No. 21-1271

In The
Supreme Court of the United States

TIMOTHY K. MOORE, in his official capacity as Speaker of the North Carolina House of Representatives, *et al.*,
***Petitioners*,**

v.

REBECCA HARPER, *et al.*,
Respondents.

ON WRIT OF CERTIORARI TO THE NORTH CAROLINA SUPREME COURT

AMICUS CURIAE BRIEF OF TAXPAYERS FOR HONEST ELECTIONS IN SUPPORT OF PETITIONERS

David Stevenson "Steven" Walker II
Counsel of Record
WALKER KIGER, PLLC
100 Professional Ct, Suite 102
Garner, NC 27529
(984) 200-1930
steven@walkerkiger.com

Kevin J. Cline
KEVIN CLINE LAW PLLC
Post Office Box 143
300 Fayetteville Street
Raleigh, NC 27602
kevin@kevinclinelaw.com

Philip R. Thomas
philipthomasnc@gmail.com

Counsel for Amicus Curiae

Dated: September 6, 2022

THE LEX GROUP^{DC} ♦ 1050 Connecticut Avenue, N.W. ♦ Suite 500, #5190 ♦ Washington, D.C. 20036
(202) 955-0001 ♦ (800) 856-4419 ♦ www.thelexgroup.com

TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES

PAGE(S)

CASES

CONSTITUTIONAL PROVISIONS

STATUTE

RULE

OTHER AUTHORITIES

INTEREST OF AMICUS CURIAE[1]

Taxpayers For Honest Elections ("TFHE") is a non-profit 501(c)(4) organization incorporated in the State of North Carolina. TFHE is organized for the sole purpose of promoting social welfare by advocating in favor of policies that promote free elections in North Carolina. TFHE achieves this purpose by promoting innovative and effective strategies designed to improve civic education among North Carolina taxpayers, which includes educating North Carolinians about the positive benefits of lower taxation, limited government, and honest elections.

Collectively, TFHE and the citizens of North Carolina whom we represent have a profound interest in the laws affecting redistricting in the Tar Heel State. The North Carolina Supreme Court's ruling has widespread implications that threaten not only the Constitution, but every voter in the State of North Carolina.

---

[1] Pursuant to Rule 37.3(a), both the Petitioners and the Respondents have provided blanket consents to the filing of amicus briefs. In accordance with Rule 37.6, counsel affirms that no counsel for any party authored this brief in whole or in part. No person or entity other than Amicus Curiae and the counsel below contributed the costs associated with the preparation and submission of this brief.

INTRODUCTION & SUMMARY OF THE ARGUMENT

Section I. Under the Elections Clause, state legislatures have the sole authority to provide for procedural law and policy relating to the time, place, and manner of federal elections held within the state. This interpretation is supported by the precedent of this Court and the history of the United States Constitution.

Section II. The power of state legislatures under the Elections Clause is not plenary, as it is checked by provisions of the Constitution of the United States and subject to acts of Congress.

Section III. The North Carolina Supreme Court violated the Elections Clause when it substituted its judgment for that of the state legislature.

Section III.A. Substantive election law provisions in state constitutions are inapplicable to procedural federal election matters settled by state legislatures, and to hold otherwise would be inconsistent with the Elections Clause's delegation of that federal authority not to the "states," but to the state legislatures of the several states.

Section III.B. The role of a state court is to ensure state constitutional procedures are followed in the enactment of federal election law by a state legislature.

ARGUMENT

"The right of suffrage is a fundamental Article in Republican Constitutions. The regulation of it is, at the same time, a task of peculiar delicacy."[2] Political issues arising from a political body administering federal election procedures were well known to the framers of our Constitution.[3] The framers acknowledged that the closest organ of government to the people themselves was the state legislature. The Federalist No. 59 (A. Hamilton).

A state legislature's power under the Elections Clause is only subject to the United States Constitution and the United States Congress.[4] James Madison argued that the "Elections Clause was needed to prevent self-interested partisans from twisting election rules to benefit their faction."[5] Today, his words are clairvoyant; but in this case, the Elections Clause provides a bulwark against an unruly state court wielding power it does not possess. A state court has no ability to review the exercise of a state legislature's Elections Clause power under a

---

[2] James Madison, *Note to His Speech on the Right of Suffrage*, (August 7, 1787) https://www.loc.gov/item/mjm012766/.

