

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PULASKI COUNTY, ARKANSAS, et al.,

Defendants.

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No. 4:04cv00389 SWW

ORDER

The United States of America brought this action in 2004 pursuant to the National Voter Registration Act of 1993 ("NVRA"), 42 U.S.C. § 1973gg *et seq.*, and 28 U.S.C. § 2201, alleging violations of the NVRA from the Pulaski County defendants' voter registration practices and procedures for elections for Federal office. A joint motion for entry of Consent Order was filed simultaneously with the complaint and the Consent Order was entered on April 20, 2004.

Paragraph 25 of the Consent Order provides that "[t]he Court shall retain jurisdiction of this case to enter further relief or such orders as may be necessary to ensure compliance with the NVRA by the Defendants," and that "[s]ubstantial compliance with each term of the Order shall fully satisfy the Consent Order." The Consent Order further provides that "[t]he dismissal of this case shall be conditioned upon the county's achieving substantial compliance with the entire Order and maintaining compliance through the 2006 Federal election."

Now before the Court is an unopposed motion of the defendants for order of compliance and satisfaction [doc.#10]. Defendants state they have substantially complied with each of the provisions of the Consent Order and maintained compliance well beyond the 2006 Federal

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election and note that no motions have been filed claiming noncompliance or asking this Court to enter further relief or any other order since the case was instituted in 2004. Defendants further note that the United States has been made aware of the motion and, by letter dated January 6, 2009, stated that it does not oppose defendants' motion.

Having considered the matter, and there being no opposition from the United States, the Court finds that defendants have fully satisfied the Consent Order and that this action should be dismissed in accordance with Paragraph 25 of the Consent Order.

IT IS THEREFORE ORDERED that the unopposed motion of the defendants for order of compliance and satisfaction [doc.#10] be and it hereby is granted; this action is hereby dismissed in accordance with Paragraph 25 of the Consent Order.

Dated this 7th day of January 2009.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE