

Statement of ROBERTS, C. J.

Judge Motz wrote for the court, except as to one part of the opinion from which she dissented. The State of North Carolina, its then-Governor, the State Board of Elections, and members of the Board in their official capacities petitioned for certiorari, asking this Court to review the Fourth Circuit’s conclusion that SL 2013–381 was enacted with discriminatory intent.

In January 2017, a new Governor and state Attorney General assumed office. Shortly after, the new Attorney General moved to dismiss the petition, initially on behalf of only the Governor and the State. A few days later, however, the Attorney General filed a supplemental motion to dismiss on behalf of all named petitioners. The North Carolina General Assembly objected, arguing that North Carolina law does not authorize the state Attorney General to dismiss the petition on behalf of the State and instead expressly permits the Assembly to retain private counsel to defend SL 2013–381 on behalf of North Carolina.

The Speaker and the President *pro tempore* of the Assembly have also filed a conditional motion to intervene, asking this Court to add the General Assembly as a petitioner in the event the Court finds that the Attorney General may withdraw the petition. The private respondents have filed a reply, arguing that the Speaker and the President *pro tempore* lack standing to intervene because North Carolina law does not authorize them to represent the State’s interests in federal court. According to the private respondents, the Speaker and the President *pro tempore* erroneously rely on a state statute that governs intervention in state proceedings.

Given the blizzard of filings over who is and who is not authorized to seek review in this Court under North Carolina law, it is important to recall our frequent admonition that “[t]he denial of a writ of certiorari imports no expression of opinion upon the merits of the case.” *United States v. Carver*, 260 U. S. 482, 490 (1923).