

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
STATE OF ALABAMA, and)
NANCY L. WORLEY, Alabama)
Secretary of State, in her official)
capacity,)
)
Defendants,)
)
ALABAMA PROBATE JUDGES)
ASSOCIATION,)
)
Amicus Curiae.)

Civil Action No.

2:06-cv-0392-WKW

**RESPONSE OF ALABAMA PROBATE JUDGES
ASSOCIATION TO MOTION TO INTERVENE**

Comes Now Amicus Curiae Alabama Probate Judges Association, by and through counsel, and, in response to the Motion to Intervene [Doc. No. 42] filed by Joe Turnham on July 27, 2006, states as follows:

1. The APJA is a bipartisan organization of elected probate judges whose job it is to conduct fair, efficient, and lawful elections throughout the state of Alabama. The sole remaining issue in this case is how best to implement a single, uniform, official, centralized, interactive computerized statewide voter registration list in elections for federal office within the time frame set out by this Court. This is not a political issue. The APJA believes that all parties necessary to effectuate the orders of this Court are presently before this Court.

2. The APJA believes it would be ill-advised to allow any party to inject partisan political issues into this case whether that effort comes from Republicans, Democrats, Libertarians, or any other organization. Any attempt to discredit the election officials and voting system of the state of Alabama should not be given any credibility by this Court.

3. The partisan nature of the pending motion to intervene [Doc. No. 42] underscores the need for the State HAVA Committee to have the primary role in advising the Special Master in the course of carrying out the Court's orders. The HAVA Committee is bipartisan. The members of the HAVA Committee are knowledgeable of all the issues related to the implementation of the required database. The HAVA Committee alone carries the imprimatur of the Alabama legislature which represents all the people of Alabama.

Wherefore premises considered, the Alabama Probate Judges Association considers any motion to intervene on the basis of political issues to be ill-advised and should be denied.

Respectfully submitted this 28th day of July, 2006.

/s Algert S. Agricola, Jr.
Algert S. Agricola, Jr. (SJS No. AGR001)

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Association

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Defendants.)	

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

- Winfield J. Sinclair wsinclair@ago.state.al.us
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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

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Respectfully submitted,

s/ Algert S. Agricola, Jr. _____
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