

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

NORTH CAROLINA ALLIANCE FOR
RETIRED AMERICANS,

Plaintiff,

v.

ALAN HIRSCH, et al.,

Defendants.

Case No. 1:23-cv-00837-WO-JLW

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65(a) and Local Civil Rule 65.1(a), Plaintiff North Carolina Alliance for Retired Americans moves for a preliminary injunction enjoining Defendants and their respective agents, officers, employees, and successors, and all persons acting in concert with each or any of them, from enforcing the requirement that voters reside in their voting precinct for 30 days before an election. *See* N.C. Gen. Stat. § 163-55(a); N.C. Const. art. VI, § 2, para. 1 (collectively, the “30-Day Residency Requirement”). As detailed in the accompanying memorandum of law and declaration from William Dworkin, both of which Plaintiff incorporates here by reference, the 30-Day Residency Requirement violates the Alliance’s rights under Section 202 of the Voting Rights Act, 52 U.S.C. § 10502(c), as well as the rights to vote and travel as protected by the First and Fourteenth Amendments to the United States Constitution.

WHEREFORE, Plaintiff respectfully requests that the Court grant the Alliance's motion preliminarily enjoining Defendants and their respective agents, officers, employees, and successors, all persons acting in concert with each or any of them, and all other persons within the scope of Federal Rule of Civil Procedure 65, from enforcing the 30-Day Residency Requirement, such as by including the 30-Day Residency Requirement on a voter registration form or by denying any voter the ability to vote on the basis of their failure to have resided in the State of North Carolina or a county or precinct thereof for a minimum of 30 days before the date of the election.

Respectfully submitted on this 2nd day of January, 2024.

/s/ Narendra K. Ghosh
Narendra K. Ghosh
N.C. Bar No. 37649
PATTERSON HARKAVY LLP
100 Europa Drive, Suite 420
Chapel Hill, NC 27217
Telephone: (919) 942-5200
nghosh@pathlaw.com

David R. Fox*
Marilyn Gabriela Robb*
Tina Meng Morrison*
Ian U. Baize*
ELIAS LAW GROUP LLP
250 Massachusetts Ave, N.W., Suite 400
Washington, D.C. 20001

Telephone: (202) 968-4490
dfox@elias.law
mrobb@elias.law
tmengmorrison@elias.law
ibaize@elias.law

**Participating via Notices of Special
Appearance*

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that on this date, I electronically filed the foregoing document with the clerk of Court using the CM/ECF system, which will notify all counsel of record in this matter.

This 2nd day of January, 2024.

/s/ Narendra K. Ghosh

Narendra K. Ghosh

N.C. Bar No. 37649