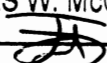


FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

APR 09 2018

JAMES W. McCORMACK, CLERK
By:  DEP CLERK

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN (Little Rock) DIVISION**

**DR. JULIUS J. LARRY III, Individually §
And as Publisher –The Little Rock Sun
Community Newspaper; MARTHA DIXON;
DOROTHY JEFFERSON and on behalf
of all other Similarly-situated African §
Americans Residing in the Southeast
Quadrant of the State of Arkansas**

PLAINTIFFS,

§

§

VS.

§

CASE NUMBER 4:18-cv-00116 KGB

§

**STATE OF ARKANSAS; ASA
HUTCHINSON, in his Official
Capacity as Governor of the State of §
Arkansas; LESLIE RUTLEDGE, in
her Official Capacity as Attorney §
General of the State of Arkansas; MARK
MARTIN, in his Official Capacity as §
Arkansas Secretary of State and the
Arkansas Legislature, in their Official
Capacities**

§

DEFENDANTS.

**PLAINTIFFS’ REPLY TO DEFENDANTS’ RESPONSE TO PLAINTIFFS
SUPPLEMENTAL REQUEST FOR THREE JUDGE PANEL TO CHALLENGE
UNCONSTITUTIONALITY OF APPORTIONMENT OF SECOND CONGRESSIONAL
DISTRICT OF ARKANSAS PURSUANT TO 28 U.S.C. §2284 ET SEQ**

TO THE HONORABLE COURT:

A. All of Defendants' Rule 12(b) Motions Should Be Denied as Moot and/or Foreclosed by Shapiro v. McManess.

1. Contrary to defendants' assertions, no second three judge panel will be required to adjudicate the racial gerrymandering in the Second Congressional District. The same three judge panel, once appointed, must necessarily consider all four Congressional Districts in order to fashion a remedy for the First Congressional District.
2. The 2nd Congressional District constitutes an unconstitutional racial and political gerrymander that is "absolute" because no majority-minority district can ever be carved out of the 2nd Congressional District as it is presently drawn. Any Plaintiff who challenges the apportionment of the 2nd Congressional District alone, would have no remedy because of the absolute gerrymander.
3. Defendants claim not to understand the chart depicting the true reality of the **absolute racial gerrymander** in the 2nd Congressional District. The Chart shows all eight (8) counties making up the 2nd Congressional District and the vote counts, according to defendant Secretary of State. Only one county - Pulaski County - is Democratic. History and research show that most African Americans tend to vote Democratic since the Roosevelt era. **The 2nd Congressional District is the Poster Child of Absolute Racial Gerrymandering.** No African American will ever win election to the U.S. Congress from the 2nd Congressional District, as presently drawn.

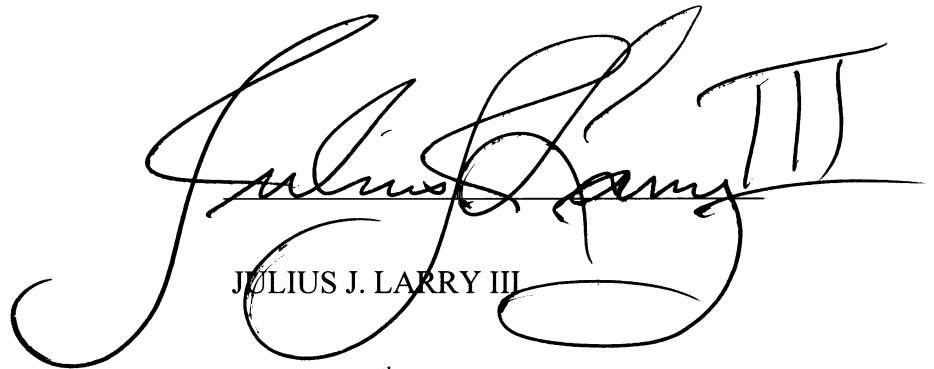
4. However, no expert can draw a majority-minority district from the present 2nd Congressional District. Only a challenge to the 1st Congressional District racial gerrymandering can provide the vehicle to challenge the unconstitutional apportionment of the 2nd Congressional District and provide a remedy at law – add Pulaski County to Jefferson County and create a majority-minority district in the Southeastern region of Arkansas consistent with the new map drawn in the original Request for Three Judge Panel, and the same is hereby incorporated by reference as if fully set out verbatim.

5. Furthermore, Plaintiffs believe that the 4th Congressional District is unconstitutionally gerrymandered and Plaintiffs reserve the right to add a challenge to the unconstitutional apportionment of the 4th Congressional District in their amended complaint pursuant to their Motion for Leave to Amend and add Class Counsel.

6. Plaintiff Larry admits that he can only represent himself as a pro se litigant. However, nothing prevents him from participating as a Class Representative residing in the 2nd Congressional District, along with other Class Representatives from the affected counties in the 1st ; 2nd and 4th Congressional Districts. Plaintiffs are interviewing and assembling a competent Litigation Team presently, to include at least one local lawfirm to litigate this matter before the three judge panel.

WHEREFORE, Plaintiffs, individually and on behalf of all other similarly situated African American voters residing in the 1st; 2nd and 4th Congressional Districts, respectfully request the Court to DENY all of defendants' 12(b) motions; GRANT Plaintiffs' Motion for Leave to Amend and obtain Class Counsel and forward both the Original and Supplemental Request for Three Judge Panel to the Chief Judge of the Eight Circuit, as time is of the essence with primary elections looming; and for such other relief, at law and in equity, such that Justice is served.

Respectfully submitted,

A large, stylized handwritten signature in black ink, reading "Julius J. Larry III". The signature is written in a cursive style with large, sweeping loops and a prominent "J" at the beginning.

JULIUS J. LARRY III

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832-384-6908

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of April, 2018, a true and correct copy of the foregoing document was served on defendants, by and through their attorneys of record, by USPS, postage prepaid and addressed to:

Brett W. Taylor
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323 Center Street, Suite 200
Little Rock, AR 72201

A.J. Kelly
Gen, Counsel and Deputy Sec. of State
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Little Rock, AR 72201

A handwritten signature in black ink, reading "Jeffrey Perry III". The signature is written in a cursive style with large, flowing loops and a prominent "J" at the beginning.