

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LIBERTARIAN PARTY OF OHIO, et al.
Plaintiffs,

and

ROBERT HART, et al.,
Intervenor-Plaintiffs,

Case No. 2:13-cv-00953

v.

**JUDGE WATSON
MAGISTRATE JUDGE KEMP**

JON HUSTED,
in his Official Capacity as Ohio
Secretary of State,
Defendant,

STATE OF OHIO,
Intervenor-Defendant,

and

GREGORY FELSOCI,
Intervenor-Defendant.

_____ /

**PLAINTIFFS' NOTICE OF SUPPLEMENTAL
AUTHORITY**

Plaintiffs hereby submit the following supplemental authority, a decision of the Fourth Circuit Court of Appeals filed on October 1, 2014, *League of Women Voters of North Carolina v. North Carolina*, No. 14-1845 (4th Cir., Oct. 1, 2014) (copy attached), requiring that North Carolina re-institute same-day registration for voters.

In response to the State's claim that it was administratively burdensome -- the State argued it could not be accomplished without additional resources and left elections officials with too little time to proceed -- the Fourth Circuit stated:

The district court failed to recognize, much less address, the problem of sacrificing voter enfranchisement at the altar of bureaucratic (in)efficiency and (under-)resourcing. After all, Section 2 does not prescribe a balancing test under which the State can pit its desire for administrative ease against its minority citizens' right to vote. The district court thus abused its discretion when it held that "[i]t is sufficient for the State to voice concern that [same-day registration] burdened [county boards of elections] and left inadequate time for elections officials to properly verify voters."

Id. at page 45 (Copy attached) (citations omitted) .

Likewise, the First Amendment does not allow the State to "pit its desire for administrative ease against its minority [party] citizens' right to vote."

Respectfully submitted,

s/ Mark R. Brown

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CERTIFICATE OF SERVICE

I certify that copies of this Notice was filed using the Court's electronic filing system and will thereby be electronically delivered to all parties through their counsel of record.

s/ Mark R. Brown _____

Mark R. Brown