

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)
JOHN H. MERRILL, Secretary)
of State of Alabama, in)
his official capacity,)
)
Defendants.)

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

JUDGMENT

Before the court are the defendants' Rule 60 motion for relief from judgment and order, the United States' response thereto, and the defendants' unopposed, time-sensitive motion for entry of order. Upon consideration of the same, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The defendants' unopposed motion for entry of order (doc. no. 163) is granted.

(2) The defendants' motion for relief from judgment and order (doc. no. 153) is granted as follows.

(a) Paragraph 5 of this court's February 11, 2014, judgment (doc. no. 121) is vacated.

(b) This court's March 4, 2014, consent order (doc. no. 124) is vacated.

(c) This court's March 14, 2014, consent order (doc. no. 127) is vacated.

(d) This court's May 4, 2015, order (doc. no. 152) is vacated.

(e) This court's holding that UOCAVA's 45-day advance-transmission deadline, 52 U.S.C. § 20302(a)(8), applies to federal runoff elections, which was in all respects affirmed by the Eleventh Circuit Court of Appeals in United States v. Alabama, 778 F.3d 926 (11th Cir. 2015), remains in full force and effect.

(f) Alabama may implement Act No. 2015-518 consistent with UOCAVA's 45-day advance-transmission deadline for federal runoff elections.

(g) On or before November 18, 2015, defendant Secretary of State shall notify this court as to whether three or more candidates have qualified with a single political party having ballot access in Alabama for a federal race other than the Presidency.

(h) In the event that three or more candidates qualify with a single party for a federal race on Alabama's ballot (other than the Presidency), the defendants and the United States shall promptly begin developing a plan regarding reporting requirements for the potential runoff election.

(i) The defendants and the United States shall notify the court of their plan regarding runoff reporting on or before December 9, 2015.

(j) Consistent with this court's prior remedial order (doc. no. 119), in the event that a federal special election is scheduled to be held later this year or next year, the defendants and the United

States will confer about the timing and content of reporting for the primary and general election, as well as for any potential runoff election. Reporting will be required.

(k) On or before November 4, 2015, the defendants and the United States shall notify the court of their agreement or their respective positions as to the United States' request for training and the filing of regulations with this court.

DONE, this the 5th day of October, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE