

CLERK
U.S. DISTRICT &
BANKRUPTCY COURTS

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ID: 22

SHELBY COUNTY, ALABAMA,
201 West College Street
Columbiana, AL 35051

Plaintiff,

vs.

ERIC H. HOLDER, JR.,
in his official capacity as
ATTORNEY GENERAL OF THE
UNITED STATES,
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Defendant,

and,

BOBBY LEE HARRIS,
112 Reese Drive
Alabaster, AL 35007

Applicant to Intervene.

Civil Action No.: 1:10-CV-651 (JDB)

RECEIVED

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**Clerk, U.S. District and
Bankruptcy Courts**

APPLICANT’S MOTION TO INTERVENE AS DEFENDANT

Pursuant to Federal Rule of Civil Procedure Rule 24 and Local Rule 7(j),¹ Bobby Lee Harris (“Applicant”) moves to intervene as defendant in the above-captioned action.

Applicant is an African-American registered voter who resides in the City of Alabaster, located in Shelby County, Alabama. Plaintiff Shelby County (“Plaintiff”) seeks a permanent injunction against enforcement of the Section 5 preclearance provision and Section 4(b) scope of

¹ Pursuant to Local Rule 7(j), Applicant has attached—as Exhibit A to the accompanying Memorandum in Support of Motion to Intervene as Defendant—Applicant’s proposed Answer, the pleading setting forth the claim or defense for which intervention is sought.

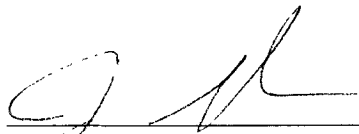
coverage provision of the Voting Rights Act (“VRA”). This remedy, if granted, would jeopardize Applicant’s voting rights by erasing the federal government’s well-established supervisory role in monitoring electoral changes in Alabama. Indeed, Applicant believes the protections afforded by Sections 4(b) and 5 of the VRA are necessary to safeguard the voting rights of minorities in Shelby County and, more broadly, in the State of Alabama.

For the reasons detailed in the accompanying memorandum, Applicant is entitled to intervention as a matter of right under Fed. R. Civ. P. 24(a)(2); in the alternative, this Court should permit Applicant to intervene under Fed. R. Civ. P. 24(b)(1).

Applicant seeks to avoid any disruption or delay to the schedule set by the Court and will coordinate any pretrial and trial proceedings with the Defendant to the extent possible. The prior pleadings of the parties in response to Applicants Cunningham *et al.* and Pierson *et al.* have indicated that Plaintiff opposes intervention by Defendant Intervenor Applicants except for briefing purposes. Defendant does not oppose permissive intervention.

Dated: July 1, 2010

Respectfully submitted,



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Attorneys for Applicant-Intervenor

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of July, 2010, the original copies of the foregoing Applicant's Motion to Intervene as Defendant, Memorandum in Support of Motion to Intervene as Defendant, Certificate Required by Local Rule 7.1 and Proposed Order were filed with the Clerk of this Court pursuant to Local Rule 7(j). I further certify that on this 1st day July, 2010, I caused to be served a copy of the foregoing Applicant's Motion to Intervene as Defendant, Memorandum in Support of Motion to Intervene as Defendant, Certificate Required by Local Rule 7.1 and Proposed Order through electronic mail to the following:

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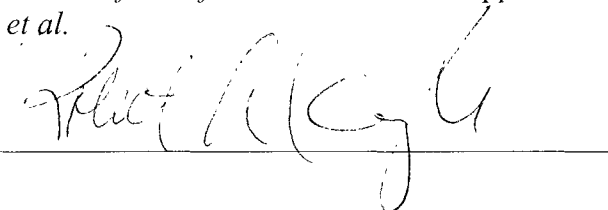
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A handwritten signature in black ink, appearing to read 'Arthur B. Spitzer', is written over a horizontal line.