

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

PRESS ROBINSON, EDGAR CAGE,
DOROTHY NAIRNE, EDWIN RENE
SOULE, ALICE WASHINGTON, CLEE
EARNEST LOWE, DAVANTE LEWIS,
MARTHA DAVIS, AMBROSE SIMS,
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE
("NAACP") LOUISIANA STATE
CONFERENCE, AND POWER COALITION
FOR EQUITY AND JUSTICE,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity as
Secretary of State for Louisiana.

Defendant.

Civil Action No. 3:22-cv-00211-SDD-SDJ

EDWARD GALMON, SR., CIARA HART,
NORRIS HENDERSON, TRAMELLE
HOWARD,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity as
Secretary of State for Louisiana.

Defendant.

Civil Action No. 3:22-cv-00214-SDD-SDJ

**NOTICE REGARDING PLAINTIFFS' POSITION ON
NEW ENACTED CONGRESSIONAL MAP**

Pursuant to this Court’s scheduling order, *see* ECF No. 330, the *Robinson* Plaintiffs hereby provide notice of their position regarding the congressional districting plan passed by the Louisiana Legislature during the First Extraordinary Session of 2024 as Senate Bill 8 on January 19, 2020, and signed by Governor Jeff Landry on January 22, 2024 (the “State’s Remedial Map”). *See* ECF No. 342. As the statements of the Governor, the Attorney General, and numerous legislators during the First Extraordinary Session make clear, the State’s Remedial Map was adopted as a direct result of this Court’s and the Fifth Circuit’s orders finding that the congressional districting plan adopted by the Louisiana Legislature in March 2022 likely violates Section 2 of the Voting Rights Act of 1965, 52 U.S.C § 10301, and to avoid imposition of a map by this Court.¹

Plaintiffs do not oppose the new enacted map, but they reject Defendants’ assertion that “this case is now moot.” ECF No. 342. As indicated in Plaintiffs’ Motion to Apply the First-Filed Rule, ECF No. 345, after the enactment of the State’s Remedial Map, a case captioned *Callais, et al. v. Landry* was filed in the Western District of Louisiana. The *Callais* plaintiffs assert that the State’s Remedial Map constitutes an unconstitutional racial gerrymander and is not justified by the State’s need to comply with Section 2. *See* Compl., *Callais v. Landry*, No. 3:24-cv-122-DCJ-CES-RRS (W.D. La. Jan. 31, 2024). As the *Callais* litigation makes clear, this case is not moot. This Court should retain jurisdiction over this matter to determine the legal viability of the State’s Remedial Map in light of the likely violation previously identified by this Court and the Fifth Circuit. *See N. Carolina v. Covington*, 138 S. Ct. 2548, 2551 (2018) (explaining that a voting rights case does not become moot upon a legislature’s enactment of a new plan and that a court may

¹ E.g., Office of the Governor, Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting (Jan. 16, 2024), <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting> (asking legislature to support SB8 to avoid a map drawn “by some heavy-handed member of the Federal Judiciary”); statement of Rep. Beaulieu, House Floor, Jan. 19, 2024 (“If we don’t act, it’s very clear that the federal court will impose the plaintiff’s proposed map on our state and we don’t want that.”).

retain jurisdiction to evaluate the new plan’s compliance with federal law); *E. Jefferson Coal. for Leadership & Dev. v. Par. of Jefferson*, 706 F. Supp. 470, 471 (E.D. La. 1989) (court may defer to legislative remedy but must assess whether legislature’s “proposal can be adopted without violence to the Constitution”).

Accordingly, the *Robinson* Plaintiffs request that this Court set a status conference at its earliest convenience to set a schedule for further proceedings.

DATED: February 6, 2024

Respectfully submitted,

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*Practice is limited to federal court.