

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JOSE MORALES, on behalf of  
himself and those similarly situated,

Plaintiff,

v.

KAREN HANDEL, in her official  
capacity as Georgia Secretary of  
State,

Defendant.

CIVIL CASE NO.  
1:08-CV-3172

**ORDER**

This action was filed October 9, 2008, pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c. Plaintiff alleges that the State of Georgia failed to seek preclearance from the United States Department of Justice prior to making a voting change related to its voter registration database. The Complaint seeks expedited relief, including a preliminary injunction, on behalf of Plaintiff Jose Morales and others. Plaintiff also seeks a three judge panel pursuant to 28 U.S.C. 2284.

After holding a hearing on October 10, 2008, and upon a review of the record, the Court finds that the claims are not wholly insubstantial or obviously frivolous. Pursuant to 28 U.S.C. § 2284(b)(1), the Court cannot conclude that a three-judge panel is not required in this case. Accordingly, the Court shall notify the Chief Judge of the Circuit of Plaintiff's request for a

three judge panel. The Court **GRANTS** Plaintiff's Motion [# 2] to the extent that the motion seeks a three judge panel.

**SO ORDERED**, this 10th day of October, 2008.

A handwritten signature in blue ink, reading "Jack Camp", written in a cursive style. The signature is positioned above a horizontal line.

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JACK T. CAMP  
UNITED STATES DISTRICT JUDGE