *See Stephenson v. Bartlett*, 355 N.C. 354, 378 (2002) (reaffirming the ability “to vote on equal terms is a fundamental right” protected under the North Carolina Constitution); *Northampton Cty. Drainage Dist. No. One v. Bailey*, 326 N.C. 742, 747 (1990) (same); U.S. Const. amend. XV; N.C. Const. art. I, §§ 9, 10, 11, 19. Indeed, “[t]he right to vote is the right to participate in the decision-making process of government” among all persons “sharing an identity with the broader humane, economic,

ideological, and political concerns of the human body politic.” *Texfi Indus., Inc. v. City of Fayetteville*, 301 N.C. 1, 13 (1980); *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964) (“No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live.”). It is “one of the most cherished rights in our system of government, enshrined in both our Federal and State Constitutions.” *Blankenship v. Bartlett*, 363 N.C. 518, 522 (2009).

**C. Defendants Do Not Adequately Represent the Proposed Intervenors’ Interests.**

*Third*, the existing parties do not adequately represent the interests of Proposed Intervenors. A prospective intervenor seeking intervention as a matter of right under Rule 24(a)(2) must show that “there is inadequate representation of that interest by existing parties.” *Virmani*, 350 N.C. at 459; *Bailey & Assocs., Inc. v. Wilmington Bd. of Adjustment*, 202 N.C. App. 177, 185-86 (N.C. Ct. App. 2010) (finding intervenors were entitled to intervene under Rule 24(a)(2), where facts showed numerous ways in which “they and their property would be injured” if a particular party prevailed in the lawsuit).

By law, Defendants’ interests are to protect the public welfare at large and to fulfill the supervisory powers and duties required under North Carolina law. *Letendre v. Currituck Cnty.*, 261 N.C. App. 537, 2018 WL4440587, \*4 (Sept. 18, 2018) (unpublished) (noting that public officials’ “sole litigation interests are to protect the public welfare and the interests of [the] general citizenry.”); N.C. Gen. Stat. § 163-22 (setting forth the “[p]owers and duties of the State Board of Elections” including general supervision over elections, advising the county board of elections as to the proper methods of conducting elections, determining the form and content of election ballots, among others). Thus, the Board may assert its own interests, but it cannot assert the interests of individual voters.

By contrast, Proposed Intervenor Jones seeks to protect his individual right to vote in the upcoming election. Proposed Intervenor North Carolina NAACP seeks to protect its members, who are predominantly Black, from being removed from the voter rolls prior to the General Election, as well as its ability to fulfill organizational objectives through voter engagement which will be threatened by the relief requested by Plaintiffs. These unique interests are distinct from those advanced by Defendants or the DNC.

Furthermore, Proposed Intervenors' interests in this litigation are distinct from Defendants', as Proposed Intervenors have a personal and unique interest in the outcome of this litigation, which directly implicates their right to vote. Courts have allowed voters to intervene in cases implicating their right to vote, even when they are on the same side as a government entity. *See, e.g., Sandusky Cnty. Democratic Party v. Blackwell*, 387 F.3d 565, 571 n.2 (6th Cir. 2004) (noting that voters were granted permissive intervention by the district court shortly before hearing on motion for preliminary injunction); *League of Women Voters of Ohio v. Blackwell*, 235 F.R.D. 388, 389-90 (N.D. Ohio 2005) (permitting individual voter to intervene in action challenging problems with electronic voting machines). Here, the Proposed Intervenors seek to intervene for the purpose of challenging Plaintiffs' claims, and to ensure that no unreasonable measures are adopted that could pose an elevated risk of removing or impeding their right to vote. These interests are sufficiently distinct from those of election officials, who have a larger obligation to all constituents that may not align with the vulnerable 225,000 voters whose voting rights are at stake, to warrant intervention by those who could be impacted by any relief that is ordered in this Court.

Nor are the interests asserted by the DNC sufficient to cover those of Proposed Intervenors here. The DNC intervenes on behalf of the Democratic Party and seeks to protect the specific interests of Democratic voters and candidates. Conversely, Proposed Intervenors here represent



the interests of not only themselves, but all potentially impacted voters regardless of their partisan affiliation. North Carolina NAACP has another unique interest in its focus on the harms to Black voters, who make up a disproportionate share of the list that forms the basis of Plaintiffs’ allegations. By intervening in this case, it seeks to mitigate any disproportionate harm to Black voters who may find themselves purged from the voter rolls depending on the disposition of this lawsuit.

## **II. In the Alternative, the Court Should Grant Permissive Intervention.**

Alternatively, Proposed Intervenors and the Proposed Class also meet the requirements for permissive intervention pursuant to Rule 24(b)(2) of the North Carolina Rules of Civil Procedure. The Court should grant permissive intervention where an applicant shows that their “claim or defense and the main action have a question of law or fact in common.” N.C.R. Civ. P. 24(b)(2). As discussed above, Proposed Intervenors’ defenses—that Plaintiffs’ claims are unconstitutional, invalid, and violate the rights of voters—present clear questions of law and fact in common with the pending action. And because Proposed Intervenors are representative of the voters who stand to be most harmed by the relief Plaintiffs seek, they will aid the Court in developing a full record of the relevant considerations—including the impact of this litigation on those 225,000 voters whose rights it threatens. Proposed Intervenors stand to be directly harmed if Plaintiffs’ requested relief is granted. Those realities should be at the forefront of the Court’s consideration as to whether to grant Plaintiffs’ requested relief. It is unclear whether, absent intervention by Proposed Intervenors, any individual voter impacted by the relief Plaintiffs seek would be heard by the Court.

Finally, “[i]n exercising its discretion, the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the [other] parties.” N.C.R. Civ. P. 24(b)(2). This intervention will neither unduly delay nor prejudice any other parties’ rights given

the common questions of law and fact, and because Proposed Intervenors are seeking intervention shortly after the case was filed, before any dispositive motion practice or Court orders establishing briefing deadlines and setting hearing dates.

Proposed Intervenors also represent that they are willing and able to meet any Scheduling Order set forth by this Court in this matter.

Proposed Intervenors have sought to confer with the parties regarding their respective positions on the Motion. As of filing, Defendants were unable to provide a position on the Motion, and Proposed Intervenors have not heard from Plaintiffs regarding their position on the Motion. Proposed Intervenor DNC does not oppose the Motion.

### **CONCLUSION**

For these reasons, Proposed Intervenors respectfully request that the Court grant its motion to intervene as a matter of right under North Carolina Rule of Civil Procedure 24(a), or in the alternative, permit it to intervene under North Carolina Rule of Civil Procedure 24(b).

### **MOTION TO EXPEDITE**

Proposed Intervenors also respectfully requests that the Court resolve the Motion as expeditiously as possible to ensure that Proposer Intervenors' fundamental rights in this action can be properly heard in conjunction with Defendants and are not infringed. North Carolina courts have granted motions to expedite intervention in previous voting rights cases. *See, e.g., N.C. League of Conservation Voters v. Hall*, 2022 N.C. Super. LEXIS 99, at \*13-14 (Jan. 11, 2022); *Harper v. Lewis*, 2019 N.C. Super. LEXIS 122, at \*2-3 (Oct. 28, 2019). In light of the extraordinary public interest in this case, including Plaintiffs' request for relief by September 6, justice requires that that Proposed Intervenors' Motion be granted on an expedited basis.

**WHEREFORE**, Proposed Intervenors respectfully request that the Court grant their Motion to Intervene as a matter of right, or in the alternative with permission of the Court, and an expedited consideration of this Motion.

Respectfully submitted this 4th day of September 2024.

By: /s/ Hilary Harris Klein

Lee Rubin (*pro hac vice* forthcoming)  
Mayer Brown LLP  
Two Palo Alto Square, Suite 300  
3000 El Camino Real  
Palo Alto, CA 94306-2112  
(650) 331-2000  
(650) 331-2060-Facsimile  
[lrubin@mayerbrown.com](mailto:lrubin@mayerbrown.com)

Rachel J. Lamorte (*pro hac vice* forthcoming)  
Catherine Medvene (*pro hac vice* forthcoming)  
Mayer Brown LLP  
1999 K Street, NW  
Washington, DC 20006-1101  
(202) 263-3000  
(202) 263-3300-Facsimile  
[rlamorte@mayerbrown.com](mailto:rlamorte@mayerbrown.com)  
[cmedvene@mayerbrown.com](mailto:cmedvene@mayerbrown.com)

Jordan Hilton (State Bar No. 52194)  
Mayer Brown LLP  
201 S. Main Street, Suite 1100  
Salt Lake City, UT 84111  
(801) 907-2717  
(801) 289-3142-Facsimile  
[jhilton@mayerbrown.com](mailto:jhilton@mayerbrown.com)

Harsha Tolappa (*pro hac vice* forthcoming)  
Mayer Brown LLP  
71 South Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 782-0600  
Facsimile: (312) 701-7711  
[htolappa@mayerbrown.com](mailto:htolappa@mayerbrown.com)

Hilary H. Klein (State Bar No. 53711)  
[hilaryhklein@scsj.org](mailto:hilaryhklein@scsj.org)  
Jeffrey Loperfido (State Bar No. 52939)  
[jeffloperfido@scsj.org](mailto:jeffloperfido@scsj.org)  
Christopher Shenton (State Bar No. 60442)  
[chrisshenton@scsj.org](mailto:chrisshenton@scsj.org)  
SOUTHERN COALITION FOR SOCIAL JUSTICE  
5517 Durham Chapel Hill Blvd.  
Durham, NC 27707  
Telephone: 919-794-4213  
Facsimile: 919-908-1525

Ezra D. Rosenberg (*pro hac vice* forthcoming)  
Jennifer Nwachukwu (*pro hac vice* forthcoming)  
Pooja Chaudhuri (*pro hac vice* forthcoming)  
Javon Davis (*pro hac vice* forthcoming)  
LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW  
1500 K Street, NW, Ste. 900  
Washington DC, 20005  
(202) 662-8600  
[erosenberg@lawyerscommittee.org](mailto:erosenberg@lawyerscommittee.org)  
[jnwachukwu@lawyerscommittee.org](mailto:jnwachukwu@lawyerscommittee.org)  
[pchaudhuri@lawyerscommittee.org](mailto:pchaudhuri@lawyerscommittee.org)  
[jdavis@lawyerscommittee.org](mailto:jdavis@lawyerscommittee.org)

## CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day submitted a copy of the foregoing MOTION TO INTERVENE AND EXPEDITE CONSIDERATION OF SAME and its Exhibits in the above titled action by mail and/or electronic mail, in the manner requested, to the following parties:

Josh Branch, III  
jbranch@bakerdonelson.com  
Thomas G. Hooper  
thooper@bakerdonelson.com

*Attorneys for Plaintiffs*

Philip J. Strach  
phil.strach@nelsonmullins.com  
Jordan Koonts  
jordan.koonts@nelsonmullins.com

*Counsel for Plaintiffs Republican National  
Committee and North Carolina Republican  
Party*

Mary Carla Babb  
mcbabb@ncdoj.gov  
Terence Steed  
Tsteed@ncdoj.gov

*Counsel for Defendants North Carolina State  
Board of Elections, Karen Brinson Bell, Alan  
Hirsch, Jeff Carmon, Stacy Eggers IV, Kevin  
N. Lewis, and Siobhan O'Duffy Millen*

Jim Phillips  
jphillips@brookspierce.com  
Shana Fulton  
sfulton@brookspierce.com  
William Robertson  
wrobertson@brookspierce.com  
James Whalen  
jwhalen@brookspierce.com  
Seth Waxman  
seth.waxman@wilmerhale.com;  
Daniel Volchok  
daniel.volchok@wilmerhale.com;  
Christopher Babbitt

christopher.babbitt@wilmerhale.com  
Gary Fox  
Gary.Fox@wilmerhale.com  
Jane Kessner  
Jane.Kessner@wilmerhale.com  
Nitisha Baronia  
nitisha.baronia@wilmerhale.com

*Counsel for Defendant-Intervenor the  
Democratic National Committee*

This is the 4th day of September 2024.

