

Blaming Candidacy Withdrawal on a Voter Registration Challenge

Moseley v. Price (T.S. Ellis III, E.D. Va. 1:03-cv-1320)

A pro se federal complaint filed in the Eastern District of Virginia's Alexandria courthouse on October 20, 2003, alleged that voting rights violations forced the plaintiff to withdraw from the race for Loudoun County's commonwealth attorney—a race he alleged that he was certain to win.¹ According to the complaint, because he registered to vote while he was in the process of moving into a Loudoun County residence, his registration card was returned; a radio journalist made an issue of it, the county's circuit court appointed a special prosecutor, and the state police investigated the matter.² With his complaint, the plaintiff filed a motion for a temporary restraining order.³

Judge T.S. Ellis III heard and denied the plaintiff's motion on October 21.⁴ On January 22, 2004, Judge Ellis dismissed the plaintiff's federal voting rights claims as without merit and dismissed state law claims without prejudice.⁵ The court of appeals affirmed on August 23.⁶

1. [Docket Sheet](#), *Moseley v. Price*, No. 1:03-cv-1320 (E.D. Va. Oct. 20, 2003); [Moseley v. Price](#), 300 F. Supp. 2d 389, 393–94 (E.D. Va. 2004).

2. [Moseley](#), 300 F. Supp. 2d at 393–94.

3. [Docket Sheet](#), *supra* note 1.

4. *Id.*

5. [Moseley](#), 300 F. Supp. 2d at 389.

6. [Moseley v. Price](#), 106 F. App'x 873 (4th Cir. 2004).