

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:24-cv-00420-BO**

JOHNNY THOMAS ORTIZ II, JIMMIE)
GREGORY ROGERS, JR. and WELDON)
MURPHY,)

Plaintiffs,)

v.)

**MOTION TO INTERVENE
AS PLAINTIFFS**

NORTH CAROLINA STATE BOARD OF)
ELECTIONS, ALAN HIRSCH, in his official)
capacity as Chair of the North Carolina State)
Board of Elections, JEFF CARMON III, in his)
official capacity as Member of the North Carolina)
State Board of Elections, STACY EGGERS IV,)
in his official capacity as Member of the North)
Carolina State Board of Elections, KEVIN N.)
LEWIS in his official capacity as Member of the)
North Carolina State Board of Elections,)
SIOBHAN O’DUFFY MILLEN in her official)
capacity as Member of the North Carolina State)
Board of Elections, and KAREN BRINSON BELL,)
in her official capacity as Executive Director of the)
North Carolina State Board of Elections,)

Defendants.)

Dr. Cornel West, Italo Medelius and the Justice for All Party of North Carolina (“JFA”) (collectively, “Proposed Intervenors”) seek to participate in the above-captioned lawsuit as plaintiffs who challenge the constitutionality of North Carolina’s ballot access requirements as applied to them and enforced by Defendant North Carolina State Board of Elections. As set forth in the accompanying memorandum of law, Proposed Intervenors are entitled to intervene as a matter of right pursuant to Fed. R. Civ. P. 24(a). In the alternative, Proposed Intervenors request

permissive intervention pursuant to Fed. R. Civ. P. 24(b). Proposed Intervenors have conferred, through counsel, with Plaintiffs, and Plaintiff do not object to the requested relief.

In accordance with Rule 24(c), the Proposed Intervenors' Complaint is attached hereto as Exhibit A.

WHEREFORE, Proposed Intervenors request that the Court grant them leave to intervene in the above-captioned matter and to file their Complaint.

Dated: July 29, 2024

Respectfully submitted,

/s/Christopher R Lusby
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Counsel for Proposed Intervenors
*Notice of Special Appearance Forthcoming

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2024, the foregoing document was filed using the Court's CM/ECF system, which will effect service upon all counsel of record.

Dated: July 29, 2024

/s/Christopher Lusby
Christopher Lusby