

FILED

FEB 18 2009


CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION**

EILEEN JANIS and KIM COLHOFF,)

Plaintiffs,)

vs.)

Civil Action No. 09-5019

CHRIS NELSON, in his official capacity as)
Secretary of State of South Dakota and as a)
member of the State Board of Elections;)

PAULA JONES, GAIL BROCK,)

CHRISTOPHER W. MADSEN,)

RICHARD CASEY, KAREN M. LAYHER,)

and LINDA LEA M. VIKEN, in their)

official capacities as members of the State)

Board of Elections; and SUE GANJE, in her)

official capacity as Auditor for Shannon)

County,)

Defendants.)

REQUEST FOR APPOINTMENT OF A THREE-JUDGE COURT

Plaintiffs, by and through counsel, request the Court to notify the chief judge of the circuit that Plaintiffs' claim that Defendants have failed to comply with the preclearance provisions of Section 5 of the Voting Rights Act is required to be heard by a district court of three judges pursuant to 28 U.S.C. § 2284 and 42 U.S.C. § 1973c.

Dated this 18th day of February, 2009.

Respectfully submitted,

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*Pro hac vice motions to follow

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