

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

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STEPHEN LAROQUE, et al.,	)	
	)	
Appellants,	)	
	)	
v.	)	No. 10-5433
	)	
ERIC H. HOLDER, JR.,	)	
ATTORNEY GENERAL OF THE	)	
UNITED STATES, et al.,	)	
	)	
Appellees.	)	

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**STATEMENT OF ISSUES TO BE RAISED**

Appellants—Stephen LaRoque, Anthony Cuomo, John Nix, Klay Northrup, Lee Raynor, and Kinston Citizens for Non-Partisan Voting—hereby state that they intend to raise the following issues in this appeal:

When Section 5 of the Voting Rights Act of 1965, 42 U.S.C. § 1973c, has preempted a municipality’s implementation of an election-law referendum that would have eliminated ballot-access restrictions and other electoral disadvantages that existed under the old elections regime, do candidates, voters, and proponents of the referendum have standing and a cause of action to bring a facial constitutional challenge against Congress’ reauthorization of Section 5 in 2006?

January 06, 2011

/s/ Michael A. Carvin

MICHAEL A. CARVIN

JONES DAY

51 Louisiana Ave. N.W.

Washington, DC 20001

Telephone: (202) 879-3939

Email: [macarvin@jonesday.com](mailto:macarvin@jonesday.com)

*Counsel for Appellants*

### **CERTIFICATE OF SERVICE**

I hereby certify that, on this 6th day of January, 2011, I electronically filed the foregoing document with the clerk of this Court by using the CM/ECF system.

I further certify that, on this 6th day of January, 2011, I caused the foregoing document to be served via regular and electronic mail on the lead counsel (in the court below) for Appellee-Defendant Eric H. Holder, Jr., Attorney General of the United States (as no counsel with an electronic mailing address for that appellee is currently designated on the CM/ECF system):

Richard Alan Dellheim  
U.S. Department of Justice  
Civil Rights Division, Voting Section  
Room 7254 – MWB  
950 Pennsylvania Ave. N.W.  
Washington, DC 20530  
(202) 305-1734  
richard.dellheim@usdoj.gov

I further certify that, on this 6th day of January, 2011, I electronically served the foregoing document via the CM/ECF system on the following currently designated counsel in this Court for Appellee-Defendant-Intervenors Joseph M. Tyson, W.J. Best, Sr., A. Offord Carmichael, Jr., George Graham, Julian Pridgen, William A. Cooke, and the North Carolina Conference of Branches of the National Association for the Advancement of Colored People:

Arthur Barry Spitzer  
American Civil Liberties Union  
1400 20th Street, N.W.  
Suite 119  
Washington, DC 20036  
(202) 457-0800 x113  
artspitzer@aol.com

January 06, 2011

/s/ Michael A. Carvin  
MICHAEL A. CARVIN  
JONES DAY  
51 Louisiana Ave. N.W.  
Washington, DC 20001  
Telephone: (202) 879-3939  
Email: macarvin@jonesday.com  
*Counsel for Appellants*