[3] Thomas R. Hunter, *The First Gerrymander? Patrick Henry, James Madison, James Monroe, and Virginia's 1788 Congressional Districting*, 9 EARLY AMERICAN STUDIES 781, 788–9 (Fall 2011).

[4] "Antifederalists predicted that Congress's power under the Elections Clause would allow Congress to make itself 'omnipotent,' setting the 'time' of elections as never or the 'place' in difficult to reach corners of the State." *Rucho v. Common Cause*, 588 U.S. 1, 9 (2019).

[5] Eliza Sweren-Becker & Michael Waldman, *The Meaning, History, and Importance of the Elections Clause*, 96 WASH. L. REV. 997, 1007 (2021).

substantive state constitutional provision.[6] *Leser v. Garnett*, 258 U.S. 130, 137 (1922). "The legislative, executive, and supreme judicial powers of the State government shall be forever separate and distinct from each other." N.C. Const. art. I, § 6. Leaving an uncheckable lever of power in the hands of state court judges only strips more power away from the people. Pet.App.146a. (C.J. Newby *dissent*) (stating "with this decision, unguided by the constitutional text, four members of this Court become policymakers.")

At issue is whether a state court, relying upon state constitutional substantive provisions, can "make or alter" procedural law passed by a state legislature under the Elections Clause. U.S. Const. art. I, § 4, cl. 1. A state court does not have plenary power to interpret substantive state constitutional provisions against a state legislature acting under its power to prescribe federal election procedural law. *Leser*, 258 U.S. at 137. A state court cannot use a substantive state constitutional provision over a state legislature exercising a federal procedural function.[7]

A state court has no role in prescribing federal election procedural law. A state court's only role is to ensure that the state legislature follows a state's constitutional procedure regarding its legislative function. *See Smiley v. Holm*, 285 U.S. 355, 369 (1932). This Court should rule in favor of petitioners and against respondents to ensure that the federal

---

[6] *See generally,* Michael T. Morley, *The Independent State Legislature Doctrine*, Federal Elections, and State Constitutions, 55 GA. L. REV. 1 (2020).

[7] *See generally*, Walter Wheeler Cook, *Substance and Procedure in the Conflict of Laws*, 42 YALE L. J. 333 (1933).

elections of our country remain secure under the longstanding guidelines in the U.S. Constitution.

I. A STATE LEGISLATURE IS THE ONLY BRANCH OF STATE GOVERNMENT THAT CAN PRESCRIBE PROCEDURAL LAWS REGARDING FEDERAL ELECTIONS.

The U.S. Constitution is a limited grant of power by the people. *McCulloch v. Maryland*, 17 U.S. 316, 421 (1819). The people, via the Constitution, vested the legislative power in this country in Congress, including the power to prescribe federal election law. U.S. Const. art. I § 1. Further, state legislatures were granted, by the people of this nation, the legislative power to prescribe "[t]he Times, Places and Manner of holding Elections for Senators and Representatives." U.S. Const. art. I § 4, cl. 1. The power to enact legislation under the Elections Clause was given only to state legislatures, not any other branch of state government. *Id.*

In examining the bounds of the Elections Clause, this Court opined:

> "It cannot be doubted that these comprehensive words embrace authority to provide a complete code for congressional elections, not only as to times and places, but in relation to . . . protection of voters, prevention of fraud and corrupt practices . . . ; in short, to enact the numerous requirements as to procedure and safeguards which experience shows are necessary in order to enforce the fundamental right involved."

Smiley, 285 U.S. at, 366. Congress is the sole body that can overrule, via federal legislation, any procedural law pertaining to federal elections passed by a state legislature. U.S. Const. art. I § 4, cl. 2.

