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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

May 1 2006 APR 31 P 6:28

UNITED STATES OF AMERICA, )

Plaintiff, )  
v. )

STATE OF ALABAMA, and )

NANCY L. WORLEY, Secretary of State; )  
in her official capacity, )

Defendants. )

Civil Action No.:

2:06CV 392 - WKW

**PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

COMES now Plaintiff, the United States of America, by and through Leura G. Canary, through the undersigned, R. Randolph Neeley, and pursuant to Fed. R. Civ. P. 65 moves this Court to grant an Order of preliminary injunction in the above-styled cause.

As grounds for said Motion Plaintiff provides the following:

1. Defendants have failed to comply with the Help America Vote Act of 2002 ("HAVA"), 42 U.S.C. § 15301 et seq.
2. The absence of immediate injunctive relief, will result in irreparable injury to Alabama voters and to the federal election process.
3. In support of said Motion Plaintiff provides the accompanying Memorandum of Law, Declaration of Christy McCormick, and exhibits "A" through "Q."

Respectfully submitted this 1<sup>st</sup> day of May, 2006.

ALBERTO R. GONZALES  
Attorney General

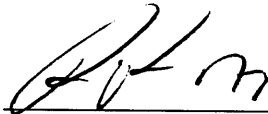
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Attorney, Voting Section

LEURA G. CANARY  
United States Attorney

By:



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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 1<sup>st</sup> day of May, 2006, a copy of the foregoing Motion was filed with the Court and served upon Defendants via first class U.S. mail addressed as below:

Nancy L. Worley  
Secretary of State of the State of Alabama  
State Capitol, Room 5105  
600 Dexter Avenue  
Montgomery, AL 36101

State of Alabama  
c/o Troy King  
Attorney General For the State of Alabama  
11 South Union Street  
Montgomery, AL 36130



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Assistant United States Attorney