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May 6, 2025

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Federal Court Rules in Favor of Voters in North Carolina Post-Election Disenfranchisement Case

Final Judgment Affirms Fundamental Voting Rights and Orders Certification of Justice Riggs' Victory

Raleigh, North Carolina — In a sweeping decision issued yesterday evening, Chief Judge Richard E. Myers II of the U.S. District Court for the Eastern District of North Carolina ruled that attempts to retroactively change the rules of the 2024 election and throw out lawful ballots violated voters' constitutional rights. The final judgment orders the North Carolina State Board of Elections to certify the results of the 2024 election for Supreme Court Seat 6 based on the original vote tally—confirming Justice Allison Riggs as the winner.

The ruling marks a decisive victory for the plaintiffs in *Conley v. Hirsch*, brought by four impacted voters and the League of Women Voters of North Carolina, represented by Protect Democracy, the Harvard Election Law Clinic, and Altshuler Berzon LLP.

"Justice—while long overdue—has been done," said John Paredes, counsel at Protect Democracy. "We are grateful to our brave plaintiffs for standing up not only for their own rights, but for the rights of North Carolina voters everywhere. The court's ruling affirms a basic American principle: You can't change the rules of the game after the game has been played. That principle is core to the rule of law, to fundamental fairness, and to our democracy itself."

The decision by Judge Myers found that enforcing the post-election orders issued by the North Carolina Court of Appeals and Supreme Court—which invalidated the ballots of hundreds of overseas and military voters from select counties and refused to offer a cure process to others—would violate the Equal Protection Clause and due process rights of affected voters. The ruling prohibits the implementation of those state court decisions and affirms that votes

lawfully cast under the rules in place on Election Day must be counted. Judge Myers stayed enforcement of the order for a week to give Griffin an opportunity to appeal.

“This case has been about a fundamental principle of democratic governance: You cannot change the rules of an election after the election is over,” said Danielle Leonard, Partner at Altshuler Berzon LLP. “Yesterday’s ruling ensures that the votes our clients lawfully cast will be counted, and the outcome they helped determine will stand.”

“This victory belongs to our clients and to all voters across North Carolina,” said Samuel Davis, Attorney and Clinical Instructor at the Election Law Clinic at Harvard Law School. “The law was clear, the facts were clear, and the Constitution was clear. The court rightly refused to allow post-election gamesmanship to undermine North Carolina’s democracy and override the judgment of the voters.”

“Yesterday’s ruling is a victory for every North Carolina voter who followed the rules and simply wanted their vote to be counted,” said Jennifer Rubin, President of the League of Women Voters of North Carolina. “The League brought this case to stand up for voters who were unfairly targeted after they followed the rules when they cast their ballots. The court recognized the basic unfairness of throwing out ballots that were cast legally after an election and sent a clear message that these tactics have no place in our democracy.”

“This ruling stands for the bedrock American principle that the will of the voters in a free election is sacrosanct,” said Celina Stewart, Chief Executive Officer of the League of Women voters of the United States. “By standing up for voters who followed the rules, this ruling reaffirms that our democracy belongs to the people, not to politicians or courts trying to rewrite the outcome after the fact. Empowering voters and defending democracy are at the heart of the League’s mission, and we are proud to have helped ensure that principle prevailed.”

In his order, Judge Myers rejected Judge Jefferson Griffin’s attempts to overturn the results of the election by invalidating ballots from military, overseas, and first-time voters, calling the effort a clear violation of their rights. The court’s decision provides final judgment in favor of the plaintiffs and ensures that the ballots cast under long-standing rules remain counted.

This ruling reinforces a vital democratic norm: that elections are decided by the voters—not changed after the fact by those who dislike the outcome.

The filings and additional information about the case are [here](#).

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[Protect Democracy](#) is a nonpartisan nonprofit organization dedicated to preventing American democracy from declining into a more authoritarian form of government.

The [League of Women Voters of North Carolina](#), a nonpartisan political organization, works to encourage the active and informed participation of citizens in government and to increase understanding of major public policy issues.

[Altshuler Berzon LLP](#) is a law firm that focuses on providing legal representation in the service of economic justice and the public interest. The law firm represents clients in federal and state trial and appellate courts and before administrative agencies.

The [Election Law Clinic at Harvard Law School](#) offers Harvard Law students the opportunity to do hands-on litigation and advocacy work across a range of election law areas, with an initial focus on redistricting and vote suppression cases.
