

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
18 CVS 2322

COUNTY OF WAKE

FILED

NORTH CAROLINA STATE  
CONFERENCE OF NAACP BRANCHES,  
*et al.*;

2018 MAY -1 P 4: 31  
WAKE CO., C.S.C.

*Plaintiffs,*

BY 

**PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT**

vs.  
DAVID R. LEWIS, *et al.*;

*Defendants.*

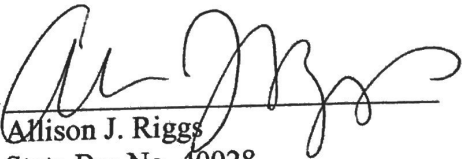
NOW COME Plaintiffs North Carolina State Conference of NAACP Branches, League of Women Voters of North Carolina, Democracy North Carolina, A. Philip Randolph Institute of North Carolina, Elaine Okal, Retta Riordan, Cheryl Tung, and Candace Blackley (hereinafter referred to as "Plaintiffs"), by and through counsel and pursuant to N.C. Gen. Stat. § 1A-1, Rule 56 of the North Carolina Rules of Civil Procedure, and hereby move the Court for to enter summary judgment in their favor as follows:

1. Declaring that the configuration of Wake County House Districts in the 2017 Enacted State House Plan violates Article II, Section 5, of the North Carolina Constitution.
2. Declaring specifically that because it was not necessary to alter House Districts 36, 37, 40, or 41 in order to comply with federal law, their alteration in 2017 violates the State Constitution's prohibition on mid-decade redistricting.

This motion is made on the grounds that the pleadings, and other evidence before the Court, including the Verified Complaint, and the exhibits and affidavits filed in support of the Motion for Preliminary Injunction, establish that there is no dispute as to the material facts that entitle Plaintiffs to summary judgment in their favor as a matter of law.

WHEREFORE, Plaintiffs respectfully pray that the Court grant their Motion and enter judgment in their favor.

Respectfully submitted, this, the 1<sup>st</sup> day of May, 2018.



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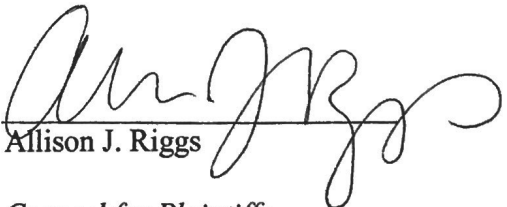
**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing was served upon all parties by electronic mail and by depositing the same in the custody of the United States Postal Service, postage prepaid, addressed as follow:

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This the 1<sup>st</sup> day of May, 2018.

  
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