

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THE STATE OF GEORGIA

Plaintiff,

v.

ERIC H. HOLDER, JR., in his official capacity as
Attorney General of the United States

Defendant,

CONCERNED BLACK CLERGY OF
METROPOLITAN ATLANTA, *et al.*,

Defendant-Intervenors.

Civil Action No. 1:10-CV-01062
(ESH, HHK, TBG)

**RESPONSE TO THE JOINT MOTION TO DISMISS FILED BY PLAINTIFF STATE OF
GEORGIA AND DEFENDANT ERIC HOLDER BY DEFENDANT-INTERVENORS
CONCERNED BLACK CLERGY OF METROPOLITAN ATLANTA, ET AL.**

Defendant-Intervenors Concerned Black Clergy of Metropolitan Atlanta, the Southern Regional Office of the Rainbow PUSH Coalition, Michael B. Wright, Sr., and Janice Mathis (“Defendant-Intervenors”) hereby respond to the Joint Motion to Dismiss filed by Plaintiff State of Georgia and Defendant Eric Holder (“Joint Motion to Dismiss”). *See* Dkt. No. 46.

This action was filed by Plaintiff on June 21, 2010, pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c (“Section 5”), and 28 U.S.C. § 2201. On August 20, 2010, Plaintiff, joined by Defendant, moved for voluntary dismissal of this matter under Fed. R. Civ. P. 41(a)(2), because the voter verification procedures – including the use of a database maintained by the Georgia Department of Driver Services (“DDS”) to verify voter registration information – described in Plaintiff’s First Amended Complaint were administratively precleared by the Attorney General on

August 18, 2010.

In light of the Attorney General's sudden administrative preclearance of the voting change at issue in this action, *See* Dkt. No. 47, Defendant-Intervenors have no legal basis on which to oppose the Joint Motion to Dismiss and do not do so.

September 7, 2010

Respectfully submitted,

/s/ Kristen Clarke

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed and served the foregoing document by using the Court's CM/ECF system on September 7, 2010. Participants in the case who are not registered CM/ECF users will be served by First-Class Mail.

September 7, 2010

s/ Kristen Clarke
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