

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-22572-CIV-KING/O'SULLIVAN

EMMA YAIZA DIAZ, et al.

Plaintiffs,

v.

SUE M. COBB, Secretary of State of Florida,
et al.

Defendants.

**DEFENDANT BRENDA C. SNIPES, BROWARD COUNTY SUPERVISOR OF
ELECTIONS, MOTION FOR JUDGMENT ON THE PLEADINGS AND
ADOPTION OF DEFENDANT LESTER SOLA'S MOTION FOR JUDGMENT
ON THE PLEADINGS AND SUPPORTING MEMORANDUM OF LAW**

COMES NOW the Defendant, DR. BRENDA C. SNIPES, BROWARD COUNTY SUPERVISOR OF ELECTIONS ("Defendant Snipes"), by and through undersigned counsel and files her Motion for Judgment on the Pleadings and states as follows:

1. Defendant Snipes has filed an answer to the Plaintiffs' Third Amended Complaint in this action.
2. Plaintiff has asserted in Paragraph 137 of the Third Amended Complaint that Defendant Snipes is prohibited, as are other Supervisors of Elections, from accepting corrections to a voter registration application with regard to the checkboxes at issue herein after the close of books. Defendant Snipes has admitted the content of Florida State law.
3. Defendant Snipes has asserted that state law does not allow for a creation of a grace period, as found by this Court in its February 27, 2007 Order, "Under state and federal law, Defendant Supervisors have no discretion and cannot be held liable [for failure to provide a grace period]."
4. Based upon the foregoing pleadings and the argument of Defendant Sola in his Motion for Judgment on the Pleadings, Defendant Snipes is likewise entitled to a Judgment on the Pleadings in this matter.
5. Defendant Snipes adopts by reference the Motion for Judgment on the Pleadings and accompanying Memorandum of Law submitted to this Court by Defendant Sola and pursuant to such adoption, Defendant Snipes submits that she is entitled to judgment in this matter.

WHEREFORE, based upon the foregoing, Defendant Snipes moves for entry of an order in granting her judgment and dismissal from this cause.

Respectfully submitted this 12th day of April 2007.

BURNADETTE NORRIS-WEEKS, P.A.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished via U.S. Mail this 12th day of April 2007, to the persons on the attached service list.

BY: s/ Burnadette Norris-Weeks
Burnadette Norris-Weeks, Esq.

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