/s/ Hilary Harris Klein  
Hilary Harris Klein

# **EXHIBIT A**

## Intervenors' Proposed Answer

STATE OF NORTH CAROLINA  
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REPUBLICAN NATIONAL COMMITTEE;  
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KEVIN N. LEWIS, and SIOBHAN  
O'DUFFY MILLEN, in their official capacities  
as members of the North Carolina State Board  
of Elections,

*Defendants.*

**PROPOSED ANSWER  
OF INTERVENORS**

Intervenors North Carolina State Conference of the National Association for the Advancement of Colored People (“North Carolina NAACP”) and Jackson Sailor Jones (“Intervenors”), by and through their attorneys, submit the following Answer to Plaintiffs’ Complaint. Intervenors respond to the allegations in the Complaint as follows:

**INTRODUCTION**

1. “Confidence in the integrity of our electoral processes is essential to the functioning of our participatory democracy. Voter fraud drives honest citizens out of the democratic process and breeds distrust of our government. Voters who fear their legitimate votes will be outweighed by fraudulent ones will feel disenfranchised.” *Purcell v. Gonzalez*, 549 U.S.

1, 4, 166 L. Ed. 2d 1, 7 (2006).

ANSWER: Admitted that the case quoted speaks for itself and, otherwise, that this paragraph states a legal conclusion to which no response is required.

2. Free and fair elections are the bulwark of the citizenry's trust in their government. Ensuring that qualified voters—and only qualified voters—are able to vote in elections is the cornerstone of that compact between the state and its citizens. But trust must be earned.

ANSWER: Admitted that free and fair elections are fundamental to trust in government and that ensuring qualified voters are able to vote in elections is a cornerstone of that compact between the state and its citizens. Denied to the extent the allegations in this paragraph imply a lack of trust in North Carolina's elections or that any lack of trust in North Carolina's elections has any foundation in fact.

3. The North Carolina State Board of Elections (“NCSBE”) betrayed that trust when it allowed over 225,000 people to register to vote with registration forms that failed to collect certain required identification information before the registration forms were processed, a plain violation of Section 303 of the Help America Vote Act (“HAVA”). Because of these errors, the North Carolina voter rolls, which both HAVA and state law mandates that Defendants regularly maintain, are potentially replete with ineligible voters—including possible non-citizens—all of whom are now registered to vote.

ANSWER: Denied.

4. By failing to collect certain statutorily required information prior to registering these applicants to vote, Defendants placed the integrity of the state's elections into jeopardy.

ANSWER: Denied.



5. Defendants admit they violated HAVA and, as a result, state law. Yet, even when concerned citizens brought these issues to their attention, Defendants inexplicably refused to correct their wrongs. All Defendants offer as a solution is a half-hearted promise that those who were ineligible to register but were allowed to anyway will naturally filter themselves out from the state's voter rolls when they conduct other election-related activities.

ANSWER: Denied, on information and belief, that the Defendants have admitted to any HAVA violation. The North Carolina State Board of Elections issued an Order on December 6, 2023, stating that “a violation of Section 303 of HAVA *could* occur as a result of the current North Carolina voter registration application form failing to require an applicant to provide an identification number or indicate that they do not possess such a number, and that the appropriate remedy is to implement changes recommended by staff to the voter registration application form and any related materials,” (emphasis added) while further determining that “no one who lacked this information when registering since the enactment of HAVA would have been allowed to vote without proving their identity consistent with HAVA.” The remaining allegations in this paragraph are also denied.

6. This inaction misses the mark. Not only does this “solution” fail to remedy the ongoing violations of state and federal law or account for Defendants' responsibilities under the same, but it leaves North Carolinians to wonder how they can trust in the security of their elections, especially when those tasked with protecting their rights cannot be bothered to do what is required by law.

ANSWER: Denied.

7. Even worse, this “solution” sends the message to the millions of duly qualified and registered voters in North Carolina that their chief elections officials will shirk their

responsibilities and refuse to verify whether those who vote in the state's elections are entitled to do so in the first place.

ANSWER: Denied

8. This ominous message eviscerates confidence in North Carolina's elections and it ensures that *Purcell's* warning of distrust and disenfranchisement may soon come true.

ANSWER: Denied

9. By failing to do the required work to determine if Defendants' violation of HAVA has resulted in the registration of ineligible voters, and thereby allowing unlawfully registered persons to vote in the state's elections, Defendants' actions further jeopardize the individual right to vote that is guaranteed to every qualified voter in North Carolina. *See*, N.C. Const. art. VI § I; *see also Gill v. Whitford*, 138 S. Ct. 1916, 1929 (2018) (quoting *Reynolds v. Sims*, 377 U.S. 533, 561 (1964)).

ANSWER: Admitted that the constitutional provision and cases cited exist and speak for themselves. The allegations in this paragraph are otherwise denied.

10. With the November 2024 election fast approaching, North Carolinians cannot afford to simply wait and see. Defendants admit they violated federal law. Now, they must be required to remedy their actions before these failures impact the results of the 2024 elections.

ANSWER: Denied, and the response to paragraph 5 above is incorporated by reference in the response to the allegations in this paragraph.

### **PARTIES**

11. The Republican National Committee is the national committee for the Republican Party; representing all registered Republicans across both the state and nation, as well

as the values

they stand for. The RNC serves as the collective voice for the Republican Party's platform. It is the national committee of the Republican Party as defined by 52 U.S.C. § 30101(14) and a political party as defined by N.C. Gen. Stat. § 163-96. The RNC's principal place of business is 310 First Street SE, Washington, D.C.

ANSWER: Intervenors lack sufficient knowledge or information to form a belief about the truth of the allegations in this paragraph.

12. The RNC's core mission involves organizing lawful voters and encouraging them to support Republican candidates at all levels of government, including throughout North Carolina. The RNC expends significant time and resources fighting for election security and voting integrity across the nation, including in North Carolina. These efforts are intended to ensure that the votes and voices of its members, its candidates, and the party are not silenced or diluted in any way. Recent rises in non-citizens and other unqualified persons voting or seeking to vote in elections has forced the RNC to divert its efforts and funds in order to hold elections officials accountable to what both federal and state laws require.

ANSWER: Denied to the extent that the allegations in this paragraph suggest that non-citizens are voting or seeking to vote in elections in any measurable, significant, provable degree or is "rising" in any way. Intervenors lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.

13. The North Carolina Republican Party is a state committee of the Republican Party, as defined by 52 U.S.C. § 30101(15), and a political party as defined by N.C. Gen. Stat. § 163-96. The NCGOP represents the interests of registered Republicans across North Carolina. Its headquarters and principal place of business is 1506 Hillsborough St, Raleigh, NC 27605. The

NCGOP represents the interests of registered Republican voters, residing across all one hundred counties in the state. The NCGOP also advocates for the interests of tens of thousands of non-affiliated voters who align with various aspects of the Republican Party platform.

ANSWER: Intervenors lack sufficient knowledge or information to form a belief about the truth of the allegations in this paragraph.

14. The NCGOP's mission and platform largely mirror that of the RNC, including an emphasis on election integrity and security. The NCGOP's core mission includes counseling interested voters and volunteers on election participation including hosting candidate and voter registration events, staffing voting protection hotlines, investigating reports of voter fraud and disenfranchisement, and providing election day volunteers in all one hundred counties across North Carolina. The NCGOP spends tremendous time and effort advocating for its members throughout all levels of state government, working to make sure they are heard both at the ballot box and beyond.

ANSWER: Intervenors lack sufficient knowledge or information to form a belief about the truth of the allegations in this paragraph.

15. Plaintiffs have organizational standing to bring this action. Defendants' actions and inaction directly impact Plaintiffs' core organizational missions of election security and providing services aimed at promoting Republican voter engagement and electing Republican candidates for office. Defendants' violations of HAVA and the subsequent refusal to remedy their wrongdoing, in accordance with what state law requires, has forced Plaintiffs to divert significantly more of their resources into combatting election fraud in North Carolina. Plaintiffs' organizational and voter outreach efforts have been and will continue to be significantly stymied due to Defendants' ongoing failures. As a result, Plaintiffs will have no choice but to expend

increased amounts of time and money, beyond what they would have already spent, in order to combat this unwarranted interference with their central activities. For example, because of Defendants' violations of state law, Plaintiffs will need to commit added time and resources into monitoring North Carolina's voter rolls, voter activity, and responding to instances of potential voter fraud in upcoming elections, tasks required of Defendants under state and federal law.

ANSWER: This paragraph states a legal conclusion regarding standing to which no response is required. Intervenors lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.

16. Additionally, NCGOP has associational standing because its members have standing in their own right to challenge Defendants' actions here. NCGOP represents millions of registered Republican voters across the state of North Carolina, including at least one registered Republican voter in every one of the state's one hundred counties, which is a matter of public record. NCGOP's members are harmed by these inaccurate voter rolls as well as Defendants' ongoing HAVA and state law violations. These members' votes are undoubtedly diluted due to ineligible voters participating in elections due to Defendants' statutory violations. Additionally, these members' rights to participate in a fair and secure electoral process, free from voter fraud, will be significantly hindered. Ensuring such freedom and security in all elections throughout North Carolina is germane to the NCGOP's organizational mission.

ANSWER: This paragraph states a legal conclusion regarding standing to which no response is required. Intervenors lack sufficient knowledge or information to form a belief about the truth of the allegations in this paragraph regarding NCGOP membership or the NCGOP's organizational mission. The allegations in this paragraph are otherwise denied.

17. Plaintiffs are further harmed in their ability to effectively compete in elections

across the state as Defendants’ refusal to maintain accurate and updated voter rolls risks opening the door to potentially fraudulent votes and inaccurate election results. This harm is especially palpable considering North Carolina’s party-based primary system which makes verifying the accuracy of each voter registration form that much more crucial.

ANSWER: Denied.

18. The North Carolina State Board of Elections is the state agency tasked with “general supervision over primaries and elections of the state.” *See* N.C. Gen. Stat. § 163-22. NCSBE is tasked with ensuring that elections in North Carolina comply with all relevant state and federal laws and, in NCSBE’s own words, “ensur[ing] that elections are conducted lawfully and fairly.”<sup>1</sup>

ANSWER: Admitted that the statute cited exists and speaks for itself, but denied that it is accurately quoted. N.C. Gen. Stat. § 163-22(a) provides the North Carolina State Board of Elections with “general supervision over *the* primaries and elections *in the State*.” (emphasized text corrected from that in the allegation). Admitted that the NCSBE’s website is accurately quoted.

19. Karen Brinson Bell is the Executive Director of NCSBE and the state’s “Chief Election Official” as defined by N.C. Gen. Stat. § 163-82.2. In this capacity, Ms. Brinson Bell oversees elections in all one hundred counties in North Carolina and administering all elections occurring therein. *See* N.C. Gen. Stat. § 163-27(d). Ms. Brinson Bell is sued in her official capacity.

ANSWER: Admitted that Ms. Brinson Bell is the Executive Director of the State Board of Elections and that the statutes cited exist and speak for themselves.

20. Alan Hirsch is the Chair of NCSBE. He resides in Chapel Hill, North Carolina.

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<sup>1</sup> <https://www.ncsbe.gov/about>

Mr. Hirsch is sued in his official capacity.

ANSWER: Admitted that Mr. Hirsch is the Chair of the State Board of Elections, and that Plaintiffs have purported to sue Mr. Hirsch in his official capacity. Intervenors lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.

21. Jeff Carmon is the Secretary of NCSBE. He resides in Snow Hill, North Carolina. Mr. Carmon is sued in his official capacity.

ANSWER: Admitted that Mr. Carmon is the Secretary of the State Board of Elections, and that Plaintiffs have purported to sue Mr. Carmon in his official capacity. Intervenors lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.

22. Stacy Eggers, IV is a member of NCSBE. He resides in Boone, North Carolina. Mr. Eggers, IV is sued in his official capacity.

ANSWER: Admitted that Mr. Eggers is a member of the State Board of Elections, and that Plaintiffs have purported to sue Mr. Eggers in his official capacity. Intervenors lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.

23. Kevin N. Lewis is a member of NCSBE. He resides in Rocky Mount, North Carolina. Mr. Lewis is sued in his official capacity.

ANSWER: Admitted that Mr. Lewis is a member of the State Board of Elections, and that Plaintiffs have purported to sue Mr. Lewis in his official capacity. Intervenors lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.

24. Siobhan O’Duffy Millen is a member of NCSBE. She resides in Raleigh, North Carolina. Ms. Millen is sued in her official capacity.

ANSWER: Admitted that Ms. Millen is a member of the State Board of Elections, and that Plaintiffs have purported to sue Ms. Millen in her official capacity. Intervenors lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.

