



State of North Carolina

Department of Justice

PO Box 629

Raleigh, North Carolina 27602

REPLY To: Grayson G. Kelley

(919) 716-6400

FAX: (919) 716-0135

JOSH STEIN

ATTORNEY GENERAL

February 21, 2017

Via Hand Delivery

The Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, NE
Washington, DC 20543

Re: *State of North Carolina,*
Conference of the NAACP, et al., v. McCrory

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Dear Mr. Harris:

I write pursuant to Rule 35.3 of the Rules of this Court to inform you of the substitution of one of the parties in this case, Defendant Patrick L. McCrory, who was sued in his official capacity as Governor of the State of North Carolina. Effective January 1, 2017, Governor Roy Cooper succeeded former Governor McCrory in office and, therefore, as a party in this case.

Respectfully,

Josh Stein

Attorney General of North Carolina

Grayson G. Kelley*

Chief Deputy Attorney General
of North Carolina

North Carolina Department of Justice

Post Office Box 629

Raleigh, NC 27602-0629

(919) 716-6400

gkelley@ncdoj.gov

*Counsel of Record for Petitioners the State
of North Carolina and Governor Roy Cooper

cc: All counsel of record

IN THE SUPREME COURT OF THE UNITED STATES

No. 16-833

STATE OF NORTH CAROLINA, ET AL., PETITIONERS

v.

NORTH CAROLINA STATE CONFERENCE OF THE NAACP, ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FOURTH CIRCUIT*

NOTICE OF APPEARANCE

Pursuant to Rule 9.2 of the Rules of this Court, Josh Stein, the Attorney General of North Carolina, acting through Grayson G. Kelley, a member of the Bar of this Court, hereby gives notice of his appearance as substitute counsel of record for Petitioners the State of North Carolina and Governor of North Carolina Roy Cooper in the above-captioned case. Mr. Kelley will act as substitute counsel of record.

Respectfully submitted,

/s/ Grayson G. Kelley
Grayson G. Kelley*
Chief Deputy Attorney General of North
Carolina

Josh Stein
Attorney General of North Carolina

North Carolina Department of Justice
Post Office Box 629
Raleigh, NC 27602-0629
(919) 716-6400
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* Counsel of Record for Petitioners the
State of North Carolina and Governor
of North Carolina Roy Cooper

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CERTIFICATE OF SERVICE

I, Grayson G. Kelley, a member of the Supreme Court Bar, hereby certify that a copy of the attached Notice of Appearance was served on counsel of record for Respondents:

Daniel T. Donovan
Kirkland & Ellis LLP
655 Fifteenth Street, N.W.
Washington, D.C. 20005
(202) 879-5000
ddonovan@kirkland.com

Noel J. Francisco
Acting Solicitor General of the United States
Room 5616, Department of Justice
950 Pennsylvania Ave., N. W.
Washington, DC 20530-0001
(202) 514-2217
Noel.Francisco@usdoj.gov

Service was made by USPS Priority Mail Express on February 21, 2017.

Respectfully submitted,

/s/ Grayson G. Kelley

Grayson G. Kelley*

Chief Deputy Attorney General of North
Carolina

Josh Stein

Attorney General of North Carolina

North Carolina Department of Justice

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* Counsel of Record for Petitioners

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ATTORNEY GENERAL

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The Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, NE
Washington, DC 20543

**Re: *State of North Carolina, et al., v. North Carolina State
Conference of the NAACP, et al., No. 16-833***

Dear Mr. Harris:

Please find enclosed one original and ten copies of the motion of Petitioners the State of North Carolina and Governor of North Carolina Roy Cooper that they be dismissed as parties to the above-captioned case, filed pursuant to Rule 46.2 of the Rules of this Court.

Respectfully,

Josh Stein
Attorney General of North Carolina

Grayson G. Kelley*
Chief Deputy Attorney General
of North Carolina

North Carolina Department of Justice
Post Office Box 629
Raleigh, NC 27602-0629
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gkelley@ncdoj.gov

* Counsel of Record for Petitioners the State of
North Carolina and Governor of North Carolina,
Roy Cooper

cc: All counsel of record

IN THE SUPREME COURT OF THE UNITED STATES

No. 16-833

STATE OF NORTH CAROLINA, ET AL., PETITIONERS

v.

NORTH CAROLINA STATE CONFERENCE OF THE NAACP, ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FOURTH CIRCUIT*

MOTION OF PETITIONERS THE STATE OF NORTH CAROLINA AND
GOVERNOR ROY COOPER TO DISMISS THE CASE

Pursuant to Rule 46.2(a) of the Rules of this Court, the Attorney General of North Carolina, on behalf of Petitioners the State of North Carolina and Governor of North Carolina Roy Cooper (the “North Carolina Petitioners”), respectfully moves that the North Carolina Petitioners be dismissed as parties to this case. All fees due the Clerk have been paid, and the North Carolina Petitioners shall assume all costs owed by them. Petitioners filed the petition for a writ of certiorari in this case on December 27, 2016, and the petition is currently pending before the Court for consideration at its March 3, 2017 Conference.

These consolidated cases involve challenges to a set of North Carolina election-related laws, known as SL 2013-381, which eliminate same-day voter registration, reduce the State's early-voting period, preclude qualified voters from casting provisional ballots within their designated county, require in-person North Carolina voters to present certain forms of photo ID, and discontinue pre-registration of 16-year-olds who would reach qualifying voting age before the next election. The court of appeals held that the challenged aspects of SL 2013-381 violate Section 2 of the Voting Rights Act and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Since the filing of the petition for a writ of certiorari, the North Carolina Petitioners have decided that they no longer wish to seek this Court's review.

At this time, the movants do not include petitioners the North Carolina State Board of Elections, Kim Westbrook Strach, Joshua B. Howard, Rhonda K. Amoroso, Joshua D. Malcolm, Paul J. Foley, Maja Kricker, and James Baker (all in their official capacities). The parties will notify the Court of any changes in this regard.

Respectfully submitted,

/s/ Grayson G. Kelley

Grayson G. Kelley*

Chief Deputy Attorney General of North
Carolina

Josh Stein

Attorney General of North Carolina

North Carolina Department of Justice
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* Counsel of Record for Petitioners the
State of North Carolina and Governor
of North Carolina Roy Cooper

February 21, 2017

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*ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FOURTH CIRCUIT*

CERTIFICATE OF SERVICE

I, Grayson G. Kelley, a member of the Supreme Court Bar, hereby certify that a copy of the attached Motion of Petitioners the State of North Carolina and Governor of North Carolina, Roy Cooper to Dismiss the Case was served on counsel of record for Respondents:

Daniel T. Donovan
Kirkland & Ellis LLP
655 Fifteenth Street, N.W.
Washington, D.C. 20005
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ddonovan@kirkland.com

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Respectfully submitted,

/s/ Grayson G. Kelley

Grayson G. Kelley*

Chief Deputy Attorney General of North
Carolina

Josh Stein

Attorney General of North Carolina

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