A state legislature must ensure laws passed pursuant to the Elections Clause are procedural in nature, not substantive. "The test must be whether a rule really regulates procedure . . . ." *Sibbach v. Wilson & Co.*, 312 U.S. 1, 14 (1941). Under the Elections Clause, a law is substantive if it "dictate[s] electoral outcomes, . . . favor[s] or disfavor[s] a class of candidates, or . . . evade[s] important [U.S.] constitutional restraints." *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779, 883–34 (1995). If a law passed by a state legislature under the Elections Clause does not substantively affect the result of the election, it is presumed to be procedural. *Id.*

Under *Smiley*, the "legislature of the state" is the only body "authorized to prescribe" legislation in the State under the Elections Clause, subject to alteration by the United States Congress. *Id.* 285 U.S. at 366. Legislation crafted by the North Carolina General Assembly setting the time, place, and manner of federal elections can only be altered by Congress or the Legislature itself. *Id.*

As the Elections Clause power of the General Assembly cannot be delegated to other branches of the state government, it follows logically that the General Assembly's exercise of that power cannot be altered by the State Supreme Court upon review. The North Carolina Constitution lacks a delegation of legislative power to another State actor, unlike in *Arizona* where a quasi-legislative government actor, an independent

state constitution districting commission, wielded legislative power under the Elections Clause. *See generally, Ariz. State Legislature v. Ariz. Indep. Redistricting Comm'n*, 576 U.S. 787 (2015). The absence of such a provision means that this Court cannot apply *Smiley* or *Arizona* to allow a delegation of legislative power to a branch that is not authorized to exercise such power under the state constitution. Additionally, a state court, even if there is a state constitutional provision that delegates the legislative power of a State, can hardly be considered a quasi-legislature, unless similar rulings by activist judges become more common.

The North Carolina General Assembly, the state's legislature, prescribed congressional districts pursuant to its Elections Clause power. No other branch of state government in North Carolina can do so. Prescribing electoral maps for federal elections is a *per se* procedural function envisioned by the founding fathers at the clause's inception. *Vieth v. Jubelirer*, 541 U.S. 267, 274 (2004) ("The political gerrymander remained alive and well (though not yet known by that name) at the time of framing."). Electoral maps, enacted by a state legislature, are not substantive because they do not affect the result of the election or disfavor classes of candidates by affecting partisanship. *See Thornton*, 514 U.S. at 883–4.

The North Carolina Supreme Court analyzed the procedural act of the General Assembly by relying on a perceived statistical deviation in partisan affiliation among those in congressional districts. While this would be an appropriate exercise of legislative power to enact policy based upon

statistical variance or social science, it is inappropriate for a court to assume legislative prerogative and substitute its own notions of policy, statistical variance, and social science and enshrine those policy preferences into law. This is especially true when a court does so while ignoring important statistics, such as the large number of unaffiliated voters in the State of North Carolina.[8]

Social science alone, in its statistical "perfection," cannot be a scepter used by the courts to deem a long-standing procedural function of government a violation of state constitutional provisions, the likes of which never before applied to a state's power under the Elections Clause. The North Carolina Supreme Court chose to ignore the largest group of voters in the State, unaffiliated voters, seemingly to bolster the position of the majority's preferred political party. Pet.App.168a. The fascination the North Carolina Supreme Court had with social science in this case undermines the core truth that one's political affiliation is not set in stone. Such discretion and balancing between evidence to craft adequate policy involves a political process best handled by a legislature. A state court is not considered a legislature simply because they believe in a policy outcome in a given case. The separation of powers in the state and federal government must have boundaries. Social science and political arguments erode this core principle: no matter how

---

[8] *Voter Registration Statistics*, North Carolina State Board of Elections, https://vt.ncsbe.gov/RegStat/Results/?date=03%2F19%2F2022, (last visited Aug. 31, 2022) (depicting unaffiliated voters as the largest group of registered voters in North Carolina).

many significant figures a theory claims it is supported with.

The North Carolina Supreme Court held that the State Constitution's free elections clause ("all elections shall be free") is a mandate that "each voter must have substantially equal voting power and the state may not diminish or dilute that voting power on a partisan basis." Pet.App.229a. Regardless of whether the court properly interpreted that state constitution clause, neither its ruling nor the state constitution can substantively bind the state legislature's prescription of federal election laws. That is a function, subject to Congressional oversight, solely entrusted to state legislatures by the People of the United States. U.S. Const. art. I § 4, cl 1.

II. THE POWER OF STATE LEGISLATURES UNDER THE ELECTIONS CLAUSE IS NOT PLENARY.

The substantive provisions of the United States Constitution affect not only the federal government, but all state governments. U.S. Const. art. VI § 2.