**JURISDICTION AND VENUE**

25. This Court has jurisdiction over the claims asserted herein pursuant to N.C. Gen.

Stat. § 7A-245.

ANSWER: This paragraph contains legal conclusions to which no response is required. To the extent this paragraph requires a further response, denied.

26. This Court has personal jurisdiction over NCSBE as it is a state agency in North Carolina.

ANSWER: This paragraph contains legal conclusions to which no response is required. .

27. This Court has personal jurisdiction over Executive Director Karen Brinson Bell, Chair Alan Hirsch, Secretary Jeff Carmon, Stacy Eggers IV, Kevin Lewis, and Siobhan O’Duffy Millen as each is sued in their official capacities as appointed officials in North Carolina. Each is a citizen of North Carolina and each resides in the state.

ANSWER: This paragraph contains legal conclusions to which no response is required. Admitted that Plaintiffs have purported to sue the listed individuals in their official capacities. Intervenors lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.



28. Venue is proper in this court pursuant to N.C. Gen. Stat. § 1-82.

ANSWER: This paragraph contains legal conclusions to which no response is required.

### **FACTUAL ALLEGATIONS**

29. Defendants are required to maintain accurate and updated statewide voter registration lists (“voter rolls”). N.C. Gen. Stat. § 163-82.11.

ANSWER: Denied that Plaintiffs’ characterization of the cited statute is correct, and instead admit that the cited statute exists speaks for itself. N.C. Gen. Stat. § 163-82.11 requires the State Board of Elections to “develop and implement a statewide computerized voter registration system to facilitate voter registration and to provide a central database containing voter registration information for each county” in compliance with federal law.

30. In addition to other standards, Defendants must ensure that the voter rolls are in full compliance with the requirements of Section 303 of HAVA. *Id.* at § 163-82.11(c) (“The State Board of Elections *shall* update the statewide computerized voter registration list and database to meet the requirements of section 303(a) of [HAVA].”) (emphasis added).

ANSWER: Admitted that the quoted statute exists and speaks for itself. The remaining allegations in this paragraph constitute legal conclusions to which no response is required. To the extent a response is required, the remaining allegations in this paragraph are otherwise denied.

31. Due to this express mandate that North Carolina’s voter rolls must be maintained in a manner compliant with section 303(a) of HAVA, it is important to review what that section requires of Defendants. This, in turn, illustrates Defendants’ failure to fulfill their statutory duties under state law.

ANSWER: Admitted that the cited statute exists and speaks for itself. The allegations in

this paragraph are otherwise denied.

32. Congress, through HAVA, set requirements for how states must implement and maintain their voter rolls. *See, e.g.*, 52 U.S.C. § 21081, 21082, and 21083.

ANSWER: Admitted that the cited statutes exist and speak for themselves. Denied to the extent this allegation implies HAVA sets forth the only federal requirements by Congress on states on how they must implement and maintain their voter rolls. Importantly, the National Voter Registration Act (“NVRA”), and provisions codified in 52 U.S.C. § 20507, impose requirements on North Carolina’s voter list maintenance practices in addition to other federal statutory and constitutional requirements.

33. Among other standards, HAVA mandates that states must implement computerized statewide voter rolls to serve as the “single system for storing and managing the official list of registered voters throughout the State.” *Id.* at § 21083(a)(1)(A)(i).

ANSWER: Admitted that the quoted statute exists and speaks for itself. The allegations in this paragraph are otherwise denied.

34. HAVA goes on to require that the rolls will “be coordinated with other agency databases within the state” and that “[a]ll voter registration information obtained by any local election official in the State shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.” *Id.* at § 21083(a)(1)(A)(iv), (vi).

ANSWER: Admitted that the quoted statute exists and speaks for itself. To the extent a further response is required, the allegations in this paragraph are otherwise denied.

35. HAVA further provides that “[t]he computerized list shall serve as the official voter registration list for the conduct of all elections for Federal office in the State.” *Id.* at (viii).

ANSWER: Admitted that the quoted statute exists and speaks for itself. To the extent a further response is required, the allegations in this paragraph are otherwise denied.

36. Once a state has established the computerized voter registration list required by HAVA, 52 U.S.C. § 21083(a)(2) provides certain actions the state must take to ensure the list is accurately maintained “on a regular basis.” *Id.*

ANSWER: Admitted that the quoted statute exists and speaks for itself. The allegations in this paragraph are otherwise denied.

37. Importantly, these maintenance instructions include processes and procedures for removing the names of ineligible voters from the state’s voter rolls. *Id.* at § 21083(a)(2)(A). HAVA also sets the standard of conduct for voter roll maintenance, requiring the state to ensure that: “(i) the name of each registered voter appears in the computerized list; (ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and (iii) duplicate names are eliminated from the computerized list.” *Id.* at § 21083(a)(2)(B).

ANSWER: Admitted that the quoted statute exists and speaks for itself. Denied to the extent this allegation implies this provision is the only set of requirements regarding the removal of voter registrations. Importantly, the NVRA, and specifically 52 U.S.C. § 20507(c)(2), provides that “[a] State shall complete, not later than 90 days prior to the date of a primary or general election for Federal Office, any program the purpose of which is to systematically remove the ineligible voters from the official lists of eligible voters” with limited exceptions that do not apply here. The NVRA further requires, as set forth in 52 U.S.C. § 20507(b), that “[a]ny State program or activity to protect the integrity of the electoral process ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office . . . (1) shall be uniform, nondiscriminatory, and in

compliance with the Voting Rights Act of 1965.”

38. Next, HAVA mandates that states maintain the technological security of their voter rolls, requiring the states to implement provisions making “a reasonable effort to remove registrants who are ineligible to vote from the official list of eligible voters.” *Id.* at § 21083(a)(3)(4).

ANSWER: Admitted that the quoted statute exists and speaks for itself. Denied that Plaintiffs’ characterization of the quoted statute is correct. The security provision in 52 U.S.C. § 21083(a)(3) requires states to implement “adequate technological security measures to prevent the *unauthorized access* to the computerized list,” (emphasis added), whereas the separate provision under § 21083(a)(4) addresses removals and, in addition to the quoted passage requiring a “reasonable effort” to maintain those lists, also requires states to provide “[s]afeguards to ensure that eligible voters are not removed in error from the official list of eligible voters.”

39. In addition to setting the standards for establishing and maintaining accurate state voter rolls, HAVA has a clearly described process for verifying the identification of applicants registering to vote. *See id.* at § 21083(a)(5)(A)(i).

ANSWER: Admitted that the cited statute exists and speaks for itself. The allegations in this paragraph are otherwise denied.

40. First, it requires that applicants provide either a driver’s license number or the last four digits of their social security number. Providing this information is a necessary prerequisite **before** the registration form can be processed by the state. *Id.* at § 21083 (viii). In fact, § 21083(a)(5) prevents a state from accepting a voter registration form for an election for Federal office unless the form includes the listed information. *Id.*

ANSWER: Denied that Defendants’ characterization of the cited statutes is accurate and denied that the alleged “§ 21083 (viii)” provision exists under Chapter 52 of the United States Code at all. 52 U.S.C.S. § 21083(a)(1)(A)(viii) provides that “the computerized list shall serve as the official voter registration list for the conduct of all elections for Federal office in the State.” 52 U.S.C. § 21083(a)(5) provides that voters lacking a current and valid driver’s license or social security number may still be registered so long as the state “assign[s] the applicant a number which will serve to identify the applicant for voter registration purposes.” In North Carolina, this alternative number can include the NCID that, upon information and belief, is issued to every registered voter by the North Carolina State Board of Elections, as well as the ID number on identification issued by the N.C. Division of Motor Vehicles for individuals who require a photo ID but do not require a driver license, and which registrants can enter on their voter registration form to satisfy the identification requirement. 52 U.S.C. § 21083(a)(5) also provides that “[t]he State shall determine whether the information provided by an individual is sufficient to meet the requirements of this subparagraph, in accordance with State law,” delegating to the States the form and method by which individuals can meet these HAVA requires.

41. Only if a registrant affirmatively confirms they do not have either form of identification, the state must “assign the applicant a number which will serve to identify the applicant for voter registration purposes . . . [which] shall be the unique identifying number assigned under the list.” *Id.* at § 21083(a)(5)(A)(ii).

ANSWER: Admitted that the quoted statute exists and speaks for itself. The allegations in this paragraph are otherwise denied.

42. Prior to December 2023, NCSBE used voter registration forms that failed to

collect this required information. Specifically, NCSBE collected, processed, and accepted voter registration applications that lacked **both** the driver's license number and social security number because NCSBE's form did not tell the voter the information was required.

ANSWER: Denied that, prior to December 2023, the NCSBE used voter registration forms that failed to collect this required information. The voter registration form used in and prior to December 2023 provided a box in which voters could provide this information and, as a result, this information exists on the registration records for millions of voters in the state. Otherwise, it is admitted upon information and belief that the voter registration form in use before a revised version was issued in early 2024 did not require voters to provide a NC DMV number or the last four digits of the voter's Social Security Number in instances where the voter had such numbers when they registered.

43. As a result of these errors, voters did not utilize the catchall provision of § 21083(a)(5)(A)(ii) as the registration forms failed to make registrants aware that the driver's license or social security number identifying information was necessary for the application to be processed. Thus, any affirmative attestation regarding one's lack of those relevant documents was impossible.

ANSWER: Admitted that the statute cited exists and speaks for itself. Denied to the extent that this paragraph implies that because the prior voter registration form made it impossible to attest to one's eligibility under the catchall provision, the eligibility of registrants who used the old form is reasonably questioned. Otherwise denied.

44. Defendants ignored HAVA's requirement that the identifying information be collected before an application can be accepted and processed. As a result, NCSBE accepted hundreds of thousands of voter registration applications without applying the HAVA identifying

information requirement, resulting in approximately 225,000 applicants being registered to vote in a manner out-of-compliance with HAVA.

ANSWER: Denied.

I. ***Defendants Admit They Used Voter Registration Forms Which Were HAVA Non-Compliant***

45. In North Carolina, an individual must register to vote prior to voting. *See* N.C. Gen. Stat. §§163-54, 163-82.1(a); *see also* N.C. Const. art. VI § 3(1).

ANSWER: Admitted that the statute and constitutional provision cited exist and speak for themselves.

46. The state’s registration form asks certain information, seeking to ascertain whether the applicant is qualified to vote under applicable state and federal laws. N.C. Gen. Stat. §163- 82.4(e). In addition to the information on the form, an elections official may ask an applicant for other “information [that is] necessary to enable officials of the county where the person resides to satisfactorily process the application.” *Id.* at § 163-82.4(a).

ANSWER: Admitted that the statutes cited exist and speak for themselves.

47. Despite the informational requirements mandated by both state and federal law— along with the processes and procedures under state law for obtaining the same information— Defendants wholly failed to uphold their statutory duties.

ANSWER: Denied.

48. Defendants’ noncompliance with HAVA was first raised when a concerned citizen, Carol Snow, filed a complaint with NCSBE on October 6, 2023. (hereinafter, “Snow Amended HAVA Complaint”).<sup>2</sup>

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<sup>2</sup> Publicly available at: [https://s3.amazonaws.com/dl.ncsbe.gov/State\\_Board\\_Meeting\\_Docs/2023-11-28/Snow%20Amended%20HAVA%20Complaint.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/State_Board_Meeting_Docs/2023-11-28/Snow%20Amended%20HAVA%20Complaint.pdf)

ANSWER: Intervenors lack sufficient information and knowledge to admit or deny the allegations in this paragraph.

49. In her complaint, Ms. Snow alleged that NCSBE's voter registration form, which was still in use at the time of her filing, failed to indicate that "the applicant's qualifying identification of the applicant's driver's license number or last 4 digits of the applicant's social security number, are required if one or the other have been issued to the applicant." *See* Snow Amended HAVA Complaint, p. 1.

ANSWER: Admitted that a HAVA Complaint was filed by Carol Snow on October 6, 2023, and that the contents of that filing speak for themselves. The allegations in this paragraph are otherwise denied.

