

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Martin Cowen, et al.,

Plaintiffs,

vs.

Brad Raffensperger, in his
official capacity as Secretary of
State of the State of Georgia,

Defendant.

Case No. 1:17-cv-04660-LMM

**Plaintiffs' Motion for
Relief from Judgment or
Order**

The plaintiffs respectfully move the Court for an order altering or amending the order entered April 11, 2022 (ECF 193), dismissing this case and directing the clerk to close it. There is still a claim remaining to be resolved.

As the Eleventh Circuit noted in its opinion, the plaintiffs in this case also brought a discriminatory-purpose claim that was not involved in the appeal. (ECF 190 at 6.) This Court had previously ruled that the discriminatory-purpose claim was moot because the Court had already

held that Georgia's ballot-access regime was unconstitutional on other grounds. (ECF 165 at 7-9.) However, that claim is no longer moot in light of the Eleventh Circuit's decision, which is why the Eleventh Circuit remanded the case for further proceedings rather than with instructions to dismiss it.

The Court must have forgotten about the remaining claim, and its order dismissing the entire case with prejudice is plainly a mistake that warrants relief under both Rule 59 and 60.

Respectfully submitted this 11th day of April, 2022.

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Certificate of Compliance

I hereby certify that the forgoing **Plaintiffs' Unopposed Motion for an Extension of Time** was prepared in 13-point Century Schoolbook in compliance with Local Rules 5.1(C) and 7.1(D).

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