

Purging Voter Registrations Because of Registration in Other States

*Democratic Party of Virginia v. Virginia State Board
of Elections (Claude M. Hilton, E.D. Va. 1:13-cv-1218)*

Five weeks in advance of the 2013 gubernatorial election in Virginia, the commonwealth's Democratic Party filed a federal complaint in the Eastern District of Virginia's Alexandria courthouse, seeking an immediate halt to a program of purging voter registrations for persons that appeared to have registered in other states since the last time they voted in Virginia, alleging an excess of errors.¹ Two days later, the party filed a motion for a preliminary injunction.² Five days after that, the plaintiffs notified the defendants of a hearing on the matter in ten days.³

On October 21, three days after the hearing, Judge Claude M. Hilton denied the party immediate relief.⁴ "If a voter is removed from the voter rolls in error, there are several mechanisms in place to protect that voter's rights, including provisional ballots and registration reinstatement."⁵ On election day, Judge Hilton granted the parties a stipulated dismissal.⁶

1. Complaint, [Democratic Party of Va. v. Va. State Bd. of Elections](#), No. 1:13-cv-1218 (E.D. Va. Oct. 1, 2013), D.E. 1; see Antonio Olivo, *Democrats File Lawsuit to Stop Use of Voter "Purge List,"* Wash. Post, Oct. 3, 2013, at B5.

2. Preliminary Injunction Motion, [Democratic Party of Va.](#), No. 1:13-cv-1218 (E.D. Va. Oct. 3, 2013), D.E. 6.

3. Notice, *id.* (Oct. 8, 2013), D.E. 12.

4. Opinion, *id.* (Oct. 21, 2013), D.E. 34, available at [2013 WL 5741486](#); see Matt Zapotosky, *Democrats Lose Suit Over Voter Rolls*, Wash. Post, Oct. 19, 2013, at B3.

Judge Hilton granted leave for two interest groups to file amicus curiae briefs. Order, [Democratic Party of Va.](#), No. 1:13-cv-1218 (E.D. Va. Oct. 18, 2013), D.E. 33.

5. Opinion, *supra* note 4, at 4–5.

6. Order, [Democratic Party of Va.](#), No. 1:13-cv-1218 (E.D. Va. Nov. 5, 2013), D.E. 41.