"[T]he states can exercise no powers whatsoever, which exclusively spring out of the existence of the national government, which the constitution does not delegate to them . . . . No state can say, that it has reserved, what it never possessed." J. Story, 1 Commentaries on the Constitution of the United States § 627 (3d ed. 1858). A state legislature's power under the Elections Clause is not plenary. U.S. Const. art. I § 4, cl. 2. "Its authority would be expressly restricted to the

regulation of the *times,* the *places,* and the *manner* of elections." The Federalist No. 60 (A. Hamilton). The check on a state legislature's exercise of this power is explicit: all legislation made by a state legislature pursuant to the Elections Clause is subject to congressional regulation. *Id.*; U.S. Const. art. I § 4, cl. 2. Legislation passed pursuant to the Elections Clause must conform to the United States Constitution, including the requirement that such legislation is procedural in nature and not in violation of separate substantive provisions. U.S. Const. art. VI.

All laws passed by a state legislature under the Elections Clause are reviewable for compliance with the United States Constitution. For instance, in *Thornton*, this Court held that "a state amendment is unconstitutional when it has the likely effect of handicapping a class of candidates and has the sole purpose of creating additional qualifications indirectly." *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779, 836 (1995). A state legislature cannot use its Elections Clause power "to dictate electoral outcomes, to favor or disfavor a class of candidates, or to evade important constitutional restraints." *Id.*, 514 U.S. at 833–4. Such legislation would be substantive, not procedural, because it would abridge rights reserved in the Constitution to Congress and the federal government. *Id.*, 514 U.S. at 835.

Critically, if the nation is concerned about political gerrymandering, then Congress may pass legislation to prescribe federal election procedures. U.S. Const. art. I § 4, cl. 2. The fear of a state legislature wielding unlimited power is unsubstantiated by the Constitution. *Id.*

III. THE NORTH CAROLINA SUPREME COURT VIOLATED THE ELECTIONS CLAUSE WHEN IT SUBSTITUTED ITS JUDGMENT FOR THAT OF THE STATE LEGISLATURE.

It is critical to our nation that "[j]udges must be both actually independent–free to decide cases without fear of political backlash–and perceived to be independent."[9] The North Carolina Supreme Court derives its power from its state constitution. The North Carolina State Constitution provides that "[t]he legislative, executive, and supreme judicial powers, of the State government, shall be forever separate and distinct from each other." N.C. Const. art. I § 5. Article II, section I of the North Carolina constitution grants "[t]he legislative power of the State . . . in the General Assembly[.]" The "judicial power of the State" is vested in the General Court of Justice, which includes the North Carolina Supreme Court. N.C. Const. art. IV §§ I–II, IV; *See also* N.C. Gen. Stat. 7A–4.

There are zero provisions found in the North Carolina State Constitution where legislative power is vested in the State court system. *See* N.C. Const. art. I § 5. Separation of powers is critical to our form of government. Each branch serves a vital and distinct function.

As districting is a "legislative function," *Ariz. State Legislature v. Ariz. Indep. Redistricting Comm'n*, 576 U.S. 787, 808 (2015), it must be

---

[9] Carolyn A. Dubay, *Public Confidence in the Courts in the Internet Age: The Ethical Landscape for Judges in the Post-Watergate Age*, 40 CAMPBELL L. REV. 531, 538 (2018).

"separate and distinct" from the power of the state judiciary. *See* N.C. Const. art. I § 5.

The North Carolina General Assembly acted pursuant to an express grant of power in the Constitution to prescribe the electoral map for the congressional elections in its State. U.S. Const. art. IV § 1, cl. 1. The North Carolina Supreme Court relied upon substantive state constitutional provisions as a power, not springing from a specific grant in the federal constitution, to prescribe federal election procedures themselves. Pet.App.237a. Such action is contrary to the founding principles of federalism and constitutes a usurpation of the role explicitly reserved for the State Legislature. As "[n]o other constitutional provision gives the States authority over congressional elections, and no such authority could be reserved under the Tenth Amendment," *Gralike*, 531 U.S. at 522-3, this Court should reject the *ultra vires* actions by the North Carolina Supreme Court.

The proper role for state courts when it comes to a state legislature's exercise of Elections Clause power is to ensure compliance with the procedural requirements of the Constitution. *Id.* Substitution of a state court's judgment for that of the state legislature is simply not an option. *Id.* 576 U.S. at 814.

