

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

TWELFTH CONGRESSIONAL DISTRICT
REPUBLICAN COMMITTEE, CATHY A.
LATHAM, a Republican Elector for President
Donald J. Trump, GLORIA KAY GODWIN, a
Republican Elector for President Donald J. Trump,
and EDWARD T. METZ, a Libertarian Elector for
Candidate Jo Jorgensen,

Plaintiffs,

v.

BRADFORD J. RAFFENSPERGER, Secretary of
State, in his official capacity, REBECCA N.
SULLIVAN, DAVID J. WORLEY, MATTHEW
MASHBURN ANH LEE, in their official capacity as
members of the Georgia State Election Board, TIM
McFALLS, MARCIA BROWN, SHERRY T.
BARNES, TERENCE DICKS and BOB
FINNEGAN, in their official capacity as members of
the Richmond County Board of Elections,

Defendants.

DEMOCRATIC PARTY OF GEORGIA, INC.,
DEMOCRATIC SENATORIAL CAMPAIGN
COMMITTEE, GEORGIA STATE CONFERENCE
OF THE NAACP, GEORGIA COALITION FOR
THE PEOPLES AGENDA, and HELEN BUTLER,

Intervenor-Defendants.

Civil No. 1:20-cv-00180

Plaintiffs' Notice of Appeal

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that the Twelfth Congressional District Republican Committee, Brian W. Tucker, Cathy A. Latham, and Edward T. Metz, plaintiffs in this action, appeal to the United States Court of Appeals for the Eleventh Circuit from that portion of the Order entered on December 17, 2020 that dismissed plaintiffs' Complaint for Injunctive and Declaratory Relief on the grounds that plaintiffs lack standing and that the decisions in *Railroad Comm'n v. Pullman*, 312 U.S. 496 (1941) and *Pennhurst State School & Hospital v. Halderman*, 465 U.S. 89 (1984) require abstention, as stated on the record and incorporated by reference in the December 17, 2020 Order.

Dated: January 15, 2021

Respectfully submitted,

**12th CONGRESSIONAL DISTRICT
REPUBLICAN COMMITTEE, et al.**

/s/ Christopher I. Kachouroff

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Plaintiffs' Notice of Appeal

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CERTIFICATE OF SERVICE

I certify that on January 15, 2021, a true copy of the foregoing
Notice of Appeal was electronically filed with this Court through CM/ECF and
was furnished to counsel of record by email through the CM/ECF system.

/s/ Christopher I. Kachouroff
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Plaintiffs' Notice of Appeal

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

THE TWELFTH CONGRESSIONAL
DISTRICT REPUBLICAN COMMITTEE;
BRIAN W. TUCKER, an individual
voter and resident of Richmond
County; CATHY A. LATHAM, a 2020
candidate for Presidential
Elector; and EDWARD T. METZ, a
2020 candidate for Presidential
Elector,

Plaintiffs,

v.

BRADFORD J. RAFFENSPERGER, in his
official capacity as Secretary of
State of Georgia; REBECCA N.
SULLIVAN, DAVID J. WORLEY,
MATTHEW MASHBURN, and ANH LE, in
their official capacities as
Members of the Georgia State
Election Board; and TIM MCFALLS,
MARCIA BROWN, SHERRY T. BARNES,
TERENCE DICKS, and BOB FINNEGAN,
in their official capacities as
Members of the Richmond County
Board of Elections,

Defendants,

DEMOCRATIC PARTY OF GEORGIA and
DSCC,

Intervenor-Defendants,

GEORGIA STATE CONFERENCE OF THE
NAACP; GEORGIA COALITION FOR THE
PEOPLE'S AGENDA, INC.; and HELEN
BUTLER,

Intervenor-Defendants.

CV 120-180

ORDER

On December 17, 2020, the Court held a hearing on Plaintiffs' Complaint (Doc. 1) and "Emergency Motion for Temporary Restraining Order and Preliminary Injunction" (Doc. 2) and Defendants' Motions to Dismiss (Docs. 27, 28). After fully considering the parties' filings and oral arguments, and for the reasons stated on the record, the Court **GRANTS** Defendants' Motions to Dismiss (Docs. 27, 28) and **DENIES AS MOOT** Plaintiffs' "Emergency Motion for Temporary Restraining Order and Preliminary Injunction" (Doc. 2). Accordingly, this case is **DISMISSED WITH PREJUDICE**. The Clerk is directed to **TERMINATE** all motions and deadlines and **CLOSE** this case.

