

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

WILLIAM DESENA &	)	
SANDRA DUNHAM,	)	
	)	
Plaintiffs,	)	
	)	Docket no. 1:11-cv-117-GZS
v.	)	
	)	
STATE OF MAINE et al.,	)	
	)	
	)	
Defendant.	)	

**ORDER REGARDING NEED FOR THREE-JUDGE COURT**

On March 28, 2011, Plaintiffs filed their Complaint, which alleges that Maine’s two congressional districts are apportioned in violation of the Constitution in light of the population counts contained in the 2010 Census. Based on a review of the Complaint, I find that Plaintiffs’ claims fall squarely within 28 U.S.C. § 2284(a) and that the asserted claims possess “a reasonable degree of legal merit.” See Merced Rosa v. Herrero, 423 F.2d 591, 593 n.1 (1st Cir. 1970). The Court is also initially satisfied that the claims are sufficiently substantial to be heard by a three-judge court. See Kalson v. Paterson, 542 F.3d 281, 287-88 (2d Cir. 2008) (discussing the “contours of an ‘insubstantial’ constitutional claim”).

Therefore, in accordance with 28 U.S.C. § 2284(b), the Court has notified the Chief Judge of the First Circuit and requested she designate a three-judge court to hear this matter.

SO ORDERED.

/s/ George Z. Singal  
 United States District Judge

Dated this 6th day of April, 2011.