50. As Ms. Snow's complaint pointed out, the relevant portion of NCSBE's voter registration form then in use identified certain categories of **required** information by denoting them in text blocks with red background. This is contrasted by the white background used for **optional** categories of information on the form. Despite HAVA requiring either a driver's license number or the last four digits of a social security number be provided by the applicant, the registration form had a white text box background for this information, not red. *See* Fig. 1, below; *see also* Snow Amended HAVA Complaint, p. 2. The applicant had no way to know from the form that the driver's license number or the social security number were required for their form to be accepted and processed by NCSBE.



**Fig. 1 – NCSBE Voter Registration Form Prior to NCSBE’s December 6, 2023 Order**

**NORTH CAROLINA VOTER REGISTRATION APPLICATION** (fields in red text are required) 2023.04 **06w**

**1** Indicate whether you are qualified to vote or preregister to vote based on U.S. citizenship and age.

*Are you a citizen of the United States of America?*

IF YOU CHECKED "NO" IN RESPONSE TO THIS CITIZENSHIP QUESTION, DO NOT SUBMIT THIS FORM. YOU ARE **NOT** QUALIFIED TO VOTE  Yes  No

*Will you be at least 18 years of age on or before election day?*

*Are you at least 16 years of age and understand that you must be 18 years of age on or before election day to vote?*

IF YOU CHECKED "NO" IN RESPONSE TO BOTH OF THESE AGE QUESTIONS, DO NOT SUBMIT THIS FORM. YOU ARE **NOT** QUALIFIED TO REGISTER OR PREREGISTER TO VOTE.  Yes  No

**2** Provide your full legal name.

Last Name Suffix

First Name

Middle Name

**3** Provide your date of birth and identification information.

Date of Birth (MM/DD/YYYY) State or Country of Birth

NC Driver License or NC DMV ID Number Last 4 Digits of Social Security Number

Check if you do not have a driver license or Social Security number. State Voter Registration Number (Optional: To locate, check "Voter Lookup" at [www.NCSBE.gov](http://www.NCSBE.gov).)

ANSWER: Admitted that a HAVA Complaint was filed by Carol Snow on October 6, 2023, and that the contents of that filing speak for themselves. The allegations in this paragraph are otherwise denied.

51. At its meeting on November 28, 2023, NCSBE considered Ms. Snow’s complaint. At the meeting<sup>3</sup> and in its December 6, 2023 Order,<sup>4</sup> NCSBE acknowledged that its voter registration forms did not sufficiently notify applicants that their driver’s license number or last four digits of their social security number were required in order for their registration to be processed and accepted.

ANSWER: Denied as to Plaintiffs’ characterization of the November 28, 2023, meeting and the December 6, 2023 Order. Intervenors incorporate by reference their Answer to paragraph 5 in response to this paragraph.

<sup>3</sup> Meeting documents and a recording of NCSBE’s November 28, 2023 meeting is available here: [dl.ncsbe.gov/?prefix=State\\_Board\\_Meeting\\_Docs/2023-11-28/](http://dl.ncsbe.gov/?prefix=State_Board_Meeting_Docs/2023-11-28/)

<sup>4</sup> The December 6, 2023 Order from NCSBE is available here: [https://s3.amazonaws.com/dl.ncsbe.gov/State\\_Board\\_Meeting\\_Docs/Orders/Other/2023%20HAVA%20C%20complaint%20-%20Snow.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/State_Board_Meeting_Docs/Orders/Other/2023%20HAVA%20C%20complaint%20-%20Snow.pdf)

52. Defendants further acknowledged that they used the voter registration form which failed to comply with HAVA for approximately 225,000 voters throughout North Carolina.<sup>5</sup>

ANSWER: Denied as to Plaintiffs' characterization of the November 28, 2023, meeting and the December 6, 2023, Order. Upon information and belief, denied as to the allegations in Footnote 5.

53. It follows then, that by failing to comply with HAVA, Defendants admittedly violated their duties under N.C. Gen. Stat. § 163-82.11(c).

ANSWER: Denied.

54. Ultimately, Defendants granted Ms. Snow's request to change the voter registration form **moving forward**.

ANSWER: Admitted that, in the December 6, 2023, Order, the North Carolina State Board of Elections stated that "the appropriate remedy is to implement changes recommended by staff to the voter registration application form and any related materials" and that this Order speaks for itself. Except as expressly admitted, the allegations of this paragraph are denied.

55. In contrast, Defendants denied Ms. Snow's request to identify and contact voters whose registrations were improperly accepted due to their forms lacking the necessary identification information. Specifically, Defendants took the position that:

- a. HAVA does not authorize NCSBE to contact registered voters (as opposed to

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<sup>5</sup> Given that NCSBE could approximate the number of voters registered in this manner, Defendants, upon information and belief, have the ability to track which voters were registered using the non-compliant form and thus, can contact those voters and request the missing information from them.

applicants)<sup>6</sup>; and

- b. Even if those registered voters did not provide the required identification information as part of their application, they would have to provide other identifying information in connection with other features of the voting process, such as requesting an absentee ballot.

ANSWER: Denied as to Plaintiffs' characterization of the December 6, 2023, Order, which speaks for itself. In that Order, the North Carolina State Board of Elections stated that HAVA's "purpose of identifying the registrant upon initial registration is already accomplished because any voter who did not provide a driver's license number or the last four digits of a Social Security number would have had to provide additional documentation to prove their identity before being allowed to vote, by operation of the separate provision of HAVA identified above. In other words, no one who lacked this information when registering since the enactment of HAVA would have been allowed to vote without proving their identity consistent with HAVA." Denied as to Plaintiffs' characterization of the statutes cited in footnote 6, and otherwise admitted that these statutes exist and speak for themselves, except that 52 U.S.C. § 21083(a)(2)(A)(B) does not exist, but § 21083(a)(2)(A), and § 21083(a)(2)(B), do.

56. Recognizing the inadequacy of Defendants' "solution," Ms. Snow raised the need to actually remedy these improper registrations during NCSBE's March 11, 2024 and April

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<sup>6</sup> Curiously, this position is not supported by the plain language of HAVA which provides, among other things, processes for identifying and removing the names of "ineligible **voters**" from the state's voter rolls. *See* 52 U.S.C. § 21083(a)(2)(A)(B). To the extent Defendants believe HAVA only allows them to notify applicants of issues with their registration forms, *see id.* at § 21083(4), Defendants failed to do so on the front end and instead, improperly processed and accepted their registration forms. Thus, NCSBE's logic is self-defeating; it cannot violate the statute by allowing these invalid applicants to become registered voters, only to then say they cannot contact them because those registrants are not "applicants."

11, 2024 meetings. Both times NCSBE denied Ms. Snow's requests.

ANSWER: Admitted that Carol Snow submitted a second HAVA complaint on February 20, 2024, concerning alleged duplicates in the voter file, and that the North Carolina State Board initially heard complaint on March 11, recessed, and resumed and concluded the hearing on this complaint on April 11 in a unanimous vote to dismiss the Complaint. Also admitted that the North Carolina State Board of Elections issued a written Order on May 20, 2024, dismissing Ms. Snow's February 20 HAVA complaint. The allegations in this paragraph are otherwise denied.

57. Under the plain text of HAVA, NCSBE should not have accepted or processed these registration forms since they lacked either the required identification or an affirmative attestation that the registrant did not have the necessary information. *See* 52 U.S.C. §21083(a)(5).

ANSWER: Admitted that the cited statute exists and speaks for itself. The allegations in this paragraph are otherwise denied.

58. Similarly, Defendants should have taken immediate action to correct the accuracy of the state's voter rolls, a task mandated by HAVA and, in turn, state law. *See id.* at § 21083(a)(2); *see also* N.C. Gen. Stat. § 163-82.11(c).

ANSWER: Denied as to Plaintiffs' characterization of the requirements of the cited statutes, but otherwise admitted that these statutes exist and speak for themselves.

59. Nevertheless, public records provided by Defendants reveal that 225,000 voter registrations were processed and accepted despite missing both the applicant's driver's license number and the last four digits of the registrant's social security number.

ANSWER: On information and belief, denied.

60. Thus, Defendants' refusal to correct their violations is unjustifiable.

ANSWER: Upon information and belief, denied.

61. Defendants' dismissal of Ms. Snow's straightforward solution is irreconcilable with their duties, and it damages lawfully-registered North Carolina voters and candidates, including Republican voters who are members of Plaintiffs, and Republican candidates whom Plaintiffs and their members support.

ANSWER: Denied.

II. ***Despite Their Errors, Defendants Refuse to Identify Unqualified Voters or Remove Them From The State's Voter Rolls***

62. HAVA places the burden on the state to "determine whether the information provided by an individual is sufficient to meet the requirements of [the statute]." *See* 52 U.S.C. § 21083(a)(5)(A)(iii). Similarly, N.C. Gen. Stat. § 163-82.11(c) mandates that the state maintain its voter rolls in accordance with what HAVA requires.

ANSWER: Denied as to Plaintiffs' characterization of 52 U.S.C. § 21083(a)(5)(A)(iii), and otherwise admitted that the statutes cited exist and speak for themselves.

63. Through this affirmative directive—along with the other enumerated requirements throughout the statute—Defendants either knew or should have known that they were tasked with ensuring that only properly completed registration forms were accepted and processed. Even still, Defendants permitted hundreds of thousands of people to register without providing the basic information HAVA requires.

ANSWER: Intervenors lack sufficient information and knowledge to deny or admit the allegations in this paragraph.

64. After this failure, Defendants should have immediately taken action to remedy this mistake, including confirming that ineligible voters were not on the state's voter rolls. *See* 52 U.S.C. § 21803(a)(2)(A)(B); *see also* N.C. Gen. Stat. § 163-82.11(c).

ANSWER: Denied that § 21803(a)(2)(A)(B) exists under Chapter 52 of the United States Code, but otherwise admitted that § 21803(a)(2)(A) and § 21803(a)(2)(B) exist and N.C. Gen. Stat. § 163-82.11(c) exist and that these statutes speak for themselves. The allegations in this paragraph are otherwise denied.

65. By declining to uphold their statutory duties, Defendants violated both state and federal law, irreparably damaged North Carolina voters, the NCGOP, the RNC, and their organizational missions, and most importantly, their members. Defendants opened the door to insecure elections in North Carolina, marred by potentially fraudulent votes.

ANSWER: The allegations in this paragraph set forth legal conclusions to which no response is required. The allegations in this paragraph are otherwise denied.

III. ***By Failing to Correct Their HAVA Violations, Defendants Place Foundational Election Principles Into Jeopardy***

66. Many states, including North Carolina, have recently confronted issues relating to non-citizens and other ineligible persons attempting to register to vote. *See, e.g.*, N.C. Gen. Stat. § 163-82.14(c1).<sup>7</sup>

ANSWER: Upon information and belief, denied as to the allegations in this paragraph and the contention that North Carolina has recently faced “issues relating to non-citizens and other ineligible persons attempting to register to vote” in any systematic or widespread manner. Denied that the article cited in footnote 7 supports this assertion. Admitted that the statute cited exists and speaks for itself.

67. North Carolina’s statutory requirements notwithstanding, Defendants’ failure to

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<sup>7</sup> On Wednesday, August 21, 2024, Ohio announced that it had identified at least 597 non-citizens who registered and/or voted in recent elections. This finding was precipitated by a comprehensive statewide audit which identified 154,995 ineligible registrants on the state’s voter rolls. *See* <https://apnews.com/article/ohio-voters-citizenship-referrals-42799a379bdda8bca7201d6c42f99c65> [last accessed 08.22.2024].

require necessary HAVA identification information before processing and accepting hundreds of thousands of voter registration forms allowed untold numbers of ineligible voters to register. Now, those ineligible voters could vote in the upcoming November 5, 2024 election and beyond.

ANSWER: Upon information and belief, denied.

68. Upon information and belief, Defendants' violations of HAVA allowed non-citizens to register to vote in North Carolina, in direct contravention of both federal and state law. *See, e.g.*, N.C. Const. art. VI §I.

ANSWER: Admitted that N.C. Const. art. VI § I exists and speaks for itself. The allegations in this paragraph are otherwise denied.

69. By allowing ineligible voters to register and then remain on the North Carolina voter rolls, Defendants have brought the security and validity of the state's elections into question.

ANSWER: Denied.

70. Even worse, by refusing to correct their errors, Defendants are willfully ignoring their statutory responsibilities.

ANSWER: Denied.

