

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Joann Shernoff, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	C.A. No. 2:20-3654-RMG
vs.	)	
	)	
Marci Andino, in her official capacity as	)	
Executive Director of the South Carolina	)	
State Election Commission, <i>et. al.</i> ,	)	<b>ORDER</b>
	)	
Defendants.	)	
	)	
	)	
	)	

This matter comes before the Court on Plaintiffs’ motion for a preliminary injunction seeking for this Court to direct State election officials to provide absentee ballot voters who have signature deficiencies on their returned absentee ballots notice of the finding of deficiency and an opportunity to cure the deficiency until the Friday following the November 3, 2020 general election. (Dkt. No. 4). This request for injunctive relief appears to include absentee ballot voters who fail to include their voter or witness signatures and those voters whose absentee ballots are rejected due to alleged mismatch between the voter’s signature on the return addressed envelope and some prior signature sample available to voting officials. Plaintiffs filed this suit and motion for preliminary injunction on October 18, 2020 and an amended complaint on October 20, 2020. (Dkt. Nos. 1, 4, 24).

This motion for preliminary injunction closely tracks a preliminary injunction motion filed before this Court in *League of Women Voters of South Carolina v. Andino*, C.A. No. 2:20-3537 (“*League of Women Voters*”). The *League of Women Voters* suit was filed on October 2, 2020, and the Plaintiffs’ motion for preliminary injunction in that case was filed on October 9,

2020. (*Id.* at 21). The Plaintiffs in the *League of Women Voters* case sued the identical defendants and raised essentially the same claims asserted in this action. The Court heard oral argument on the motion for preliminary injunction in the *League of Women Voters* case on October 21, 2020 and entered an order granting in part and denying in part the motion on October 27, 2020. (*Id.* at Dkt. No. 72). The *League of Women Voters* preliminary injunction order includes a grant of injunctive relief regarding the mismatch signature issue and a denial of injunctive relief regarding the notice and right to cure issue. (*Id.* at Dkt. No. 72 at 9-12, 14-23).

In light of the Court’s order of October 27, 2020 in the *League of Women Voters* case on essentially the identical issues raised by Plaintiffs’ motion for preliminary injunction in this case, the Court finds that the grant of any injunctive relief in this case would be duplicative and wholly unnecessary. Consequently, Plaintiffs’ motion for a preliminary injunction (Dkt. No. 4) is **DENIED WITHOUT PREJUDICE**.

**AND IT IS SO ORDERED.**

s/Richard Mark Gergel  
Richard Mark Gergel  
United States District Judge

October 27, 2020  
Charleston, South Carolina