

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

MATHIS KEARSE WRIGHT, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 1:14-cv-42 (WLS)
	)	
SUMTER COUNTY BOARD OF	)	
ELECTIONS AND REGISTRATION,	)	
	)	
Defendant.	)	
_____	)	

**PLAINTIFF’S RESPONSE TO THE DEFENDANT’S  
OBJECTIONS TO THE SPECIAL MASTER’S REPORT**

As provided in paragraph 9 of the order appointing a special master (ECF 267), plaintiff Mathis Kearse Wright, Jr. respectfully submits this response to the defendant’s objections (ECF 268) to the special master’s report dated November 22, 2019 (“Report”). Wright also responds to the special master’s corrected Map 1a, which was sent to the Court and to counsel on December 3, 2019.<sup>1</sup>

First, because the special master has confirmed and corrected the error identified in the plaintiff’s objections (ECF 269), Wright hereby withdraws his objection to Map 1a, as corrected. The correction makes clear that the third majority-black district would be located in the Americus area and would not have a white incumbent. Accordingly, Map 1a would, like maps 1b and 1c, give African-American voters a meaningful opportunity to elect three candidates of their choice to the school board. That opportunity might be slightly more robust under Maps 1a, 1b, or

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<sup>1</sup> Neither the special master’s original report nor his corrected Map 1a have been filed in the Court’s CM/ECF system. For completeness of the record, Wright suggests that the Court direct the Clerk to file those documents, which were transmitted to the Court by electronic mail.

1c than under Map 3, particularly if the school-board election continues to be held in May. But all of the special master's plans (other than Map 2) would give African-American voters in Sumter County a greater opportunity to elect candidates to the school board than they currently have under the unlawful plan.

Second, in light of the fact that the county does not object to *any part* of the special master's report, including the special master's suggestion to hold the school-board election in November, Wright suggests that the Court should give serious consideration to Map 3. As noted previously, only Map 3 would address the County's earlier objection that a three-seat plan would "lock[] the black community into a permanent *minority* on the school board." (ECF 200 at 27.) While Map 3 contains only three opportunity districts, it does contain a fourth majority-black district that African-American voters would have some chance to win if the school-board election were held in November instead of May. (Report ¶35.) It is thus the only plan in which African-American voters would have an opportunity to elect, though perhaps not a likelihood of electing, candidates of their choice in proportion to their share of the county's population. Because Map 3 is the weakest of the Court's remaining options if the school-board election is held in May, however, the Court should only choose Map 3 if it also orders the school-board election to be held in November.

Finally, the County recommends that the Court dispense with a formal hearing on the remedial plans. Wright agrees. Given that the Court has four plans to which no party objects, a hearing would seem unnecessary.

Date: December 6, 2019

Respectfully submitted by:

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CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing PLAINTIFF'S RESPONSE TO THE DEFENDANT'S OBJECTIONS TO THE SPECIAL MASTER'S REPORT with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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Dated this 6th day of December, 2019.

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