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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT

GEORGE RILEY, RONALD DEARBORN,  
Plaintiffs,

v.

ALASKA REDISTRICTING BOARD,  
Defendant.

Case No. 4FA-11 -02209 Ci

FILED in the Trial Courts  
State of Alaska Fourth District

JUL 12 2011

By \_\_\_\_\_ Deputy

APPLICATION TO CORRECT ERRORS IN ALASKA STATE LEGISLATIVE  
REDISTRICTING PLAN

A. INTRODUCTION

1. This is an application to correct errors in the final plan for the redistricting of Alaska's legislative districts adopted by the Alaska Redistricting Board on Monday, June 13, 2011.

B. PARTIES

2. The Plaintiff George Riley is a qualified voter who resides in Ester, Fairbanks North Star Borough, Alaska .

3. The Plaintiff Ron Dearborn is a qualified voter who resides in Goldstream Valley, Fairbanks North Star Borough, Alaska.

1 4. This is a civil action or appeal concerning the establishment, protection, or  
2 enforcement of a right under the United States Constitution or the  
3 Constitution of the State of Alaska within the meaning of AS 09.60.010(c).

4 5. The Defendant is the Alaska Redistricting Board.

5 **C. JURISDICTION**

6 6. The Court has jurisdiction over the subject matter of this complaint under the  
7 terms of Article VI, Sec. 11 of the Alaska Constitution.

8 7. Venue of this matter is properly in the Fourth Judicial District under Civ. R. 3.  
9

10 **D. FACTS.**

11 8. The PL 94-171 Redistricting Data for Alaska established a total statewide  
12 population of 710,231 people.

13 9. The Alaska Legislature is composed of forty House Districts resulting in the  
14 ideal size of an Alaska House District is 17,755 and an ideal Senate District of  
15 35,510.  
16

17 10. The PL 94-171 Redistricting Data for the Fairbanks North Star Borough  
18 establishes a total population of 97,581.

19 11. Proportional representation of the voters within the Fairbanks North Star  
20 Borough in the Alaska State Legislature should be approximately five and  
21 one half (5 1/2) House Districts and two and three quarters (2 3/4) Senate  
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Districts.

12. The PL 94-171 Redistricting Data for the City of Fairbanks establishes a total population of 31,535.
13. Proportional representation of the voters within the City of Fairbanks in the Alaska State Legislature should be approximately one and three-quarters (1  $\frac{3}{4}$ ) House Districts and over three quarters ( $\frac{3}{4}$ ) of a Senate District.
14. On June 13, 2011, the Alaska Redistricting Board adopted a final plan (hereinafter referred to as "Final Plan) for the redistricting of Alaska's legislative districts.
15. The Final Plan establishes seven (7) House Districts (i.e. House Districts 1-6 and 38) and four (4) Senate Districts (i.e. Senate Districts A-C and S) containing voters residing within the Fairbanks North Star Borough.
16. In Final Plan provides effective proportional under-representation of the voters residing in the Fairbanks North Star Borough equal to five (5) House and two (2) Senate Districts.
17. The Final Plan establishes two (2) House Districts (i.e. House Districts 1 and 4) and two (2) Senate Districts (i.e. Senate Districts A and B) containing voters residing within the City of Fairbanks.
18. In Final Plan provides effective proportional under-representation of the voters residing in the City of Fairbanks equal to a portion of (1) House and no

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(0) Senate District.

19. The under-representation of the voters within the Fairbanks North Star Borough and the City of Fairbanks deprives the voters residing within the City of Fairbanks, and the Ester and Goldstream areas of the Fairbanks North Star Borough fair and effective representation and was the result of the Board's intent to discriminate against a politically salient class of voters by invidiously minimizing that class's right to an equally effective vote.

20. District 38 of the Final Plan fails to comply with Article VI, Section 8 of the Alaska Constitution by drawing a boundary that includes suburban areas of the Fairbanks North Star Borough (Ester and portions of the Goldstream Valley) with rural areas of Interior Alaska and Wade Hampton which does not comprise a relatively integrated socio-economic area.

21. The boundaries of House Districts 1, 2 and 5 of the Final Plan fail to comply with Article VI, Section 8 of the Alaska Constitution in that they are not compact.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray for relief as follows:

- 1. The Court declare that House Districts 1-6 and 38 and Senate Districts A-C violate the principles of the Alaska and/or United States Constitution and remand the matter to the Alaska Redistricting Board with a mandate to make


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corrections.

2. Award Plaintiffs attorney fees and costs

3. For such other relief as the Court deems appropriate.

Dated this 12<sup>th</sup> day of July, 2011

  
Michael J. Walleri  
AK Bar #7906060