

IN THE SUPREME COURT OF THE UNITED STATES

No. 16-833

STATE OF NORTH CAROLINA, ET AL.,

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*

RULE 12.6 NOTICE OF NON-INTEREST

On February 21, 2017, the State of North Carolina and Governor of North Carolina Roy Cooper moved that the Court dismiss the pending petition for certiorari in this case. As the motion noted, the movants at that time did not include the North Carolina State Board of Elections, Kim Westbrook Strach, A. Grant Whitney, Jr., Rhonda K. Amoroso, Joshua D. Malcolm, James Baker, and Maja Kricker (the State Board Defendants).

On February 22, 2017, the North Carolina State Board of Elections “voted unanimously to communicate that it has not taken, and does not take, a position” in this case. Ex. A. Accordingly, pursuant to Rule 12.6 of the Rules of this Court, the State of North Carolina and Governor Roy Cooper hereby notify the Court that the

State Board Defendants have no interest in the outcome of the petition. S. Ct. R. 12.6.

In view of the foregoing, there remains no petitioner in this case with an interest in seeking this Court's review. *See* S. Ct. R. 46.2. Accordingly, the State of North Carolina and Governor Roy Cooper respectfully request that the Court dismiss the petition.

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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February 23, 2017

Exhibit A



NORTH CAROLINA

State Board of Elections

Mailing Address:
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Raleigh, NC 27611-7255

Phone: (919) 733-7173
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February 22, 2017

The Honorable Joshua H. Stein
Attorney General of North Carolina

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

Mr. Attorney General:

The State Board of Elections this evening voted unanimously to communicate that it has not taken, and does not take, a position in the above-referenced action. The Board wishes also to communicate that it does not believe the agency is presently represented by private counsel in this matter, nor has the agency acted to retain private counsel in the past.

Sincerely,

Josh Lawson
General Counsel, State Board of Elections

Katelyn Love
Special Counsel, State Board of Elections

Cc.: Thomas A. Farr, Ogletree Deakins, Nash, Smoak & Stewart, P.C.
S. Kyle Duncan, Schaerr Duncan, L.L.P.

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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 Rule 12.6 Notice of Non-interest was served on counsel of record for Respondents:

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Service was made by USPS Priority Mail Express on February 23, 2017.

Respectfully submitted,

/s/ Grayson G. Kelley

Grayson G. Kelley*

Chief Deputy Attorney General of North
Carolina

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