71. If Defendants do not remove ineligible voters from the state's voter rolls, then the legitimate votes of qualified voters will be diluted and disenfranchised in upcoming elections. This reality will, in turn, have a substantial chilling effect on North Carolinians' right to vote in free and fair elections. *See* N.C. Const. art. I §10.

ANSWER: Denied to the extent Plaintiffs omit and disregard the myriad of safeguards that exist in North Carolina to prevent ineligible voters from casting a ballot and from that ballot counting. Denied to the extent Plaintiffs fail to plead that any registered voter is actually ineligible to cast a ballot in North Carolina. Admitted that N.C. Const. art. I § 10

exists and speaks for itself. To the extent the remaining allegations require a response, denied.

#### IV. *Remedying These Errors Will Not Burden NCSBE*

72. Defendants already maintain processes for seeking out additional information from voters who fail to provide necessary information.

ANSWER: Admitted.

73. For example, the county boards of elections regularly contact voters who vote with a provisional ballot on election day, seeking additional identifying information from these voters as part of post-election day processes.

ANSWER: Intervenors lack sufficient information or knowledge to admit or deny the allegations in this paragraph.

74. Notably, accurate voter roll maintenance, including removing the names of ineligible voters from voting rolls, is already required by HAVA and state law. *See* 52 U.S.C. § 21083(a)(2)(A)(B); N.C. Gen. Stat. § 163-82.11(c). Thus, any burden on Defendants in terms of time required to correct the state's voter rolls is mitigated by the fact that federal law mandates the same.

ANSWER: Denied that § 21083(a)(2)(A)(B) exists under Chapter 52 of United States Code, but otherwise admitted that § 21083(a)(2)(A) and § 21083(a)(2)(b) and N.C. Gen. State. § 163-82.11(c) exist and speak for themselves. The allegations in this paragraph are otherwise denied, especially because the NVRA, and specifically 52 U.S.C. § 20507(c)(2), provides that “[a] State shall complete, not later than 90 days prior to the date of a primary or general election for Federal Office, any program the purpose of which is to systematically remove the ineligible voters from the official lists of eligible voters” with limited



exceptions that do not apply here.

75. Unlike the minimal burden Defendants would face if required to correct the state's voter rolls in compliance with federal law, the burden placed on Plaintiffs is palpable. Absent immediate corrective action by Defendants, the significant harm faced by Plaintiffs will only increase. Not only will Plaintiffs' members be disenfranchised, but Plaintiffs' mission of advocating for Republican voters, causes, and candidates will be impeded by contrary votes of potentially ineligible voters.

ANSWER: Denied.

76. With the November 5, 2024 election now three months away, early voting starting in less than two months, and ballots being mailed starting September 6, 2024, it is exceedingly important that Defendants take immediate actions to correct their wrongs, guaranteeing that qualified voters are able to vote, while preventing ineligible persons from trying to do the same.

ANSWER: Denied to the extent it implies that the current administrative practices of the North Carolina State Board of Elections and the County Board of Elections will not sufficiently guarantee the accurate tabulation of election results for the November 5, 2024, election.

### **CLAIMS FOR RELIEF**

#### **COUNT ONE: VIOLATION OF N.C.G.S. § 163-82.11(c) – WRIT OF MANDAMUS**

77. The foregoing paragraphs are incorporated by reference as if fully set forth herein.

ANSWER: Intervenors incorporate by reference all responses to the allegations in the foregoing paragraphs.

78. North Carolina law unambiguously requires Defendants to maintain the state's voter rolls in a manner compliant with Section 303 of HAVA. N.C. Gen. Stat. § 163-82.11(c).

ANSWER: The allegations of this paragraph state a legal conclusion to which no answer is required. To the extent an answer is required, the allegations are denied.

79. Section 303 of HAVA requires that North Carolina create a computerized statewide voter registration list containing the names and registration information of every legally registered voter. 52 U.S.C. § 21083(a)(1)(A).

ANSWER: Admitted.

80. HAVA similarly mandates that North Carolina verify the accuracy of a prospective voter's registration information, **prior** to accepting the registration. Specifically, the state must collect the registrant's driver's license number or last four digits of their social security number or, alternatively, the registrant must affirmatively attest that they have neither. *Id.* at § 21083(a)(5)(A).

ANSWER: Admitted that the statute cited exists and speaks for itself, and otherwise denied as to Plaintiffs' characterization of that statute.

81. HAVA also requires that Defendants regularly review and maintain the accuracy of the state's voter registration list, including, if applicable, removing ineligible persons from the voter roll. *Id.* at § 21083(a)(2)(4).

ANSWER: Admitted that the statute cited exists and speaks for itself, and otherwise denied as to Plaintiffs' characterization of the statute.

82. North Carolina law similarly mandates the collection of certain identification information from applicants, creating certain tools for verification of the same. *See* N.C. Gen. Stat. §§163-54, 163-82.1(a); 163-82.4 (a)(e).

ANSWER: Admitted that N.C. Gen. Stat. §§ 163-54 and 163-82.1(a) exist and speak for themselves. Denied that a subsection (a)(e) exists under N.C. Gen. Stat. § 163-82.4, but admitted that §§ 163-82.4(a) and 163-82.4(e) exist and speak for themselves.

83. Upon information and belief, Defendants failed to collect the statutorily required information from at least 225,000 registrants whose registrations were, in turn, processed and accepted despite lacking this necessary information.

ANSWER: Intervenors lack sufficient information and knowledge to admit or deny the allegations in this paragraph.

84. Upon information and belief, even once this error was identified and corrected on a forward-looking basis, NCSBE refused, and continues to refuse, to contact these registrants or verify if they have the necessary information in order to correct the accuracy of the state's voter registration list.

ANSWER: Intervenors lack sufficient information and knowledge to admit or deny the allegations in this paragraph.

85. Not only does the language of N.C. Gen. Stat. § 163-82.11(c) create a duty for Defendants to maintain accurate voter rolls in compliance with HAVA, but Defendants have no discretion or permissible freedom to deviate from this mandate.

ANSWER: Admitted that the statute cited exists and speaks for itself, and otherwise denied.

86. It is without dispute that, even when this was brought to their attention, Defendants failed to act. In fact, Defendants affirmatively refused to act and correct the accuracy of the state's voter rolls as to be compliant with HAVA.

ANSWER: Intervenors lack sufficient information and knowledge to admit or deny the

allegations in this paragraph.

87. Due to Defendants' unambiguous refusal to act, even after acknowledging their own violation of the law, Plaintiffs have no other adequate remedy than to seek relief from this Court.

ANSWER: Denied.

88. Unless enjoined and ordered to comply with their statutory duties, Defendants will continue to violate state law by refusing to maintain accurate voter rolls and declining to remedy the 225,000 voter registrations that should have never been processed or accepted in the first place.

ANSWER: Upon information and belief, denied.

**COUNT TWO: VIOLATION OF N.C. CONST. ART. I § 19 – MANDATORY**

**INJUNCTION**

89. The foregoing paragraphs are incorporated by reference as if fully set forth herein.

ANSWER: Intervenors incorporate by reference all responses to the allegations in the foregoing paragraphs.

90. As described more fully above, Defendants have a non-discretionary, statutory duty to maintain the state's voter rolls in a manner compliant with Section 303(a) of HAVA.

ANSWER: Admitted.

91. N.C. Gen. Stat. § 163-82.11(c) is an affirmative command, creating a duty imposed by law.

ANSWER: Admitted.

92. Defendants admit they failed to uphold this duty when they accepted hundreds

of thousands of voter registrations which were plainly non-compliant with Section 303(a) of HAVA.

ANSWER: Upon information and belief, denied.

93. Despite this admission, Defendants refuse to take any action to remedy their violations.

ANSWER: Intervenors lack sufficient information or knowledge to admit or deny the allegation in this paragraph.

94. Defendants' actions directly interfere with North Carolinian's fundamental right to vote. By allowing potentially ineligible persons to vote in the state's elections and remain on the state's voter rolls, Defendants have ignored their statutory and constitutional duties while simultaneously opening the door to potential widespread dilution of legitimate votes in upcoming elections.

ANSWER: Denied.

95. Defendants cannot offer any legitimate justification, let alone a compelling interest, for this dereliction of duty.

ANSWER: Upon information and belief, denied.

96. Defendants must be ordered to immediately and permanently rectify this harm in order to protect the integrity of North Carolina's elections.

ANSWER: Denied.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully request that this Court:

1. Issue a writ of mandamus and a mandatory injunction ordering Defendants to develop, implement, and enforce practices and policies to ensure compliance with HAVA and, in

turn, N.C. Gen. Stat. § 163-82.11(c);

ANSWER: This paragraph constitutes Plaintiffs' request for relief, to which no response is required. To the extent a response is required, denied that Plaintiffs are entitled to any of the requested relief or any other relief.

2. Direct Defendants, under a court-approved plan to be completed no later than September 6, 2024, including mandatory reporting and monitoring requirements, to take all actions necessary to remedy their violations of state law and HAVA, specifically, identifying all ineligible registrants and removing them from the state's voter registration lists in a manner consistent with state and federal law, and to the extent such removal is not feasible prior to the date set forth herein, then direct Defendants to require all individuals who failed to provide necessary HAVA identification information but were still registered to vote under the state's prior registration form, to cast a provisional ballot in upcoming elections pending Defendants' receipt and confirmation of the required HAVA information;

ANSWER: This paragraph constitutes Plaintiffs' request for relief, to which no response is required. To the extent a response is required, denied that Plaintiffs are entitled to any of the requested relief or any other relief.

3. Direct Defendants, under a court-approved plan including mandatory reporting and monitoring requirements, to take all actions necessary to ensure future compliance with state law and HAVA, specifically, registering only eligible, qualified voters in a manner consistent with both statutes and maintaining the state's voter registration lists in accordance therewith;

ANSWER: This paragraph constitutes Plaintiffs' request for relief, to which no response is required. To the extent a response is required, denied that Plaintiffs are entitled to any

of the requested relief or any other relief.

4. Award Plaintiffs their reasonable attorney's fees, litigation expenses, and associated costs incurred in connection with this action, as otherwise permitted by law;

ANSWER: This paragraph constitutes Plaintiffs' request for relief, to which no response is required. To the extent a response is required, denied that Plaintiffs are entitled to any of the requested relief or any other relief.

5. Retain jurisdiction over this matter to ensure Defendants comply with any orders issued by this Court; and

ANSWER: This paragraph constitutes Plaintiffs' request for relief, to which no response is required. To the extent a response is required, denied that Plaintiffs are entitled to any of the requested relief or any other relief.

6. Grant such additional relief deemed just and proper.

ANSWER: This paragraph constitutes Plaintiffs' request for relief, to which no response is required. To the extent a response is required, denied that Plaintiffs are entitled to any of the requested relief or any other relief.

#### **GENERAL DENIAL**

Intervenors deny every allegation in the Complaint that is not expressly admitted herein.

#### **AFFIRMATIVE DEFENSES**

Intervenors set forth their Affirmative Defenses below, and reserve the right to amend or supplement these Affirmative Defenses upon learning of additional facts and with additional particularity, including citation to additional law, consistent with the North Carolina Rules of Civil Procedure. Intervenors do not admit the relevance of any particular issue or subject in asserting these Affirmative Defenses, nor do they admit to assuming the burden of proving any issue of fact

or element of cause of action where that burden properly belongs to Plaintiffs.

In their Affirmative Defenses, Intervenors allege as follows:

#### **FIRST AFFIRMATIVE DEFENSE**

Plaintiffs do not have standing for the claims they allege.

#### **SECOND AFFIRMATIVE DEFENSE**

Plaintiffs fail to state a claim on which relief can be granted because, *inter alia*, Plaintiffs have failed to sufficiently allege that the voters lacking a driver's license or Social Security number in their voter registration record are, in fact, ineligible voters or should be presumptively considered as such. Plaintiffs' claims are unsupported by any factual allegations supporting the actual ineligibility for even a single voter, much less hundreds of thousands. By contrast, applicable law, and the documents cited and referenced in the Complaint (including North Carolina State Board of Elections meeting records), support many reasons an eligible and registered voter might lack either identification number in their voter file at no fault of their own, including but not limited to the voter:

- not providing a driver's license or Social Security number at a time when the North Carolina voter registration form did not require it;
- not possessing a driver's license or Social Security number but otherwise being an eligible North Carolina citizen, as contemplated by both state and federal law exceptions;
- possessing a driver's license or Social Security number but being unable to provide that number when registering;
- providing a driver's license or Social Security number at the time of registration that was not entered into their voter registration file due to inadvertent error;
- providing a driver's license or Social Security number at the time of registration, but



having the voter information mismatch to the DMV database or Social Security Administration databases for reasons unrelated to eligibility (e.g., inadvertent typos in information, misspelling or reasonable variation in names) and thus omitted in the voter file;

- providing a driver's license or Social Security number at a later time (such as when requested a mail-in absentee ballot) that was not entered into their voter registration file.

