

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

ALLISON MULLINS, on behalf of herself  
and all others similarly situated,

Civil Action No. 3:16-cv-9918

Plaintiff,

v.

Hon.

KAREN COLE, in her official capacity AS  
CLERK OF CABELL COUNTY,

Defendant.

**EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER**

Pursuant to Federal Rule of Civil Procedure 65, Plaintiff respectfully moves the Court for a temporary restraining order enjoining Defendant Karen Cole, Clerk of Cabell County, from refusing to register otherwise qualified voters who used the Secretary of State's online voter registration system to register to vote by October 18, 2016. In support of this motion, Plaintiff concurrently submits a memorandum in support, which is hereby incorporated within this motion by reference.

Respectfully submitted this 20th day of October, 2016,

By Counsel,

AMERICAN CIVIL LIBERTIES UNION OF  
WEST VIRGINIA FOUNDATION

/s/ Jamie Lynn Crofts

Jamie Lynn Crofts

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Attorneys for Plaintiff

## **CERTIFICATE OF SERVICE**

At this early point in the case, no attorney has yet made an appearance for the defendant, Karen Cole, Clerk of Cabell County. However, I hereby certify that on October 20, 2016, I attempted to serve the foregoing Emergency Motion for a Temporary Restraining Order upon the defendant by sending a copy to the following attorney and to Defendant Cole's office via facsimile:

Sean K. Hammers  
Cabell County Prosecuting Attorney  
304-526-8679 (f)

Karen Cole  
Clerk of Cabell County  
304-526-8632 (f)

/s/ Jamie Lynn Crofts

Counsel for Plaintiff