UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

CASE NO: 1:22-CV-00031-CRH

Charles Walen, an individual; and Paul Henderson, an individual.

Plaintiffs,

vs.

DOUG BURGUM, in his official capacity as Governor of the State of North Dakota; ALVIN JAEGER in his official Capacity as Secretary of State of the State of North Dakota,

Defendants,

and

The Mandan, Hidatsa and Arikara Nation, Cesar Alvarez, and Lisa Deville

Defendant-Intervenors.

NOTICE OF APPEAL TO THE U.S. SUPREME COURT

Notice is given that Plaintiffs Charles Walen and Paul Henderson hereby appeal to the United States Supreme Court, this Court's Order (May 26, 2022, Doc. 37) denying Plaintiff's Motion for Preliminary Injunction (Doc. 9). Plaintiffs appeal insofar as the Order denies a preliminary injunction as to Count 1 (regarding racial gerrymandering in violation of the Equal Protection Clause of the 14th Amendment) of the Complaint for Declaratory and Injunctive Relief (Doc. 1). This appeal is taken pursuant to 28 U.S.C. § 1253, which provides for direct appeal from interlocutory decisions of three-judge courts.

Respectfully submitted this 14th day of June, 2022.

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