

Abandoned Suit to Exclude Some Counties' Presidential Votes Because of Some Alleged Irregularities

Langenhorst v. Pecore
(*William C. Griesbach, E.D. Wis. 1:20-cv-1701*)

Four days after they filed their complaint, before any judicial review, plaintiffs voluntarily dismissed a lawsuit that sought to exclude presidential votes from three counties on the basis of some alleged irregularities.

Subject: Voting irregularities. *Topics:* Enjoining certification; intervention.

Three voters filed a federal complaint in the Eastern District of Wisconsin against election officials for Wisconsin and three of its counties on November 12, 2020, alleging the “inclusion of illegal Presidential Elector results in certain counties.”¹ The plaintiffs sought exclusion from the presidential election of all votes from those counties.² On the following day, the plaintiffs moved to expedite discovery and resolution of the case.³

Judge William C. Griesbach set the case for a telephonic status conference on November 16, posting contact information in the docket sheet.⁴ While three motions to intervene were pending,⁵ the plaintiffs filed on November 16 three notices voluntarily dismissing the case.⁶

1. Complaint at 1, *Langenhorst v. Pecore*, No 1:20-cv-1701 (E.D. Wis. Nov. 12, 2020), D.E. 1; Amended Complaint, *id.* (Nov. 12, 2020), D.E. 5; see Emily Bazelon, *The Trump Campaign Has Filed 16 Lawsuits Contesting the Election*, N.Y. Times, Nov. 16, 2020, at A16; Molly Beck, *Suit Aims to Block Votes from Blue Counties*, Milwaukee J. Sentinel, Nov. 13, 2020, at A13; *Lawsuit Wants Votes Excluded*, Wis. State J., Nov. 14, 2020, at A3.

2. Complaint, *supra* note 1, at 21.

3. Motion, *Langenhorst*, No. 1:20-cv-1701 (E.D. Wis. Nov. 13, 2020), D.E. 7.

4. Docket Sheet, *id.* (Nov. 12, 2020).

5. Motions, *id.* (Nov. 13 to 15, 2020), D.E. 11, 13, 18.

6. Notices, *id.* (Nov. 16, 2020), D.E. 25 to 27.