

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

**HUNTINGTON DIVISION**

DAKOTA NELSON;  
BELINDA BIAFORE, individually and as  
Chairperson of the West Virginia Democratic Party;  
ELAINE A. HARRIS, individually and as  
Chairperson of the Kanawha County Democratic Executive Committee;  
WEST VIRGINIA DEMOCRATIC PARTY; and  
WEST VIRGINIA HOUSE LEGISLATIVE COMMITTEE,

Plaintiffs,

v.

CIVIL ACTION NO. 3:19-0898

MAC WARNER in his official capacity as  
West Virginia Secretary of State; and  
VERA MCCORMICK, in her official capacity as  
Clerk of Kanawha County, West Virginia, and all  
ballot commissioners for the state of West Virginia,


Defendants.

**JUDGMENT ORDER**

Pursuant to the Fourth Circuit Mandate (ECF No. 156), and its decision in *Nelson v. Warner*, 12 F.4th 376 (4th Cir. 2021), which vacated and remanded this Court's judgment (ECF No. 126), this Court **DISMISSES** the Complaint and **DISMISSES** this matter from the Court's docket.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: October 15, 2021

  
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ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE