



# North Carolina Court of Appeals

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Raleigh, NC 27601

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P. O. Box 2779  
Raleigh, NC 27602

From Wake  
( 23CV29308-910 )

No. 24-406

ROY A. COOPER, III, in his official  
capacity as GOVERNOR OF THE STATE  
OF NORTH CAROLINA,

Plaintiff,

v.

PHILIP E. BERGER, in his official  
capacity as PRESIDENT PRO TEMPORE  
OF THE NORTH CAROLINA SENATE;  
TIMOTHY K. MOORE, in his official  
capacity as SPEAKER OF THE NORTH  
CAROLINA HOUSE OF REPRESENTATIVES;  
and THE STATE OF NORTH CAROLINA,

Defendants.

## ORDER

The following order was entered:

The motion filed in this cause on the 20th of December 2024 and designated 'Defendant-Appellants' Motion to Dismiss or Otherwise Allow Withdrawal of their Appeal' is allowed. Appeal dismissed. Appellant to pay costs.

And it is considered and adjudged further, that Defendant-Appellants, do pay the costs of the appeal in this Court incurred, to wit, the sum of Nine and 00/100 (\$9.00), and execution issue therefor. These costs shall be deducted from the balance of the appeal bond paid into the Court of Appeals. Judgment for this amount shall not be entered in the underlying case in the Trial Division.

By order of the Court, sitting as a three-judge panel, this the 23rd of December 2024.

WITNESS my hand and official seal this the 23rd day of December 2024.

Eugene H. Soar  
Clerk, North Carolina Court of Appeals

Copy to:

Mr. D. Martin Warf, Attorney at Law, For Berger, Philip E. (Official Capacity), et al - (By Email)  
Mr. Noah H. Huffstetler, III, Attorney at Law - (By Email)  
Mr. Jim W. Phillips, Jr., Attorney at Law, For Cooper III, Roy A. (Official Capacity) - (By Email)

Mr. Eric M. David, Attorney at Law, For Cooper III, Roy A. (Official Capacity) - (By Email)  
Mr. Daniel F.E. Smith, Attorney at Law - (By Email)  
Ms. Amanda S. Hawkins, Attorney at Law - (By Email)  
Mr. Amar Majmundar, Senior Deputy Attorney General, For State of North Carolina - (By Email)  
Ms. Stephanie A. Brennan, Special Deputy Attorney General - (By Email)  
Mr. Andrew H. Erteschik, Attorney at Law - (By Email)  
The Honorable Clerk of Superior Court, Wake County

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