The North Carolina Supreme Court's actions erode the foundational principles of federalism, separation of powers, and judicial integrity. If unchecked by this Court, other politically-motivated state court judges may be encouraged to legislate from the bench undeterred by the fact that that power is expressly reserved in the Constitution to the state legislature with oversight from Congress.

a. SUBSTANTIVE ELECTION LAW PROVISIONS IN STATE CONSTITUTIONS ARE INAPPLICABLE TO PROCEDURAL FEDERAL ELECTION MATTERS SETTLED BY STATE LEGISLATURES.

A state legislature's Elections Clause power to prescribe procedures for federal elections is not subject to revision or alteration based on a state constitution's substantive provisions.[10] While the substantive provisions of the United States Constitution affect not only the federal government, but all state governments, U.S. Const. art. 6 § 2, a state constitutional provision, by contrast, affects only the exercise of state powers, including the enactment of state legislation. However, in enacting legislation under the Elections Clause, a state legislature performs a federal function. When performing a federal function, the state legislature is not subject to any substantive state constitutional provisions.[11]

A state court cannot rely upon the substantive provisions of a state constitution as a guise to control—and, in reality, usurp—a state legislature's power to prescribe laws as to the conduct of federal elections. *Leser v. Garnett*, 258 U.S. 130, 137 (1922). The power granted to a state legislature comes solely from the United States Constitution, subject to separate provisions of the Constitution and the United States Congress. If a state court can simply subject a state legislature's power to prescribe procedural federal election law to additional

---

[10] Morley, *supra* note 6, at 92–93.

[11] Morley, *supra* note 6, at 92–93.

requirements derived solely from a state's constitution, such as, that "all elections shall be free," then anything is possible in this new age of partisan courts. Pet.App.144a. Such a result is a drastic deviation from long-standing precedent. Pet.App.144a.

In the early twentieth century, the State of Maryland, along with other states, argued that its state constitutional provisions, which denied women the right to vote, acted as a substantive barrier for the state to ratify the 19th amendment. *See generally, Leser v. Garnett*, 258 U.S. 130 (1922). In *Leser*, Maryland's state constitutional provision was substantive because it barred women from voting, clearly disfavoring a class whose rights were at issue. *Id.* at 136. The Court rejected Maryland's barrier argument and held that the amendment process was "a federal function derived from the federal Constitution . . . [and it] transcends any limitations sought to be imposed by the people of a State." *Leser*, 258 U.S. at 137.

Much like Maryland in *Leser*, the Supreme Court of North Carolina relied upon various substantive provisions of the North Carolina Constitution to usurp the federal grant of power to the state legislature. Pet.App.100a–101a. The exercise of this federal power by a state legislature is immune from substantive provisions of a state constitution. Following *Leser*, this Court must resoundingly repudiate this attempt, by a state court, to weaponize a substantive provision of a state constitution to strip a state legislature of its power over federal elections—a power granted by the people of this nation to the legislature, and the legislature alone. As the power to

set the "Times, Places and Manner" of federal elections is a "federal function" bestowed upon a state legislature and "derived from the federal Constitution," the exercise of that power cannot be limited by restrictions imposed by the people of a state, whether that be through the state constitution or a state court's interpretation thereof. *See Leser*, 285 U.S. at 137. To hold otherwise would lead to disastrous results similar to those faced in Maryland.

Like in *Thornton*, the North Carolina Supreme Court went beyond its role of reviewing the state legislature's compliance with procedural requirements to enact legislation pursuant to the Elections Clause. Instead, the state court invoked policy arguments to claim that legislation passed by the North Carolina state legislature was substantive in nature, not procedural. Pet.App.93a–95a. The North Carolina Supreme Court did so despite this Court's precedent explaining that partisan gerrymandering is a political matter for the legislature as it does not impact substantive rights in the U.S. Constitution. *Rucho v. Common Cause* 139 U.S. 2506, 2507, 2484 (2019). In finding that partisan gerrymandering violated its substantive state constitutional provisions, the North Carolina Supreme Court ignored information that did not fit its preferred political preferences. The North Carolina Supreme Court aimed its reasoning toward its preferred outcome: overturning the electoral maps to aid the North Carolina Democratic Party.

The North Carolina Supreme Court cannot use substantive state constitutional provisions as a weapon against a state legislature enacting purely procedural legislation under its federally delegated

function pursuant to the Elections Clause. The state power, under *Thornton*, to prescribe procedural election law derives exclusively from the United States Constitution. *Thornton*, 514 U.S. at 805. A state court cannot supplant legislation enacted by a state legislature or issue orders regarding federal election procedure because the Elections Clause delegates that power to the legislative branch of the several states, and the legislative branch alone. *Cook v. Gralike*, 531 U.S. 510, 523 (2001).