### **THIRD AFFIRMATIVE DEFENSE**

Plaintiffs have failed to state a claim upon which relief can be granted because Plaintiffs' requested relief to remove registrants from North Carolina's list of registered voters on the eve of the November 5, 2024, election is foreclosed by the NVRA. Among other applicable federal that would be violated, their request that Defendants be compelled to "identify[] all ineligible registrations and remov[e] them from the state's voter registration lists" is prohibited by the NVRA's 90-day prohibition on such systematic removals, which came into force on August 7, 2024. 52 U.S.C. § 20507(2). The requested *en masse* removal of registered voters for lacking a driver's license or Social Security number in their registration record is also not included among the permitted reasons for removals and would thus violate this provision. *Id.* § 20507(a)(3), (4). It may also violate the state's obligation under the NVRA to "ensure that any eligible applicant is registered to vote in an election" if they have submitted a valid registration form not later than 30 days before the election. *Id.* § 20507(a)(1).

### **FOURTH AFFIRMATIVE DEFENSE**

Plaintiffs have failed to state a claim upon which relief can be granted because Plaintiffs' requested relief to remove registrants from North Carolina's list of registered voters on the eve of the November 5, 2024, election is foreclosed by HAVA. The relief requested, and specifically its

timing and the natural limitations on implementation before voting begins, violates HAVA's requirement that states provide "safeguards to ensure voters are not removed in error from the official list of eligible voters." 52 U.S.C. § 21083(a)(4)(B).

#### **FIFTH AFFIRMATIVE DEFENSE**

Plaintiffs have failed to state a claim upon which relief can be granted because Plaintiffs' requested relief to remove registrants from North Carolina's list of registered voters on the eve of the November 5, 2024, election is foreclosed by the Civil Rights Act of 1964, 52 U.S.C. § 10101(a)(2)(B), which prohibits "deny[ing] the right of any individual to vote in any election because of an error or omission on any record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material in determining whether such individual is qualified under State law to vote in such election."

#### **SIXTH AFFIRMATIVE DEFENSE**

Plaintiffs have failed to state a claim upon which relief can be granted because Plaintiffs' requested relief to remove registrants from North Carolina's list of registered voters is foreclosed by state law. Among other applicable provisions, state law enumerates specific and limited grounds for removing voter registrations and further provides that:

Every person registered to vote by a county board of elections in accordance with this Article shall remain registered until:

- (1) The registrant requests in writing to the county board of elections to be removed from the list of registered voters; or
- (2) The registrant becomes disqualified through death, conviction of a felony, or removal out of the county; or
- (3) The county board of elections determines, through the procedure outlined in G.S. 163-82.14, that it can no longer confirm where the voter resides.

N.C.G.S. § 163-82.1(c). As none of the grounds on which Plaintiffs' request removal is enumerated in this statute, their request to remove voters is a direct violation of state law.

### **SEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs have failed to state a claim upon which relief can be granted because Plaintiffs' requested relief to require voters lacking a driver's license number or Social Security number in their voter registration to vote provisionally is foreclosed by state law. Any voter found duly registered and who has not been successfully challenged is required under state law to receive "the official ballot that voter is entitled to vote." N.C. Gen. Stat. § 163-166.7(b). Provisional ballots are only permitted for any voter who "does not appear on the official list of eligible registered voters in the voting place." N.C. Gen. Stat. § 163-166.11.

### **EIGHTH AFFIRMATIVE DEFENSE**

Plaintiffs fail to state a claim upon which relief can be granted because their claims and allegations amount to an appeal of the HAVA complaints brought by Carol Snow.

Plaintiffs have no right to appeal Ms. Snow's HAVA complaint under state law. Pursuant to the HAVA requirement that states "establish and maintain State-based administrative complaint procedures" for alleged HAVA violations, 52 USC § 21112, North Carolina has required the State Board of Elections to "establish a complaint procedure" for "complaints alleging violations of Title III" of HAVA, N.C. Gen. Stat. § 163-91. However, North Carolina has also exempted the State Board from judicial review of these decisions under the Administrative Procedure Act. NCGS § 150B-1(c)(6)(providing a specific exemption from North Carolina's Administrative Procedure Act for "[t]he State Board of Elections in administering the HAVA Administrative Complaint Procedure."). Notwithstanding they were not the original party bringing the HAVA administrative complaint before the State Board, and thus have failed to exhaust administrative remedies, state law forecloses an appeal of that action as Plaintiffs attempt here.

Plaintiffs have otherwise failed to substantiate a right to relief via writ of mandamus or pursuant

to N.C. Const. Art. I § 19.

#### **NINTH AFFIRMATIVE DEFENSE**

Plaintiffs fail to state a claim upon which relief can be granted because Plaintiffs lack a private right of action to enforce the cited provisions of HAVA in this posture under either state or federal law. *See Brunner v. Ohio Republican Party*, 555 U.S. 5, 6 (2008) (finding respondents were “not sufficiently likely to prevail on the question whether Congress has authorized the District Court to enforce [HAVA] § 303 in an action brought by a private litigant to justify the issuance of a temporary restraining order). The sections of HAVA that have been found to be privately enforceable involve provisions that “directly and explicitly *protect*[] individual voters.” *Colon-Marrero v. Velez*, 813 F.3d 1, 17-19 (1st Cir. 2016) (emphasis added). No such individual right to systematically remove duly registered voters other than one’s self from a state’s voter rolls exists, and thus no private action under color of HAVA requesting such relief can be sustained.t

#### **TENTH AFFIRMATIVE DEFENSE**

Plaintiffs’ requested relief, including but not limited to ordering the North Carolina State Board of Elections to remove voters *en masse* on the eve of the November 2024 election and/or requiring voters lacking identifying information to vote provisionally in the November 2024 election, would violate North Carolina’s Free Election Clause, N.C. Const. art. I § 10, by interfering with the voting process. *See Harper v. Hall*, 384 N.C. 292, 355, 886 S.E.2d 393, 434, 363-64 (2023) (holding the free elections clause was intended to “protect against interference” and allow voters to cast a ballot “without interference”).

#### **ELEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs’ requested relief, including but not limited to ordering the North Carolina State Board of Elections to remove voters *en masse* on the eve of the November 2024 election and/or requiring

voters lacking identifying information to vote provisionally in the November 2024 election, would violate North Carolina’s Equal Protection Clause, N.C. Const. art. I § 19, by denying those voters without a driver’s license or Social Security number in their voter file both equal protection of the laws and due process under law. *See Harper v. Hall*, 384 N.C. 292, 364 (2023) (“This Court has previously explained that the right to vote *on equal terms* is a fundamental right.”) (internal quotations and citations omitted, emphasis in original).

#### **TWELFTH AFFIRMATIVE DEFENSE**

Plaintiffs’ requested relief, including but not limited to ordering the North Carolina State Board of Elections to remove voters *en masse* on the eve of the November 2024 election and/or requiring voters lacking identifying information to vote provisionally in the November 2024 election, would impose undue and severe burdens on the fundamental right to vote, in violation of the First and Fourteenth Amendments of the United States Constitution.

#### **THIRTEENTH AFFIRMATIVE DEFENSE**

Plaintiffs’ requested relief, including but not limited to ordering the North Carolina State Board of Elections to remove voters *en masse* on the eve of the November 2024 election and/or requiring voters lacking identifying information to vote provisionally in the November 2024 election, would violate the right to due process under the Fourteenth Amendment.

#### **FOURTEENTH AFFIRMATIVE DEFENSE**

Plaintiffs’ requested relief is barred by the doctrine of laches.

#### **FIFTEENTH AFFIRMATIVE DEFENSE**

Plaintiffs’ requested relief, including but not limited to ordering the North Carolina State Board of Elections to remove voters *en masse* on the eve of the November 2024 election and/or requiring voters lacking identifying information to vote provisionally in the November 2024 election, is

barred by the *Purcell* principle.

# **EXHIBIT B**

## Maxwell Declaration

STATE OF NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
No. 24CV026995-910

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REPUBLICAN NATIONAL COMMITTEE;  
and NORTH CAROLINA REPUBLICAN  
PARTY,

*Plaintiffs,*

v.

NORTH CAROLINA STATE BOARD OF  
ELECTIONS; KAREN BRINSON BELL, in  
her official capacity as Executive Director of  
the North Carolina State Board of Elections;  
ALAN HIRSCH, in his official capacity as  
Chair of the North Carolina State Board of  
Elections; JEFF CARMON, in his official  
capacity as Secretary of the North Carolina  
State Board of Elections; STACY EGGERS  
IV, KEVIN N. LEWIS, and SIOBHAN  
O'DUFFY MILLEN, in their official  
capacities as members of the North Carolina  
State Board of Elections,

*Defendants.*

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**DECLARATION OF DEBORAH DICKS MAXWELL  
PRESIDENT OF THE NORTH CAROLINA STATE CONFERENCE  
OF THE NAACP**



I, Deborah Dicks Maxwell, swear under penalty of perjury that the following information is true to the best of my knowledge and state as follows:

1. I am personally knowledgeable of the facts contained below and, if called to testify, would affirm all matters set forth herein.
2. I am a resident of Wilmington, North Carolina in New Hanover County, where I have lived since 1992. I was born in Wilmington and previously resided there for approximately 15 years.
3. Since October 2021, I have served as President of the North Carolina State Conference of the National Association for the Advancement of Colored People (“North Carolina NAACP”), a state chapter of the National NAACP, which is a 501(c)(4) registered nonpartisan, nonprofit community organization dedicated to eliminating racial hatred and racial discrimination through education, advocacy, and litigation.
4. I have been a member of the NAACP for 25 years. Prior to my time as President, I served as Assistant Treasurer, Treasurer, Vice President, and President for the New Hanover County local branch of the North Carolina NAACP. I also served as the North Carolina State Conference District Director for Bladen, Brunswick, Columbus, New Hanover, Onslow and Pender Counties, which required me to oversee six counties in southeastern North Carolina.
5. As President of the North Carolina NAACP, I am responsible for communicating with NAACP branches across North Carolina, identifying matters of statewide concern, and taking steps to address members’ concerns. These responsibilities include, among other things, traveling to various parts of North Carolina for meetings and events, communicating statewide concerns to the National NAACP, advocating for or against proposed legislation or policies, making statewide programmatic decisions, and acting as a spokesperson for the North Carolina NAACP at public and private engagements.
6. I am authorized to speak for the NAACP in this matter.
7. The mission of the NAACP is to eliminate racial hatred and racial discrimination. The North Carolina NAACP follows the national NAACP mission statement in focusing on political, educational, and other rights affecting all people and people of color. The national mission statement identifies the NAACP’s mission: “[T]o achieve equity, political rights, and social inclusion by advancing policies and practices that expand human and civil rights, eliminate discrimination, and accelerate the well-being, education, and economic security of Black people and all persons of color.”<sup>1</sup>
8. The North Carolina NAACP engages in a wide variety of educational, advocacy, and legal work to ensure that communities of color and other marginalized communities throughout North Carolina are able to exercise the right to vote. This includes voter

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<sup>1</sup>See <https://ncnaacp.org/mission-vision/>.

registration, election protection, and voter mobilization events hosted by branches of the state conference. In addition, the North Carolina NAACP conducts voter education events and educational campaigns intended to inform voters about the requirements to register and vote, as well as any legal changes that might affect how, where, or when they are able to vote. This work is achieved through engagement with our members, who volunteer and organize events held both statewide and by local branches. The North Carolina NAACP has been engaging in all of these activities ahead of the 2024 General Election.

