

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:24-cv-724-M

JEFFERSON GRIFFIN,)
)
Petitioner,)
)
v.)
)
NORTH CAROLINA STATE BOARD OF)
ELECTIONS,)
)
Respondents,)
)
ALLISON RIGGS, NORTH CAROLINA)
ALLIANCE FOR RETIRED AMERICANS,)
VOTEVETS ACTION FUND, TANYA)
WEBSTER-DURHAM, SARAH SMITH, and)
JUANITA ANDERSON,)
)
Intervenor-Respondents.)

PETITIONER’S MOTION TO REMAND

Petitioner Judge Jefferson Griffin respectfully requests that this Court remand this case to the North Carolina Supreme Court pursuant to 28 U.S.C. § 1447(c). Respondent and Intervenor have failed to carry their burden to show that this Court has subject-matter jurisdiction over this case. *Pullman* abstention warrants remand. And the general removal statutes prohibit removal of an appellate case seeking a writ of prohibition. Moreover, the Respondent and Intervenor have failed to show that removal was appropriate under 28 U.S.C. §§ 1441(a) and 1443(2). For these reasons and those in Petitioner’s Memorandum in Support filed herewith, this Court should order remand.

Dated: January 3, 2025

Respectfully Submitted,

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**Local Rule 83.1(d) special appearance
forthcoming*

Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2025, I electronically filed the foregoing Petitioner's Motion to Remand with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all parties.

/s/ Mark M. Rothrock
Mark M. Rothrock