

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI

F I L E D
SEP 12 2008

LEOLA STRICKLAND and
MICHAEL JOHNSON,

Plaintiffs,

v.

HON. ERIC CLARK, in his official capacity
as the Secretary of State of Mississippi; and
HON. JIM HOOD, in his official capacity as the
Attorney General for the State of Mississippi,

Defendants.

EDDIE JEAN CARR, CHANCERY CLERK

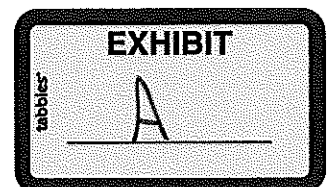
BY _____ D.C.

CIVIL ACTION FILE
NO. G2006-1753 S/2

**PLAINTIFFS' MOTION TO WITHDRAW CERTAIN
CLAIMS PRESENTED IN MOTION TO AMEND COMPLAINT**

COME NOW Plaintiffs, by and through counsel, to file this motion seeking to withdraw, without prejudice, certain claims presented in Plaintiffs' motion for leave to amend the complaint, specifically those claims related to Defendants' alleged failure and/or refusal to allow Jerry Young and Christy Colley to register to vote in the presidential and vice presidential elections. In support of this motion, Plaintiffs show as follows:

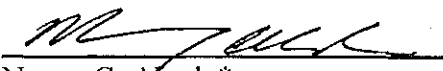
Plaintiffs filed the instant lawsuit on October 6, 2006, challenging Mississippi's denial of voting rights to individuals convicted of crimes which are not enumerated in Article 12, Section 241 of the Mississippi Constitution. Compl. at ¶¶ 1-7. Plaintiffs also alleged that Defendants' failure and/or refusal to allow them to register to vote for president and vice president of the United States, despite their criminal convictions, violated the Mississippi and United States Constitutions and the National Voter Registration Act. *Id.* at ¶¶ 36-38, 49-50, 55-59.



On February 11, 2008, Plaintiffs filed a motion for leave to amend the complaint to add Jerry Young and Christy Colley as plaintiffs, and to remove Linda Strickland and Michael Johnson as plaintiffs. This Court has yet to rule on Plaintiffs' motion for leave to amend the complaint to substitute the plaintiffs.

Mr. Young and Ms. Colley would like to maintain their claims challenging Defendants' expansion of disfranchising crimes before this Court. However, Plaintiffs move to withdraw, without prejudice, the claims regarding the rights of Mr. Young and Ms. Colley to vote in the presidential and vice presidential elections.

Respectfully Submitted,

By: 
Nancy G. Abudu*
AMERICAN CIVIL LIBERTIES UNION
VOTING RIGHTS PROJECT
2600 Marquis One Tower
245 Peachtree Center Ave. NE
Atlanta, GA 30303-1227
Tel: (404) 523-2721
Fax: (404) 653-0331
nabudu@aclu.org
*Admitted pro hac vice

CERTIFICATE OF SERVICE

I, Nancy Abudu, attorney for Plaintiffs, Leola Strickland and Michael Johnson, certify that I have this 12th day of September 2008, served a copy of the foregoing document on the Special Assistant Attorney General, Shawn Shurden and Harold Pizzeta, Office of the Attorney General of the State of Mississippi, P.O. Box 220, Jackson, MS 39205.

Nancy G. Abudu
Nancy G. Abudu *by permission*
KWB