9. National NAACP membership compliance standards require a NAACP state conference to have six adult branches and six youth branches.<sup>2</sup> The North Carolina NAACP has 70 adult branches and numerous students and youth branches, composed of over 10,000 members.
10. To become a member of a branch of the North Carolina NAACP, an individual must sign a form affirming that they live or work in the county in which they wish to join a chapter and agree to pay dues. Lifetime membership is maintained with a one-time payment of dues. To maintain yearly membership with the North Carolina NAACP, members must pay yearly dues in the amount of thirty dollars for adults and ten dollars for youth.
11. North Carolina NAACP membership is predominately Black and other minority individuals and includes registered voters who reside throughout the state.
12. I am aware that the Republican National Committee has filed a complaint asking for the removal of up to 225,000 voters who lack either a driver's license or Social Security number in their voter file. I understand from counsel that at least 22% of voters who would be impacted by the removal have self-identified as Black in their voter file, a figure my counsel has calculated by matching registered voters listed on the file provided by the North Carolina State Board of Elections in response to Public Records Request 24-16 submitted by Carol Snow to the current voter file. I also understand from counsel that self-identified Black voters are the largest group of voters of color in the file produced in response to Public Records Request 24-16.
13. If the Republican National Committee were successful in its goal of removing those approximately 225,000 voters from the voter rolls, the North Carolina NAACP's programming would have to substantially change. The North Carolina NAACP would have to direct significant organizational resources to respond to this voter purge. At a minimum, the North Carolina NAACP would have to divert staff and volunteer time as well as financial resources that had been designated to register, activate, and educate voters for the upcoming general election, to instead research the voters who were removed from the rolls despite remaining eligible voters, contact them to inform them of their removal, and help them re-register in time to participate in the November election. This task would be challenging and resource-intensive, especially in the marginalized

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<sup>2</sup> See

<https://naacp.org/convention/faqs#:~:text=Financial%20compliance%20consists%20of%20submitting%20the%20Annual%20Financial%20Report%20and,does%20ACT%2DSO%20stand%20for?>

communities with whom the North Carolina NAACP works. If the Republican National Committee obtains its desired voter removals, the North Carolina NAACP will not be able to conduct the same amount of activity in support of its core organizational functions as it would otherwise be able to do.

14. Given the substantial number of Black voters impacted by this lawsuit, it would directly harm the North Carolina NAACP's organizational mission to ensure communities of color can vote if such a substantial number of voters of color were removed from the voter rolls, as has been requested in this lawsuit. The North Carolina NAACP is thus seeking to intervene in this matter to protect its organizational interests and the direct harm this lawsuit, if successful, would have to the organization itself.
15. I am also aware that at least one of the individuals impacted, and on the file provided in response to Public Records Request 24-16, is a North Carolina NAACP member who intends to vote in the upcoming 2024 General Election. On information and belief, there are additional North Carolina NAACP members listed on this file. The North Carolina NAACP is therefore asking to intervene in this matter to protect its members as well.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

*Deborah Dicks Maxwell*

Executed on: September 4, 2024

\_\_\_\_\_  
Deborah Dicks Maxwell

# **EXHIBIT C**

## Jones Declaration

STATE OF NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF  
JUSTICE SUPERIOR COURT DIVISION  
No. 24CV026995-910

REPUBLICAN NATIONAL COMMITTEE;  
and NORTH CAROLINA REPUBLICAN  
PARTY,

*Plaintiffs,*

v.

NORTH CAROLINA STATE BOARD OF  
ELECTIONS; KAREN BRINSON BELL, in  
her official capacity as Executive Director of  
the North Carolina State Board of Elections;  
ALAN HIRSCH, in his official capacity as  
Chair of the North Carolina State Board of  
Elections; JEFF CARMON, in his official  
capacity as Secretary of the North Carolina  
State Board of Elections; STACY EGGERS  
IV, KEVIN N. LEWIS, and SIOBHAN  
O'DUFFY MILLEN, in their official  
capacities as members of the North Carolina  
State Board of Elections,

*Defendants.*

**DECLARATION OF  
JACKSON SAILOR JONES**

I, Jackson Sailor Jones, hereby declare as follows:

1. I am over eighteen years of age. I have personal knowledge of the facts set forth herein. If called to testify before this Court, I would do so to the same effect.
2. I was born in Warren County and am currently a resident of Mebane, North Carolina, in Alamance County. I have lived at my current residence since June 2022.
3. I am a citizen of the United States.
4. I have been a registered voter in this state for over three decades, and I last updated my registration shortly after moving residences, on July 8, 2022.
5. I intend to cast a ballot in the upcoming November 5, 2024, election.

6. My name and NCID number are on the list of registrations in North Carolina lacking either a Social Security Number or driver's license number in their voter file, according to a list provided by the State Board of Elections on April 1, 2024, in response to Public Records Request 24-16 submitted by Carol Snow.

7. I have a North Carolina driver's license number and a social security number. I am not sure why my registration lacks this information.

8. I do not believe that I should be removed from the voter rolls because a group says that my valid voter registration, which I completed by filling out North Carolina's registration form, violates federal law. To my knowledge, I followed all directions when filling out the voter registration form.

9. I have also already provided this information to election officials on multiple occasions. I presented my North Carolina driver's license when I voted in person during the 2024 Primary Election. I also provided this information on my Absentee Ballot Request Form for the 2024 General Election, which I have already submitted and which requires this information. The Absentee Ballot Request Form cannot be processed without a driver's license or Social Security number. A copy of that form is attached to this Declaration as Exhibit 1.

10. Because I meet the qualifications for eligibility to vote in North Carolina and am lawfully registered to vote, I should not be removed from the rolls.

11. If I am removed from the voter rolls, and my ability to vote is taken away, I will be denied my fundamental right to vote and engage in the political process.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on September 3, 2024.

A handwritten signature in black ink, appearing to be 'JS', written over a horizontal line.

Jackson Sailor Jones

**Exhibit 1**  
NC Absentee  
Ballot Request  
Form





Request an absentee ballot

You can request an absentee ballot for 1 voter per form, for 1 election at a time. The information that you provide on this form will be used to update your current voter record if signed by the voter. You may not change your party using this form. If you are not registered, you must submit a voter registration form with this request.

Fraudulently or falsely completing this form is a Class I felony under Chapter 163 of the NC General Statutes.

How to return this form

Return your completed and signed form to your county board of elections by 5:00 pm on the Tuesday before the election.

You can:

- Drop it off in-person
• Mail it

This form can only be returned by:

- The voter or the voter's near relative or verifiable legal guardian
• A Multipartisan Assistance Team sent by the county elections office
• A person who assisted due to the voter's disability.

Return this form to:

Your County Board of Elections office. County addresses can be found on the pages following this form.

Questions?

Call your county board of elections or visit ncsbe.gov

REQUEST ONLINE

Complete, sign, and submit your request online at votebymail.ncsbe.gov.

Instructions

1: Election Date

Request for 1 election per form. Indicate in this section if you require an absentee ballot for other possible elections in 2024 due to your continued or expected illness or disability.

2: Voter name

Provide your full legal name. If your name has changed, this form will be used to update your current voter record.

3: Identification Information

You must provide your date of birth and one of the following:

- A NC Driver's License or DMV ID card number
• The last 4 digits of your social security number

4: Home address

Provide your residential (home) address. However, if you moved and have no plans to return to your former residence, provide your new address here. Signing in Section 10 will update your voter registration. If your new address is in a different county, you will not be able to update your address using this form and will need to submit a new voter registration form in your new county. Provide a mailing address in Section 5 if different from your residence.

5: Ballot mailing address

Indicate where you would like your ballot to be sent. If you do not want your ballot to be sent to your residential or mailing address, provide another address here. If you require an accessible electronic ballot due to blindness or visual impairment also provide your email in Section 6.

6: Voter's Contact information

Your contact information is optional and is helpful if we have questions about this request or about any issues with your voted absentee ballot.

7: Requesting a ballot for a voter

A near relative or legal guardian may request a ballot for a voter but may not make changes to the voter's registration record. A near relative is a voter's:

- Spouse
• Brother or sister
• Parent or stepparent
• Mother/father-in-law
• Child or stepchild
• Son/daughter-in-law
• Grandparent/Grandchild

Any person may request an absentee ballot for a voter who needs assistance making the request due to disability. Under the Americans with Disabilities Act, a disability is a physical or mental impairment that causes someone to be substantially limited in a major life activity. When requesting a ballot on behalf of a voter, the requester must complete and sign this section.

8: Assisting a voter in filling out or returning this form

If you are helping a voter fill out or return their form, complete this section. The voter will still need to sign or make their mark in Section 10. Any voter may receive assistance from their near relative or verifiable legal guardian. A voter who needs assistance completing or returning their request form due to their blindness, disability, or inability to read or write may receive assistance from a person of their choice.

For voters living in a facility (clinic, nursing home, or adult care home) who do NOT require assistance due to a disability, certain limitations apply:

The voter must first seek to have a near relative, legal guardian or Multipartisan Assistance Team (MAT) to assist with requesting a ballot. If none of these options is available within 7 days of making a request for a MAT, the voter may get assistance from anyone who is not:

- An owner, manager, director, or employee of the facility
• An elected official, a candidate, or an officeholder in a political party
• A campaign manager or treasurer for a candidate or political party

9: Military or overseas

Complete this section if you claim North Carolina as your voting residence and are: A U.S. citizen currently outside of the United States or A member of one of the following, or a spouse or dependent of a member of one of the following:

- The active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty
• A member of the Merchant Marines, the Commissioned Corps of the Public Health Service, or the Commissioned Corps of the National Oceanic and Atmospheric Administration of the United States
• A member of the National Guard or State militia unit who is on activated status

10: Voter's signature

This form must be signed by the voter (unless a near relative or legal guardian or assistant is requesting a ballot on the voter's behalf and completes Section 7). If the voter cannot physically sign this form, they can make a mark. A typed signature, including signature fonts, is not allowed.

If you indicate that you have changed your name (Section 2) or address (Section 4), signing will update your voter registration.

Election date	<b>1</b>	<b>11/05/24 General Election Absentee Ballot Request</b>	<input type="radio"/> <b>Due to</b> continued or expected illness or disability, I am <i>also</i> requesting absentee ballots for all elections this year.
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Print voter name Any name change you give on this form will update your registration. <b>Required</b>	<b>2</b>	Last name _____ Suffix (Jr, Sr., III, IV, if applicable) _____ First name _____ Middle name _____ Former name (if your name has changed) _____
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Identification Information <b>Required</b>	<b>3</b>	Date of birth (mm/dd/yyyy) _____ <b>AND</b> NC Driver's License/DMV ID number _____ <b>OR</b> Last 4 digits of your Social Security number _____
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Home address Provide your <b>residential</b> address (where you live). <b>Required</b>	<b>4</b>	Street _____ Unit # _____ City _____ NC Zip _____ County _____ Have you moved in the last 30 days? <input type="radio"/> Yes <input type="radio"/> No If yes, date moved? (mm/dd/yyyy) _____ <b>Mailing Address (if different from above)</b> Street _____ Unit # _____ City _____ State _____ Zip _____
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Where should we send your ballot? Check 1. <b>Required</b>	<b>5</b>	<input type="radio"/> Your home address in Section 4 <input checked="" type="radio"/> Your mailing address in Section 4 <input type="radio"/> The address below: Street _____ Unit # _____ City _____ State _____ Zip _____ <input type="radio"/> <b>Due to</b> blindness/visual impairment, I require an accessible electronic ballot (Provide your email address in Section 6).
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Voter contact information	<b>6</b>	Phone _____ Email _____
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Requesting ballot on behalf of voter by near relative, legal guardian, or person the voter asks to help due to disability? The <b>requester</b> must complete and sign in this section. See instructions about who can request for a voter.	<b>7</b>	Requester's Name _____ Include relationship to voter, or status as legal guardian or disability requester _____ Street _____ Unit # _____ City _____ State _____ Zip _____ Phone _____ <b>Relative/legal guardian/disability requester, sign and date here</b> (required if requesting on behalf of a voter) Fraudulently or falsely completing this form is a Class I felony under Chapter 163 of the NC General Statutes. <table border="1" style="width: 100%;"> <tr> <td style="width: 20%; text-align: center;"><b>X</b></td> <td style="width: 60%;"></td> <td style="width: 20%; text-align: right;">Date (mm/dd/yyyy)</td> </tr> </table>	<b>X</b>		Date (mm/dd/yyyy)
<b>X</b>		Date (mm/dd/yyyy)			

Assisting a voter to fill out or return this request? If yes, complete this section. See instructions about who can assist a voter. <b>Voter must sign in Section 10.</b>	<b>8</b>	Assistant's full name _____ Assistant's full address _____ _____ _____	If the voter is in an eligible care facility and needs assistance in voting and returning the ballot, enter the facility name below. Facility Name _____
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Are you a military member on active duty (including spouse/dependents) or a U.S. citizen outside the U.S.? <i>Only the voter may complete this section.</i>	<b>9</b>	<input type="radio"/> Uniformed Services or Merchant Marines on active duty <input type="radio"/> U.S. citizen outside the U.S. (Overseas address required) Overseas full address _____ _____ _____	I want my ballot delivered to my: <input type="radio"/> Email _____ <input type="radio"/> Fax _____ <input type="radio"/> Address indicated in Section 5 <input type="radio"/> Overseas address provided in this section
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Voter's signature <b>Use a pen.</b> No electronic signatures allowed. <b>Required</b>	<b>10</b>	<b>Voter, sign and date here</b> (Required unless ballot requested by a near relative, legal guardian, or disability requester) Fraudulently or falsely completing this form is a Class I felony under Chapter 163 of the NC General Statutes. <table border="1" style="width: 100%;"> <tr> <td style="width: 20%; text-align: center;"><b>X</b></td> <td style="width: 60%;"></td> <td style="width: 20%; text-align: right;">Date (mm/dd/yyyy)</td> </tr> </table>	<b>X</b>		Date (mm/dd/yyyy)
<b>X</b>		Date (mm/dd/yyyy)			

Return form to the County Board of Elections by 5:00 pm on the Tuesday before the election. Do not email or fax.



