

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

THE STATE OF FLORIDA,)	
)	
by Mike Haridopolos, in his official capacity)	
as President of the Florida Senate,)	
)	
and Dean Cannon, in his official capacity as)	
Speaker of the Florida House of)	
Representatives,)	
)	Civil Action No.:
)	1:12-cv-00380-RMC-JRB-EGS
)	
)	
Plaintiff,)	
)	
vs.)	
)	
THE UNITED STATES OF AMERICA, and)	
)	
ERIC H. HOLDER, JR., in his official)	
capacity as Attorney General of the United)	
States)	
)	
Defendants.)	

**PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE BASED ON MOOTNESS**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff the State of Florida files this Notice of Voluntary Dismissal Without Prejudice Based on Mootness. In support thereof, Plaintiff states as follows:

1. On March 12, 2012, Plaintiff filed this action seeking a declaratory judgment that the State House redistricting plan contained in SJR 1176 (the “House Plan”), and the Congressional redistricting plan contained in SB 1174 (the “Congressional Plan”), satisfy Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973c (“Section 5”), and may be enforced by the State of Florida. On March 30, 2012, Plaintiff filed an amended

complaint also seeking a declaratory judgment that the State Senate redistricting plan contained in SJR 2-B (the “Senate Plan”) satisfies Section 5 and may be enforced. The House, Senate, and Congressional Plans create new district boundaries based on the results of the 2010 Census.

2. On March 13, 2012, Plaintiff submitted the House and Congressional Plans to the Attorney General for administrative preclearance under Section 5. *See* 42 U.S.C. § 1973c(a). Plaintiff submitted the Senate Plan to the Attorney General for administrative preclearance under Section 5 on March 30, 2012.

3. On April 30, 2012, the Attorney General informed Plaintiff that he does not interpose any objections to the House, Senate, or Congressional Plans. *See* Letter from Thomas E. Perez, Assistant Attorney General, to George Levesque, Andy Bardos, and Carlos Muniz (Apr. 30, 2012) (attached as Exhibit 1).

4. As a result, the House, Senate, and Congressional Plans have been administratively precleared and may be enforced under Section 5. *See* 42 U.S.C. § 1973c(a). Thus, this case is “necessarily moot.” *Georgia v. Holder*, 748 F. Supp. 2d 16, 17 (D.D.C. 2010).

5. Under Rule 41, “the plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). Voluntary dismissal is appropriate here.

WHEREFORE, Plaintiff the State of Florida requests that this Court dismiss this action without prejudice.

Respectfully submitted,

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