ORDER ENTERED at Augusta, Georgia, this 17th day of December, 2020.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

United States District Court

Southern District of Georgia

THE TWELFTH CONGRESSIONAL DISTRICT
REPUBLICAN COMMITTEE, et al.,

Plaintiffs,

JUDGMENT IN A CIVIL CASE

v.

CASE NUMBER: CV120-180

BRADFORD J. RAFFENSPERGER, et al.

Defendants,

DEMOCRATIC PARTY OF GEORGIA, et al.,

Intervenor-Defendants



Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.



Decision by Court. This action came before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that, pursuant to the Order of this Court dated December 17, 2020, the captioned case is dismissed with prejudice and stands closed.

December 17, 2020

Date



John E. Triplett, Acting Clerk

Clerk

(By) Deputy Clerk

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

January 21, 2021

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Appeal Number: 21-10183-CC
Case Style: Twelfth Congressional District, et al v. Secretary, State of Georgia, et al
District Court Docket No: 1:20-cv-00180-JRH-BKE

This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause. Non-incarcerated pro se parties are permitted to use the ECF system by registering for an account at www.pacer.gov. Information and training materials related to electronic filing, are available at www.ca11.uscourts.gov.

The referenced case has been docketed in this court. Please use the appellate docket number noted above when making inquiries.

Eleventh Circuit Rule 31-1 requires that APPELLANT'S BRIEF BE SERVED AND FILED ON OR BEFORE March 1, 2021. APPELLANT'S APPENDIX MUST BE SERVED AND FILED NO LATER THAN 7 DAYS AFTER FILING OF THE APPELLANT'S BRIEF. INCARCERATED PRO SE PARTIES ARE NOT REQUIRED TO FILE AN APPENDIX.

This is the only notice you will receive concerning the due date for filing briefs and appendices. See Fed.R.App.P. 28, 30, 31, 32, the corresponding circuit rules, General Order 39 and the Guide to Electronic Filing for further information. Pro se parties who are incarcerated are not required to file an appendix. (In cross-appeals pursuant to Fed.R.App.P. 28.1(b), the party who first files a notice of appeal is the appellant unless the parties otherwise agree.)

Every motion, petition, brief, answer, response and reply filed must contain a Certificate of Interested Persons and Corporate Disclosure Statement (CIP). Appellants/Petitioners must file a CIP within 14 days after the date the case or appeal is docketed in this court; Appellees/Respondents/Intervenors/Other Parties must file a CIP within 28 days after the case or appeal is docketed in this court, regardless of whether appellants/petitioners have filed a CIP. See FRAP 26.1 and 11th Cir. R. 26.1-1.

On the same day a party or amicus curiae first files its paper or e-filed CIP, that filer must also complete the court's web-based CIP at the [Web-Based CIP](#) link on the court's website. Pro se filers (except attorneys appearing in particular cases as pro se parties) are **not required or authorized** to complete the web-based CIP.

Attorneys who wish to participate in this appeal must be admitted to the bar of this Court, admitted for this particular proceeding pursuant to 11th Cir. R. 46-3, or admitted pro hac vice pursuant to 11th Cir. R. 46-4. In addition, all attorneys (except court-appointed counsel) who wish to participate in this appeal must file an Appearance of Counsel form within 14 days. The [Application for Admission to the Bar](#) and [Appearance of Counsel Form](#) are available at www.ca11.uscourts.gov. The clerk generally may not process filings from an attorney until that attorney files an appearance form. See 11th Cir. R. 46-6(b).

11th Cir. R. 33-1(a) requires appellant to file a Civil Appeal Statement in most civil appeals. You must file a completed Civil Appeal Statement, with service on all other parties, within 14 days from the date of this letter. Civil Appeal Statement forms are available on the Internet at www.ca11.uscourts.gov, and as provided by 11th Cir. R. 33-1(a).

Attorneys must file briefs electronically using the ECF system. Use of ECF does not modify the requirements of the circuit rules that counsel must also provide seven (7) paper copies of a brief to the court, nor does it modify the requirements of the circuit rules for the filing of appendices in a particular case.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Carol Lewis, CC
Phone #: (404) 335-6179

DKT-7CIV Civil Early Briefing