ALAMANCE PO BOX 418 GRAHAM NC 27253-0418 (336) 570-6755	ALEXANDER PO BOX 326 TAYLORSVILLE NC 28681-0326 (828) 632-2990	ALLEGHANY PO BOX 65 SPARTA NC 28675-0065 (336) 372-4557	ANSON 402 MORVEN RD WADESBORO NC 28170-2743 (704) 994-3223	ASHE 150 GOVERNMENT CIR STE 2100 JEFFERSON NC 28640-8959 (336) 846-5570
AVERY PO BOX 145 NEWLAND NC 28657-0145 (828) 733-8282	BEAUFORT PO BOX 1016 WASHINGTON NC 27889-1016 (252) 946-2321	BERTIE PO BOX 312 WINDSOR NC 27983-0312 (252) 794-5306	BLADEN PO BOX 512 ELIZABETHTOWN NC 28337-0512 (910) 862-6951	BRUNSWICK PO BOX 2 BOLIVIA NC 28422-0002 (910) 253-2620
BUNCOMBE PO BOX 7468 ASHEVILLE NC 28802-7468 (828) 250-4200	BURKE PO BOX 798 MORGANTON NC 28680-0798 (828) 764-9010	CABARRUS PO BOX 1315 CONCORD NC 28026-1315 (704) 920-2860	CALDWELL PO BOX 564 LENOIR NC 28645-0564 (828) 757-13HF	CAMDEN PO BOX 206 CAMDEN NC 27921-0206 (252) 338-5530
CARTERET 1702 LIVE OAK ST STE 200 BEAUFORT NC 28516-1638 (252) 728-8460	CASWELL PO BOX 698 YANCEYVILLE NC 27379-0698 (336) 694-4010	CATAWBA PO BOX 132 NEWTON NC 28658-0132 (828) 464-2424	CHATHAM PO BOX 111 PITTSBORO NC 27312-0111 (919) 545-8500	CHEROKEE 40 PEACHTREE ST MURPHY NC 28906-2940 (828) 837-6670
CHOWAN PO BOX 133 EDENTON NC 27932-0133 (252) 482-4010	CLAY 75 RIVERSIDE CIR STE 3 HAYESVILLE NC 28904-7769 (828) 389-6812	CLEVELAND PO BOX 1299 SHELBY NC 28151-1299 (704) 484-4858	COLUMBUS PO BOX 37 WHITEVILLE NC 28472-0037 (910) 640-6609	CRAVEN 406 CRAVEN ST NEW BERN NC 28560-4911 (252) 636-6610
CUMBERLAND 227 FOUNTAINHEAD LN STE 101 FAYETTEVILLE NC 28301-5493 (910) 678-7733	CURRITUCK PO BOX 177 CURRITUCK NC 27929-0177 (252) 232-2525	DARE PO BOX 1000 MANTEO NC 27954-1000 (252) 475-5631	DAVIDSON PO BOX 1084 LEXINGTON NC 27293-1084 (336) 242-2190	DAVIE 161 POPLAR ST STE 102 MOCKSVILLE NC 27028-2148 (336) 753-6072
DUPLIN PO BOX 975 KENANSVILLE NC 28349-0975 (910) 296-2170	DURHAM 201 N ROXBORO ST DURHAM NC 27701-3741 (919) 560-0700	EDGECOMBE PO BOX 10 TARBORO NC 27886-0010 (252) 641-7852	FORSYTH 201 N CHESTNUT ST WINSTON SALEM NC 27101-4120 (336) 703-2800	FRANKLIN PO BOX 180 LOUISBURG NC 27549-0180 (919) 496-3898
GASTON PO BOX 1396 GASTONIA NC 28053-1396 (704) 852-6005	GATES PO BOX 621 GATESVILLE NC 27938-0621 (252) 357-1780	GRAHAM PO BOX 1239 ROBBINSVILLE NC 28771-1239 (828) 479-7969	GRANVILLE PO BOX 83 OXFORD NC 27565-0083 (919) 693-2515	GREENE PO BOX 583 SNOW HILL NC 28580-0583 (252) 747-5921
GUILFORD PO BOX 3427 GREENSBORO NC 27402-3427 (336) 641-3836	HALIFAX PO BOX 101 HALIFAX NC 27839-0101 (252) 583-4391	HARNETT PO BOX 356 LILLINGTON NC 27546-0356 (910) 893-7553	HAYWOOD 63 ELMWOOD WAY STE A WAYNESVILLE NC 28786-5829 (828) 452-6633	HENDERSON PO BOX 2090 HENDERSONVILLE NC 28793-2090 (828) 697-4970
HERTFORD PO BOX 355 AHOSKIE NC 27910-0355 (252) 358-7812	HOKE PO BOX 1565 RAEFORD NC 28376-1565 (910) 875-8751 EXT 1550	HYDE PO BOX 152 SWAN QUARTER NC 27885-0152 (252) 926-4194	IREDELL 203 STOCKTON ST STATESVILLE NC 28677-5245 (704) 878-3140	JACKSON 401 GRINDSTAFF COVE RD SYLVA NC 28779-3250 (828) 586-7538



<p>JOHNSTON PO BOX 1172 SMITHFIELD NC 27577-1172 (919) 989-5095</p>	<p>JONES 367 NC HIGHWAY 58 S UNIT B TRENTON NC 28585-7787 (252) 448-3921</p>	<p>LEE 1503 ELM ST STE 1 SANFORD NC 27330-4200 (919) 718-4646</p>	<p>LENOIR PO BOX 3503 KINSTON NC 28502-3503 (252) 523-0636</p>	<p>LINCOLN PO BOX 977 LINCOLNTON NC 28093-0977 (704) 736-8480</p>
<p>MACON 5 W MAIN ST FL 1 FRANKLIN NC 28734-3005 (828) 349-2034 EXT 2035</p>	<p>MADISON PO BOX 142 MARSHALL NC 28753-0142 (828) 649-3731</p>	<p>MARTIN PO BOX 801 WILLIAMSTON NC 27892-0801 (252) 789-4317</p>	<p>MCDOWELL PO BOX 1509 MARION NC 28752-1509 (828) 659-0834</p>	<p>MECKLENBURG PO BOX 31788 CHARLOTTE NC 28231-1788 (704) 336-2133</p>
<p>MITCHELL 11 N MITCHELL AVE RM 108 BAKERSVILLE NC 28705-6511 (828) 688-3101</p>	<p>MONTGOMERY PO BOX 607 TROY NC 27371-0607 (910) 572-2024</p>	<p>MOORE PO BOX 787 CARTHAGE NC 28327-0787 (910) 947-3868</p>	<p>NASH PO BOX 305 NASHVILLE NC 27856-0305 (252) 459-1350</p>	<p>NEW HANOVER 1241A MILITARY CUTOFF RD WILMINGTON NC 28405-3637 (910) 798-7330</p>
<p>NORTHAMPTON PO BOX 603 JACKSON NC 27845-0603 (252) 534-5681</p>	<p>ONSLow 246 GEORGETOWN RD JACKSONVILLE NC 28540-4146 (910) 455-4484</p>	<p>ORANGE PO BOX 220 HILLSBOROUGH NC 27278-0220 (919) 245-2350</p>	<p>PAMLICO PO BOX 464 BAYBORO NC 28515-0464 (252) 745-4821</p>	<p>PASQUOTANK PO BOX 1797 ELIZABETH CITY NC 27906-1797 (252) 335-1739</p>
<p>PENDER PO BOX 1232 BURGAW NC 28425-1232 (910) 259-1220</p>	<p>PERQUIMANS PO BOX 336 HERTFORD NC 27944-0336 (252) 426-5598</p>	<p>PERSON 331 S MORGAN ST ROXBORO NC 27573-5223 (336) 597-1727</p>	<p>PITT PO BOX 56 GREENVILLE NC 27835-0056 (252) 902-3300</p>	<p>POLK PO BOX 253 COLUMBUS NC 28722-0253 (828) 894-8181</p>
<p>RANDOLPH 1457 N FAYETTEVILLE ST ASHEBORO NC 27203-3957 (336) 318-6900</p>	<p>RICHMOND PO BOX 1843 ROCKINGHAM NC 28380-1843 (910) 997-8253</p>	<p>ROBESON PO BOX 2159 LUMBERTON NC 28359-2159 (910) 671-3080</p>	<p>ROCKINGHAM PO BOX 22 WENTWORTH NC 27375-0022 (336) 342-8107</p>	<p>ROWAN 1935 JAKE ALEXANDER BLVD W STE D10 SALISBURY NC 28147-1176 (704) 216-8140</p>
<p>RUTHERFORD PO BOX 927 RUTHERFORDTON NC 28139-0927 (828) 287-6030</p>	<p>SAMPSON 335 COUNTY COMPLEX RD STE 100 CLINTON NC 28328-4851 (910) 592-5796</p>	<p>SCOTLAND 231 E CRONLY ST STE 305 LAURINBURG NC 28352-3820 (910) 277-2595</p>	<p>STANLY PO BOX 1309 ALBEMARLE NC 28002-1309 (704) 986-3647</p>	<p>STOKES PO BOX 34 DANBURY NC 27016-0034 (336) 593-2409</p>
<p>SURRY PO BOX 372 DOBSON NC 27017-0372 (336) 401-8225</p>	<p>SWAIN PO BOX 133 BRYSON CITY NC 28713-0133 (828) 488-6177</p>	<p>TRANSYLVANIA PO BOX 868 BREVARD NC 28712-0868 (828) 884-3114</p>	<p>TYRRELL PO BOX 449 COLUMBIA NC 27925-0449 (252) 796-0775</p>	<p>UNION PO BOX 1106 MONROE NC 28111-1106 (704) 283-3809</p>
<p>VANCE 300 S GARNETT ST STE C HENDERSON NC 27536-4566 (252) 492-3730</p>	<p>WAKE PO BOX 695 RALEIGH NC 27602-0695 (919) 404-4040</p>	<p>WARREN PO BOX 803 WARRENTON NC 27589-0803 (252) 257-2114</p>	<p>WASHINGTON PO BOX 550 ROPER, NC 27970-0550 (252) 793-6017</p>	<p>WATAUGA PO BOX 528 BOONE NC 28607-0528 (828) 265-8061</p>
<p>WAYNE 309 E CHESTNUT ST GOLDSBORO NC 27530-4903 (919) 731-1411</p>	<p>WILKES 110 NORTH ST RM 315 WILKESBORO NC 28697-2469 (336) 651-7339</p>	<p>WILSON PO BOX 2121 WILSON NC 27894-2121 (252) 399-2836</p>	<p>YADKIN PO BOX 877 YADKINVILLE NC 27055-0877 (336) 849-7907</p>	<p>YANCEY PO BOX 763 BURNSVILLE NC 28714-0763 (828) 682-3950</p>