

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION

Gary Emineth,	)	
	)	
PLAINTIFF,	)	Judge
	)	
v.	)	Civil No.
	)	
Alvin Jaeger, Secretary of State of	)	
North Dakota, in his official capacity;	)	
Wayne Stenehjem, Attorney General of	)	
North Dakota, in his official capacity;	)	
Richard J. Riha, Burleigh County	)	
State's Attorney, in his official capacity	)	
	)	
DEFENDANTS.	)	

**MOTION FOR MISCELLANEOUS RELIEF: EXPEDITED HEARING
ON PLAINTIFF'S MOTION FOR PERMANENT INJUNCTION**

Plaintiff Gary Emineth hereby submits this Motion for Miscellaneous Relief for Expedited Hearing of his Motion for a Permanent Injunction.

In the above-captioned action, Plaintiff challenges N.D. CENT. CODE § 16.1-10-06 as a violation of his First Amendment rights under the United States Constitution, incorporated against the states under the Fourteenth Amendment. N.D. CENT. CODE § 16.1-10-06 prohibits Plaintiff from engaging in his desired activities this election day: displaying election-related yard signs; engaging in election-related conversations with his friends, family members, neighbors, and other associates; and distributing election-related flyers in public places. Whereas

Election Day falls on November 6, 2012, it is critical that this court expedite the hearing of this Motion so that there is adequate time to resolve this legal issue before Election Day passes.

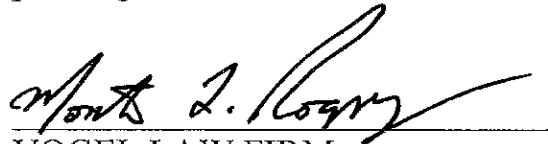
WHEREFORE, Plaintiff requests that the Motion be granted and that a hearing be set as soon as practicable.

Dated this 16th day of October, 2012.

Respectfully submitted,

/s/ Allen Dickerson
Allen Dickerson*
Anne Marie Mackin*
Center for Competitive Politics
124 West Street South, Suite 201
Alexandria, VA 22314
Telephone: 703-894-6800
Facsimile: 703-894-6811
adickerson@campaignfreedom.org
amackin@campaignfreedom.org

*Admission to this Court *pro hac vice* pending.



VOGEL LAW FIRM
Monte L. Rogneby (ND ID #5029)
US Bank Building
200 North 3rd Street, Suite 201
P.O. Box 2097
Bismarck, ND 58502-2097
Telephone: 701-258-7899
Facsimile: 701-258-9705
mrogneby@vogellaw.com