

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 v.)
)
 THE STATE OF ALABAMA and)
 JIM BENNETT, in his)
 official capacity as)
 Secretary of State of)
 Alabama,)
)
 Defendants.)

CIVIL ACTION NO.
2:12cv179-MHT
(WO)

JUDGMENT

In accordance with the opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) Plaintiff United States of America's motion for summary judgment (doc. no. 83) is granted.

(2) Defendants State of Alabama and Alabama Secretary of State's motion for summary judgment (doc. no. 81) is denied.

(3) Summary judgment is entered in favor of plaintiff United States of America and against defendants State of Alabama and Alabama Secretary of State.

(4) It is DECLARED that UOCAVA's 45-day transmittal requirement, 42 U.S.C. § 1973ff-1(a)(8)(A), applies to federal runoff elections.

(5) It is DECLARED that Alabama's runoff statute, 1975 Ala. Code § 17-13-18, violates UOCAVA's 45-day transmittal requirement to extent the state statute requires that a federal runoff election occur within 42 days of a primary.

(6) The parties are allowed 14 days from the date of this judgment to propose or request any additional relief.

It is further ORDERED that costs are taxed against defendants State of Alabama and Alabama Secretary of State, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 11th day of February, 2014.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE