

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

INDIANA DEMOCRATIC PARTY,)
et al.,)

Plaintiffs,)

v.)

TODD ROKITA, et al.,)

Defendants,)

No. 1:05-CV-00634 SEB-VSS

_____))
WILLIAM CRAWFORD, et al.,)

Plaintiffs,)

v.)

MARION COUNTY ELECTION BOARD,)

Defendant,)

and)

STATE OF INDIANA,)

Intervenor.)

**Docketing Statement by Plaintiffs William Crawford, United Senior Action of
Indiana, Indianapolis Resource Center for Independent Living, Concerned Clergy
of Indianapolis, Indianapolis Branch of the NAACP, Indiana Coalition on Housing
and Homeless Issues, Joseph Simpson**

Come now plaintiffs-appellants William Crawford, United Senior Action of
Indiana, Indianapolis Resource Center for Independent Living, Concerned Clergy of
Indianapolis, Indianapolis Branch of the NAACP, Indiana Coalition on Housing and

Homeless Issues and Joseph Simpson, and hereby file their Docketing Statement pursuant to Circuit Rule 3.

1. The above plaintiffs-appellants filed their complaint in state court. It was removed by defendant-appellee Marion County Election Board pursuant to 28 U.S.C. §§ 1441, 1446 and joined with a case that had been filed by the Indiana Democratic Party, *et al*. The State of Indiana later intervened in the case filed by the above plaintiffs-appellants. The district court had original jurisdiction of this case pursuant to 28 U.S.C. § 1331. The district court's federal question jurisdiction was based on an alleged denial of both the due process and equal protections clauses of the Fourteenth Amendment to the United States Constitution and an alleged denial of rights secured by 42 U.S.C. § 1971(a)(2)(A), (B). Additionally, the district court had supplemental jurisdiction, pursuant to 28 U.S.C. § 1367, of these plaintiffs-appellants' claims that the challenged law violated the Indiana Constitution.

2. Pursuant to Circuit Rule 28 (a)(1), plaintiffs-appellants would note the following:

-United Senior Action of Indiana is a corporation incorporated in Indiana with its principal place of business in Indiana.

-Indianapolis Resource Center for Independent Living is a corporation incorporated in Indiana with its principal place of business in Indiana

-Concerned Clergy of Indianapolis is a corporation incorporated in Indiana with its principal place of business in Indiana

-Indianapolis Branch of the NAACP is a branch of the national NAACP which is a corporation incorporated in New York with its principal place of business in Maryland.

-Indiana Coalition on Housing and Homeless Issues is a corporation incorporated in Indiana with its principal place of business in Indiana.

3. The Court of Appeals has jurisdiction of this appeal pursuant to 28 U.S.C. § 1291.

Specifically:

- (a) The final judgment being appealed from was entered on April 14, 2006 and disposed of all issues in this cause.
 - (b) There has not been any filing of a motion for a new trial or for alteration of the judgment or any other motion that tolls the time for appeal.
 - (c) The Notice of Appeal has been filed on this date.
 - (d) This is not an appeal from a decision of a magistrate judge.
4. This is an appeal from a final judgment.
5. There are no prior or related appellate proceedings in this cause.
6. No party in the case that these plaintiffs-appellants filed against the Marion County Election Board, in which the State of Indiana intervened, appears in an official capacity.
7. Inasmuch as this is a final judgment, there are no issues pending before the district court. However, as of this date the other group of plaintiffs in this consolidated case, the Indiana Democratic Party, *et al.*, have not yet filed a Notice of Appeal.

/s/Kenneth J. Falk
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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of April, 2006, a copy of the foregoing was filed electronically with the Clerk of this Court. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system and the parties may access this filing through the Court's system.

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