

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
95-CVS-1158

HOKE COUNTY BOARD OF
EDUCATION; et al.,

Plaintiffs,

and

CHARLOTTE-MECKLENBURG BOARD
OF EDUCATION,

Plaintiff-Intervenor,

and

RAFAEL PENN, et al.,

Plaintiff-Intervenors,

v.

STATE OF NORTH CAROLINA and the
STATE BOARD OF EDUCATION,

Defendants,

and

CHARLOTTE-MECKLENBURG BOARD
OF EDUCATION,

Realigned Defendant,

and

PHILIP E. BERGER, in his official
capacity as President *Pro Tempore* of the
North Carolina Senate, and TIMOTHY K.
MOORE, in his official capacity as Speaker
of the North Carolina House of
Representatives,

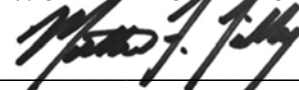
Intervenor-Defendants.

NOTICE OF APPEAL

Pursuant to N.C. Gen. Stat. §§ 7A-27(b) and 1-277, Intervenor-Defendants Philip E. Berger, in his official capacity as President *Pro Tempore* of the North Carolina Senate, and Timothy K. Moore, in his official capacity as Speaker of the North Carolina House of Representatives, hereby give notice of appeal to the North Carolina Court of Appeals of the Order entered in this action on 17 April 2023, by the Honorable James F. Ammons,¹ including all orders, findings, and conclusions incorporated into the Order, which itself explicitly “amends and supplements the [10 November 2021] Order entered by the Honorable W. David Lee, Superior Court Judge; and the [26 April 2022] Order entered by the Honorable Michael L. Robinson, Superior Court Judge” in this matter.²

This, the 5th day of May, 2023.

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¹ Judge Ammons’ order is dated 14 April 2023, but file-stamped 17 April 2023.

² The 10 November 2021 Order entered by Judge David Lee further incorporates the trial court’s 21 January 2020 Consent Order; 11 September 2020 Consent Order; 7 June 2021 Order; 22 September 2021 Order; and 22 October 2021 Order.

CERTIFICATE OF SERVICE

The undersigned certifies that on May 5, 2023 he caused a true and correct copy of the foregoing document to be served via e-mail upon the following:

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