

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

JUDGE JEFFERSON GRIFFIN,)
Plaintiff,)

v.)

NORTH CAROLINA STATE BOARD OF ELECTIONS,)
Defendant,)

and)

ALLISON RIGGS, VOTEVETS ACTION FUND,)
NORTH CAROLINA ALLIANCE FOR RETIRED)
AMERICANS, SARAH SMITH AND JUANITA)
ANDERSON,)
Intervenor-Defendants.)

NORTH CAROLINA DEMOCRATIC PARTY,)
Plaintiff,)

v.)

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

CARRIE CONLEY, LOCKHART WEBB and, ELLA)
KROMM, individually and on behalf of all others)
similarly situated; GABRIELA ADLER-ESPINO and)
THE LEAGUE OF WOMEN VOTERS OF NORTH)
CAROLINA,)

v.)

ALAN HIRSCH, JEFF CARMON, STACY EGGERS IV,)
KEVIN N. LEWIS and SIOBHAN O'DUFFY MILLEN,)

CIVIL JUDGMENT
CASE NO. 5:24-CV-731-M

CASE NO. 5:24-CV-699-M

CASE NO. 5:25-CV-193-M

In their official capacities as members 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.)

This action came before the Honorable Richard E. Myers II, Chief United States District Judge, for ruling as follows:

IT IS ORDERED, ADJUDGED AND DECREED that the 1. Retroactive invalidation of absentee ballots cast by overseas military and civilian voters violates those voters' substantive due process rights; 2. The cure process violates the equal protection rights of overseas military and civilian voters; and 3. The lack of any notice or opportunity for eligible voters to contest their mistaken designation as Never Residents violates procedural due process and represents an unconstitutional burden on the right to vote.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the State Board SHALL NOT take any action in furtherance of the North Carolina Court of Appeals and Supreme Court's orders in *Griffin v. N Carolina State Bd. of Elections*, No. COA25-181, 2025 WL 1021724 (N.C. Ct. App. Apr. 4, 2025) and *Griffin v. N Carolina State Bd. of Elections*, No. 320P24-3, 2025 WL 1090903 (N.C. Apr. 11, 2025); The State Board SHALL certify the results of the election for Seat 6 based on the tally at the completion of the canvassing period on December 10, 2024; Judge Griffin's petitions for judicial review [DE 1-4; DE 1-12] are DENIED; Judge Griffin's motions for injunctive relief [DE 1-5; DE 1-13] are DENIED; Justice Riggs' motion for injunctive relief [DE 37] is GRANTED; The VoteVets Action Fund Parties' motion for summary judgment [DE 86] is GRANTED. The NCDP's request for injunctive relief [DE 78] is GRANTED; The *Conley* Plaintiffs' request for a permanent injunction [DE 82] is GRANTED.

FINAL JUDGMENT IS ENTERED, In *Griffin II*, judgment is ENTERED in favor of the State Board, Justice Riggs, and the VoteVets Action Fund Parties as to the issues identified in Findings 1, 2, and 3; In *NCDP*, judgment is ENTERED in favor of the NCDP as to the issues identified in Findings 1, 2, and 3; and In *Conley*, judgment is ENTERED in favor of the *Conley* Plaintiffs as to the issues identified in Findings 1 and 2. The court's order is STAYED for 7 days, so that Judge Griffin may pursue an appeal if he so chooses.

This Judgment filed and entered on May 5, 2025, and copies to:
All counsel of record in all matters (via CM/ECF electronic notification)

May 5, 2025

Peter A. Moore, Jr., Clerk of Court

By: /s/ Susan K. Ewert
Deputy Clerk

