

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHELBY COUNTY, ALABAMA,

Plaintiff,

V.

ERIC H. HOLDER, Jr.,
in his official capacity as
Attorney General of the
United States,

Defendant

Civil Action No.
1:10-cv-00651-JDB

ORDER

Upon consideration of the cross-motions for summary judgment filed under Rule 56, Fed. R. Civ. P., by all parties to this action, and upon consideration of the record as a whole in this action, the Court hereby concludes that:

The preclearance requirement of Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c, and the coverage formula contained in Section 4(b) of the Voting Rights Act, *id.* § 1973b(b), are constitutional exercises of Congressional power. *See Lopez v. Monterey Cnty.*, 525 U.S. 266, 282-285 (1999); *City of Rome v. United States*, 446 U.S. 156, 177-178 (1980); *Georgia v. United States*, 411 U.S. 526, 535 (1973); *South Carolina v. Katzenbach*, 383 U.S. 301, 337 (1966); *Reaves v. U.S. Dep’t of Justice*, 355 F. Supp. 2d 510, 516 (D.D.C. 2005); *Giles v. Ashcroft*, 193 F. Supp. 2d 258 (D.D.C. 2002); *Cnty. Council of Sumter Cnty. v. United States*, 555 F. Supp. 694, 707 (D.D.C. 1983).

There is no genuine issue of material fact, and Defendant and Defendant-Intervenors are entitled to judgment as a matter of law.

Accordingly, it is **ORDERED** that:

The Motions for Summary Judgment filed by the Attorney General and Defendant-Intervenors are **GRANTED**.

The Motion for Summary Judgment filed by Plaintiff is **DENIED**.

SO ORDERED.

JOHN D. BATES
United States District Judge

Dated: _____