This Court has upheld that partisan gerrymandering does not impact Constitutional rights.

> Nor do our racial gerrymandering cases provide an appropriate standard for assessing partisan gerrymandering. "[N]othing in our case law compels the conclusion that racial and political gerrymanders are subject to precisely the same constitutional scrutiny. In fact, our country's long and persistent history of racial discrimination in voting—as well as our Fourteenth Amendment jurisprudence, which always has reserved the strictest scrutiny for discrimination on the basis of race—would seem to compel the opposite conclusion." *Shaw v. Reno*, 509 U. S., at 650, 113 S. Ct. 2816, 125 L. Ed. 2d 511. Unlike partisan gerrymandering claims, a racial gerrymandering claim does not ask for a fair share of political power and influence, with all the justiciability conundrums that entails. It asks instead

> for the elimination of a racial classification. A partisan gerrymandering claim cannot ask for the elimination of partisanship.

Rucho v. Common Cause, 139 U.S. 2502, 2484 (2019).

The North Carolina General Assembly, in exercising its federal authority to prescribe legislation under the Elections Clause can only be reviewed by the state court of North Carolina if: (1) the state legislature passed legislation through an unconstitutional procedural process, or (2) the state legislature's legislation violated the U.S. constitution, not a substantive provision of the state constitution.

b. THE ROLE OF A STATE COURT IS TO ENSURE STATE CONSTITUTIONAL PROCEDURES ARE FOLLOWED IN ENACTMENT OF FEDERAL ELECTION LAW BY A STATE LEGISLATURE.

A state constitution merely provides procedural guardrails to a state legislature in the exercise of its Elections Clause powers. *See Smiley v. Holm*, 285 U.S. 355 (1932). Accordingly, review by a state court must be limited to the consideration of whether the state legislature followed the state's constitutional procedural requirements to enact such legislation. *Id.* at 367.

In *Smiley*, the Minnesota Legislature passed a bill to reapportion districts for federal congressional elections. *Smiley*, 285 U.S. at 361. The bill passed both chambers of the state legislature but was vetoed by their governor. *Id.* The Minnesota Legislature,

unable to overcome the gubernatorial veto, still enforced the reapportionment bill. *Id.* At issue was whether the Elections Clause granted the Minnesota Legislature the power to craft federal election procedure law outside of the normal state constitutional legislative process. This Court held that a state legislature must follow its state constitution procedural provisions in passing legislation for federal elections. *Id.* 285 U.S. at 368.

Here, the North Carolina legislature properly exercised its legislative power under the Elections Clause. Therefore, the North Carolina Supreme Court overstepped its role in reviewing the state legislature's Elections Clause's power under the state constitution's substantive provisions. A state court cannot use its judgement to craft its preferred congressional map. Such action is unconstitutional and must be stopped by this Court.

CONCLUSION

The Elections Clause delegates a federal power to the state legislature—not the state—and prohibits a state court from exercising judicial review of time, place, and manner regulations regarding federal elections, when that judicial review is asserted based on a substantive portion of a state constitution. The acts of legislatures across our nation regarding the procedural aspects of federal elections are subject to review only pursuant to the United States Constitution and acts of Congress. When the North Carolina Supreme Court usurped the authority of the North Carolina General Assembly by, essentially, enacting its own law regarding the time, place, and manner of federal elections in North Carolina, it did

so in contravention of the Elections Clause. Such a usurpation cannot be allowed to stand.

For the foregoing reasons, this Court should reverse the opinion of the North Carolina Supreme Court.

Respectfully submitted,

David Stevenson "Steven" Walker II
Counsel of Record
Walker Kiger, PLLC
100 Professional Ct, Ste 102
Garner, NC 27529
(984) 200-1930 (Phone)
(984) 500-0021 (Fax)
steven@walkerkiger.com

Philip R. Thomas
philipthomasnc@gmail.com

Kevin J. Cline
Kevin Cline Law PLLC
P.O. Box 143
300 Fayetteville St.
Raleigh, NC 27602
Kevin@kevinclinelaw.com

Counsel for Amicus Curiae