

FILED

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WAKE COUNTY
SUPERIOR COURT JUDGES OFFICE
BY: KM

NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 23CV028505-910

ROY A. COOPER, III, in his official capacity as
GOVERNOR OF THE STATE OF NORTH CAROLINA,

Plaintiff,

v.

PHILIP E. BERGER, in his official capacity as
PRESIDENT PRO TEMPORE OF THE NORTH
CAROLINA SENATE; TIMOTHY K. MOORE, in his
official capacity as SPEAKER OF THE NORTH
CAROLINA HOUSE OF REPRESENTATIVES; and THE
STATE OF NORTH CAROLINA,

Defendants.

**ORDER TRANSFERRING TO A
THREE-JUDGE PANEL**

This matter is before the Court upon the Plaintiff's Complaint and a motion to transfer to a three-judge panel of the Superior Court of Wake County as herein indicated.

N.C.G.S. § 1-267.1 and N.C.G.S. § 1-1A, Rule 42(b)(4) of the North Carolina Rules of Civil Procedure require that any action that is a facial challenge to the validity of an act of the General Assembly be transferred to a three-judge panel in the Superior Court of Wake County.

Plaintiff's Complaint raises six (6) facial challenges to the validity of acts of the General Assembly. There are no other pending issues in this case which can be addressed at this time without resolving the facial challenges.

It is therefore ORDERED that the portions of this action challenging such acts are transferred to a three-judge panel of the Superior Court of Wake County, to be appointed by the Chief Justice of the Supreme Court of North Carolina, pursuant to N.C.G.S. § 1-267.1 and N.C.G.S. § 1-1A, Rule 42(b)(4) of the North Carolina Rules of Civil Procedure.

Ordered on: 10/11/2023.



The Honorable Paul C. Ridgeway
Senior Resident Superior Court Judge
Tenth Judicial District