

## Challenging Both Nominating and Voting Procedures

*White-Battle v. Democratic Party of Virginia*  
(*Henry C. Morgan, Jr., E.D. Va. 2:03-cv-897*)

A plaintiff who had desired to be a party nominee for an election to clerk of court for Virginia's circuit court in Norfolk filed a pro se federal complaint in the Eastern District of Virginia's Norfolk courthouse on December 24, 2003.<sup>1</sup> The complaint alleged improprieties in both nomination and voting procedures.<sup>2</sup> With her complaint, the plaintiff filed a motion for a temporary restraining order.<sup>3</sup>

Judge Henry C. Morgan, Jr., heard and denied the motion on December 30.<sup>4</sup> The plaintiff filed a motion for a preliminary injunction on January 6, 2004, and Judge Morgan granted summary judgment to the defendants on June 29.<sup>5</sup>

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1. *White-Battle v. Democratic Party of Va.*, 323 F. Supp. 2d 696, 698 (E.D. Va. 2004); *see Docket Sheet*, *White-Battle v. Democratic Party of Va.*, No. 2:03-cv-897 (E.D. Va. Dec. 24, 2003).

2. *White-Battle*, 323 F. Supp. 2d at 698–700.

3. *Id.* at 700; *Docket Sheet*, *supra* note 1.

4. *White-Battle*, 323 F. Supp. 2d at 700.

5. *Id.* at 700, 702–09.