Perry v. Judd et al Doc. 78

### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

THE HONORABLE RICK PERRY,

Plaintiff,

S

THE HONORABLE NEWT GINGRICH,
THE HONORABLE JON HUNTSMAN,
JR., and THE HONORABLE RICK
SANTORUM

Plaintiffs-Intervenors,
S

V.

CHARLES JUDD, member of the Virginia
State Board of Elections, in his official
Capacity, et al.,

Defendants.

# Plaintiff's Notice of Appeal

Notice is hereby given that The Honorable Rick Perry, Plaintiff in the above named case, hereby appeals to the United States District Court of Appeals for the Fourth Circuit from the Memorandum Opinion [Doc. 73] and Order [Doc. 74] of the United States District Court for the Eastern District of Virginia, entered on January 13, 2012, denying the Plaintiff's emergency motion for temporary restraining order and preliminary injunction, including but not limited to the court's finding that "[t]he equitable doctrine of laches bars the [P]laintiff's request for a preliminary injunction." (Doc. 73 at 1).

Dated this 14th day of January 2012.

## Respectfully Submitted,

#### **SPOTTS FAIN PC**

/s/

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#### CERTIFICATE OF SERVICE

I hereby certify that on January 14, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF System, which will send a notification of such filing (NEF) to the following counsel of record for Defendants and Intervenors:

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I further certify that some of the participants in the case are not registered CM/ECF users.

I have mailed one copy of the foregoing document by First-Class Mail to the following non-

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