

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:24-cv-724-M

JEFFERSON GRIFFIN,	)
	)
Petitioner,	)
	)
v.	)
	)
NORTH CAROLINA STATE BOARD OF	)
ELECTIONS,	)
	)
Respondent.	)

PETITIONER’S MOTION FOR PRELIMINARY INJUNCTION

Based on the facts established by the verified Petition for Writ of Prohibition, D.E. 1-4 at 1-85; *see also id.* at 86 (“Verification of Counsel”), and the reasons set forth in the accompanying Memorandum, Petitioner Judge Jefferson Griffin respectfully requests that this Court enter, not later than January 6, 2025¹, a preliminary injunction prohibiting Respondent from certifying the election results for the November 2024 general election for Seat 6 of the North Carolina Supreme Court until the merits of Petitioner’s Petition are decided, either by this Court or, if the case is remanded, by the North Carolina Supreme Court.

Prior to filing this motion with the Court, Petitioner conferred with Respondent regarding whether the parties could avoid the necessity of this Motion by consenting to a stay of the certification of the election results pending resolution of these judicial proceedings. Respondent refused to consent to that request.

¹ Alternatively, if the Board issues its order denying Judge Griffin’s remaining protests on a date later than December 23, 2024, that the Court issue a preliminary injunction at least 24 hours prior to the date on which the Board will issue the certificate of election.

Dated: December 23, 2024

Craig D. Schauer
41571 (NC)
DOWLING PLLC
3801 Lake Boone Trail, Suite 260
(919) 529-3351
cschauer@dowlingfirm.com

Troy D. Shelton
48070 (NC)
DOWLING PLLC
3801 Lake Boone Trail, Suite 260
(919) 529-3351
tshelton@dowlingfirm.com

W. Michael Dowling
42790 (NC)
DOWLING PLLC
3801 Lake Boone Trail, Suite 260
(919) 529-3351
mike@dowlingfirm.com

**Local Rule 83.1(d) special appearance
forthcoming*

Respectfully submitted,

/s/ Mark M. Rothrock

Mark M. Rothrock
56747 (NC)
Lehotsky Keller Cohn LLP
8513 Caldbeck Drive
Raleigh, NC 27615
(336) 416-3326
mark@lkcfirm.com

William T. Thompson*
24088531 (TX)
Lehotsky Keller Cohn LLP
408 W. 11th Street, 5th Floor
Austin, TX 78701
(512) 693-8350
will@lkcfirm.com

Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2024, I electronically filed the foregoing Petitioner's Motion for Preliminary Injunction with the Clerk of Court using the CM/ECF system, which will send notification of such filing all parties.

/s/ Mark M. Rothrock
Mark M. Rothrock