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Rev. 6/98

## UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT CIVIL APPEAL STATEMENT

Please TYPE. Attach additional pages if necessary.

11th Circuit Docket Number: \_\_\_\_\_

TITLE IN FULL: CATHY COX, Individually and in her official capacities as Secretary of State and Chair of the Georgia Elections Board, and STATE ELECTION BOARD  v.  COMMON CAUSE/GEORGIA, et al.  (full case style attached)	DISTRICT: Northern District of Georgia NAME OF JUDGE: Harold L. Murphy
	DATE COMPLAINT FILED: 9/19/05 DISTRICT COURT DOCKET NUMBER: 4:05-CV-201-05
	DATE NOTICE OF APPEAL FILED: 10/21/05 IS THIS A CROSS-APPEAL? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	HAS THIS MATTER BEEN BEFORE THIS COURT PREVIOUSLY? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> IF YES, PROVIDE: (A) CASE NAME (B) CITATION (C) DOCKET NUMBER

ATTORNEY NAME	MAILING ADDRESS	TELEPHONE AND FAX
FOR APPELLANT: Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify) <input type="checkbox"/>	See attached list	
FOR APPELLEE: Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify) <input type="checkbox"/>	See attached list	

Circle/check/complete those items below and on page 2 that apply.

JURISDICTION	NATURE OF JUDGMENT	TYPE OF ORDER	RELIEF
<input checked="" type="checkbox"/> Federal Question <input type="checkbox"/> Diversity <input type="checkbox"/> US Plaintiff <input type="checkbox"/> US Defendant	<input type="checkbox"/> Final Judgment, 28 USC 1291 <input checked="" type="checkbox"/> Interlocutory Order, 28 USC 1292(a)(1) <input type="checkbox"/> Interlocutory Order Certified, 28 USC 1292(b) <input type="checkbox"/> Interlocutory Order, Qualified Immunity <input type="checkbox"/> Final Agency Action (Review) 54(b)	<input type="checkbox"/> Dismissal/Jurisdiction <input type="checkbox"/> Default Judgment <input type="checkbox"/> Summary Judgment <input type="checkbox"/> Judgment/Bench Trial <input type="checkbox"/> Judgment/Jury Verdict <input type="checkbox"/> Judgment/Directed Verdict/NOV <input checked="" type="checkbox"/> Injunction <input type="checkbox"/> Other _____	Damages: Amount Sought by Plaintiff: \$ _____ Amount Sought by Defendant: \$ _____ Awarded \$ _____ to _____  Injunctions: <input checked="" type="checkbox"/> TRO <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Permanent <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied

NATURE OF SUIT ( Class Action )

Admiralty-Maritime	Civil Rights	Commercial Contract	Environment	Insurance	Social Security
Antitrust	Title VII	Commodities	ERISA	Negotiable Instrument	Tax
Arbitration	ADA	Communications	FELA	Personal Injury	TILA
Assault	ADEA	Consumer	Finance	Privacy	<input checked="" type="checkbox"/> US Constitution
Attorney Disqualification	IDEA	Copyright/TM/Patent	FOI	Real Property	Warranty
Banking	Harassment	Counsel Fee	Forfeiture	Review Agency Action	Other Contract
Bankruptcy	1983	<input checked="" type="checkbox"/> Election	Fraud	Securities	Other Tort
	Other	Employment Contract	FTCA	Stockholder	Other Statutory Action
		Energy	Indemnity	Slander/Label	

GENERAL

BASED ON YOUR PRESENT KNOWLEDGE:

- (1) DOES THIS APPEAL INVOLVE A QUESTION OF FIRST IMPRESSION?  Yes  No  
 WHAT IS THE ISSUE YOU CLAIM IS ONE OF FIRST IMPRESSION?  
**Whether the requirement to produce a photo ID in order to vote in person violates the 14th and 24th Amendments of the U.S. Constitution?**
- (2) WILL THE DETERMINATION OF THIS APPEAL TURN ON THE INTERPRETATION OR APPLICATION OF A PARTICULAR CASE OR STATUTE?  Yes  No  
 IF YES, PROVIDE:  
 (A) CASE NAME/STATUTE O.C.G.A. 21-2-417  
 (B) CITATION  
 (C) DOCKET NUMBER, IF UNREPORTED
- (3) IS THERE ANY CASE NOW PENDING OR ABOUT TO BE BROUGHT BEFORE THIS COURT OR ANY OTHER COURT OR ADMINISTRATIVE AGENCY THAT:  
 (A) ARISES FROM SUBSTANTIALLY THE SAME CASE OR CONTROVERSY AS THIS APPEAL?  Yes  No  
 (B) INVOLVES AN ISSUE THAT IS SUBSTANTIALLY THE SAME, SIMILAR, OR RELATED TO AN ISSUE IN THIS APPEAL?  Yes  No  
 IF YES, PROVIDE:  
 (A) CASE NAME **Indiana Democratic Party, et al. v. Rokita**  
 (B) CITATION  
 (C) DOCKET NUMBER, IF UNREPORTED **1:05-CV-634-SEB-VSF**  
 (D) COURT OR AGENCY **United State District Court for the Southern District of Indiana**
- (4) WILL THIS APPEAL INVOLVE A CONFLICT OF LAW:  
 (A) WITHIN THE ELEVENTH CIRCUIT?  Yes  No  
 (B) AMONG CIRCUITS?  Yes  No  
 IF YES, EXPLAIN BRIEFLY:

ISSUES PROPOSED TO BE RAISED ON APPEAL, INCLUDING JURISDICTIONAL CHALLENGES:

- 1. Whether the requirement to produce a photo ID in order to vote in-person violates the equal protection clause when the same identification is not required when voting absentee by mail?
- 2. Whether the requirement to produce a photo ID in order to vote in-person violates the 14th and 24th Amendments when it is not a precondition to voting, when the cost of a non-driver photo ID is related to the administrative cost of producing such ID, and when a free non-driver photo ID is available to persons unable to afford one?
- 3. Whether Plaintiffs have standing to challenge the photo ID law?

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 21 DAY OF October, 2005

MARK H. COHEN  
NAME OF COUNSEL (TYPE)

Mark H. Cohen  
SIGNATURE OF COUNSEL

ATTACH portion of district court, tax court, or agency record described in 11th Cir. R. 33-1(b) (judgments and orders appealed from or sought to be reviewed; any supporting opinion, findings of fact, and conclusions of law filed by the court or the agency, board, commission, or officer; any report and recommendation adopted by an order; findings and conclusions of an administrative law judge when appealing a court order reviewing an agency determination; any agency docket sheet or record index).

COMPLETE STYLE OF CASE

CATHY COX, individually and in her  
official capacities as Secretary of State of  
Georgia and Chair of the Georgia Elections  
Board and STATE ELECTION BOARD,

Appellants/Defendants

v.

COMMON CAUSE / GEORGIA;  
LEAGUE OF WOMEN VOTERS  
OF GEORGIA, INC.; THE  
CENTRAL PRESBYTERIAN  
OUTREACH AND ADVOCACY  
CENTER, INC.; GEORGIA ASSOCIATION  
OF BLACK ELECTED  
OFFICIALS, INC., THE NATIONAL  
ASSOCIATION THE  
ADVANCEMENT OF COLORED  
PEOPLE (NAACP), INC., through its  
Georgia State Conference of Branches;  
GEORGIA LEGISLATIVE BLACK  
CAUCUS; CONCERNED BLACK  
CLERGY OF METROPOLITAN  
ATLANTA, INC., the following  
qualified and registered voter  
under Georgia law:

MRS. CLARA WILLIAMS,

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