

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

BARBARA H. LEE, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:15CV357-HEH
)	
VIRGINIA STATE BOARD OF)	
ELECTIONS, <i>et al.</i>)	
)	
Defendants.)	

ORDER
(Granting in part and Denying in part
Defendants' Motion to Dismiss Plaintiffs' Amended Complaint)

THIS MATTER is before the Court on a Motion to Dismiss for Failure to State a Claim and for Lack of Jurisdiction (ECF No. 48), filed by Defendants Virginia State Board of Elections, James B. Alcorn, Dr. Clara Belle Wheeler, Singleton B. McAllister, Virginia Department of Elections, and Edgardo Cortés on August 28, 2015. The Motion to Dismiss seeks to dismiss the Amended Complaint (ECF No. 36), filed by Plaintiffs Barbara H. Lee, Gonzalo J. Aida Brescia, and the Democratic Party of Virginia on August 14, 2015.

The Motion to Dismiss is granted on Count I with respect to alleged long lines, but is denied as to claims related to voter identification. Therefore, Count I of the Amended Complaint survives as to voter identification, but is dismissed as to alleged long lines for failure to state a claim.

The Motion to Dismiss is denied on Count II. Therefore, Count II of the Amended


Complaint survives.

The Motion to Dismiss is granted on Count III as to long lines, but denied with respect to voter identification. Therefore, Count III of the Amended Complaint survives as to the voter identification claims, but is dismissed as to alleged long lines for failure to state a claim.

The Motion to Dismiss is granted on Count IV and Count V. Therefore, Count IV and Count V are dismissed for lack of standing.

The Clerk is directed to send a copy of this Order to all counsel of record.

It is so ORDERED.

 /s/_____
Henry E. Hudson
United States District Judge

Date: Dec 18, 2015
Richmond, Virginia