

TO THE NORTHERN DISTRICT COURT OF GEORGIA
UNITED STATES COURTHOUSE
75 TED TURNER DRIVE SW
ATLANTA, GA. 30303-3361

MOTION FOR EMERGENCY INJUNCTION AGAINST:

- 1. THE WRIT OF SPECIAL ELECTION ISSUED BY GEORGIA GOVERNOR BRIAN KEMP TO FILL THE VACANCY OF THE 5TH CONGRESSIONAL DISTRICT OF THE STATE OF GEORGIA TO BE HELD ON 09/29/2020,**
- 2. THE SELECTION BY THE EXECUTIVE COMMITTEE OF THE GEORGIA DEMOCRATIC PARTY OF STATE SENATOR NIKEMA WILLIAMS TO FILL THE 5TH CONGRESSIONAL DISTRICT SEAT LEFT VACANT BY THE UNTIMELY DEATH OF CONGRESSMAN JOHN LEWIS.**

THE PLAINTIFF, THE PROGRESSIVE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE, DWAYNE REDDING, FOUNDER AND CHAIRPERSON, HEREBY REQUESTS A MOTION FOR AN EMERGENCY INJUNCTION AGAINST DEFENDANTS, THE

GEORGIA SECRETARY OF STATE, AND THE EXECUTIVE COMMITTEE OF THE GEORGIA DEMOCRATIC PARTY, FOR THE DELIBERATE AND EXPEDIENT VIOLATION OF THE RIGHT TO VOTE FOR THE REGISTERED VOTERS OF THE 5TH CONGRESSIONAL DISTRICT OF GEORGIA.

SAID VOTING RIGHTS ARE GUARANTEED BY THE FOLLOWING:

1. The 15th Amendment to the United States Constitution guarantees the right to vote for all regardless of race, for it expressly states: “ the right of Citizens of the United States to vote shall not be denied or abridged by the United States, or by any other State on account of **Race, Color, or previous condition of servitude.**”
2. The 19th Amendment to the United States Constitution, for it expressly states: “the right of Citizens of the United States to vote shall not be denied or abridged by the United States or by any other State on account of **sex.**”
3. The 26th Amendment to the United States Constitution, for it expressly states: “ the right of Citizens who are 18 years of age and older shall not be denied or abridged by the United States or by any State on account of **age.**”
4. The Voting Rights Act of 1965, which outlawed racial discrimination in Voting.

PLAINTIFF HEREBY ASSERTS THAT ON OR ABOUT 07/22/2020, THE EXECUTIVE COMMITTEE OF THE GEORGIA DEMOCRATIC PARTY VIOLATED A PROVISION IN THE 2010 GEORGIA CODE

21-2-134, THAT ADDRESSES THE WITHDRAWAL, DEATH OR DISQUALIFICATION OF CANDIDATE FOR OFFICE IN THIS MANNER: "(B) the decision whether to fill such vacancy shall be made by the State Executive Committee by 4:00 p.m. on the next business day following the actual knowledge of the death or disqualification of the Candidate. The decision of the State Executive Committee shall be immediately transmitted to the Secretary of State..."

PLAINTIFF ASSERTS THAT THERE IS NO PROVISION IN THIS CODE THAT ALLOWS FOR THE DEMOCRATIC PARTY **TO CHOOSE A REPLACEMENT** FOR THE LATE CONGRESSMAN JOHN LEWIS; PLAINTIFF ASSERTS THAT THIS CODE ONLY ALLOWS FOR **NOTIFICATION** OF THE PARTY'S DECISION TO FILL THE VACANCY TO BE TRANSMITTED TO THE SECRETARY OF STATE.

PLAINTIFF ASSERTS THAT THE DECISION BY THE EXECUTIVE COMMITTEE OF THE DEMOCRATIC PARTY TO CHOOSE THEIR OWN PARTY CHAIRPERSON, NIKEMA WILLIAMS AS THE REPLACEMENT FOR THE LATE CONGRESSMAN JOHN LEWIS VIOLATES SAID CODE.

PLAINTIFF ASSERTS THAT THE WRIT OF SPECIAL ELECTION ISSUED BY EXECUTIVE ORDER BY GEORGIA GOVERNOR BRIAN KEMP, TO BE HELD ON 09/29/20, TO FILL THE VACANCY IN GEORGIA'S 5TH CONGRESSIONAL DISTRICT, AS WELL AS THE VOTE TAKEN BY THE EXECUTIVE COMMITTEE OF THE GEORGIA DEMOCRATIC PARTY, CREATES, WHETHER DELIBERATE OR BY

HAPPENSTANCE, THAT VERY THING THAT CONGRESSMAN JOHN LEWIS FOUGHT TO ABOLISH:

TWO SEPARATE BUT UNEQUAL VOTING SYSTEMS THAT INHERENTLY CREATES VOTER SUPPRESSION, VOTER DISENFRANCHISEMENT, AND THE ABSENCE OF A FREE AND FAIR ELECTION, FOR BOTH ACTIONS—THE WRIT OF SPECIAL ELECTION AND THE EXECUTIVE COMMITTEE VOTE DENIES THE VOTERS OF THE 5TH CONGRESSIONAL DISTRICT THE RIGHT TO CHOOSE A CONGRESSIONAL REPRESENTATIVE FOR A FULL 2 YEAR TERM, THEREBY VIOLATING THE RIGHT TO VOTE FOR ALL REGISTERED VOTERS IN SAID DISTRICT, VOTING RIGHTS THAT ARE GUARANTEED BY THE 15TH, 19TH, and 26TH AMENDMENTS, AS WELL AS THE 1965 VOTING RIGHTS ACT.

THE MOTION FOR AN EMERGENCY INJUNCTION IS HEREBY MADE TO DISQUALIFY THE EXECUTIVE COMMITTEE VOTE AND CANDIDATE CHOICE, AND TO MODIFY THE WRIT OF SPECIAL ELECTION TO A DATE OF TUESDAY OCTOBER 13TH FOR A GENERAL ELECTION FOR ALL QUALIFIED CONGRESSIONAL CANDIDATES, WITH A RUNOFF TO BE HELD ON OCTOBER 27TH 2020, (IF NECESSARY).

THE VOTERS OF THE 5TH CONGRESSIONAL DISTRICT, AND NOT THE EXECUTIVE COMMITTEE OF THE GEORGIA DEMOCRATIC PARTY, WILL HAVE CHOSEN THEIR 5TH CONGRESSIONAL

**DISTRICT REPRESENTATIVE FOR THE THE NOVEMBER
BALLOT, THEREBY REMOVING ANY OBSTACLES TO THEIR
INDIVIDUAL AND COLLECTIVE RIGHT TO VOTE.**