

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BLUEFIELD DIVISION**

RONNIE OAKLEY, individually and :  
in his Official Capacity as Candidate :  
for District 3-County Commissioner, :

Plaintiffs :

vs. :

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

MAC WARNER, in his official :  
capacity as West Virginia Secretary of :  
State; and VERLIN T. MOYE, in :  
his official capacity as Clerk of Mercer :  
County, and ALL MERCER COUNTY :  
BALLOT COMMISSIONERS :

Defendants. :

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**PLAINTIFF’S MOTION FOR A TEMPORARY RESTRAINING ORDER**

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COMES NOW the Plaintiff Ronnie Oakley, in his Official Capacity as Candidate for District 3-County Commissioner (hereinafter “Mr. Oakley”), and respectfully requests this Court, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, issue a Temporary Restraining Order, restraining Mac Warner, in his official capacity as West Virginia Secretary of State; Verlin T. Moye, in his official capacity as Clerk of Mercer County; and all Mercer County Ballot Commissioners, from proceeding with the proposed 2020 Mercer County Election Ballot as such ballot is in violation of the Constitution of the United States of America, and violates the direct permanent injunction of this Court. Additionally, it is requested that this Court restrain Defendants from printing or preparing any ballots which were prepared following the protocol described in West Virginia Code §3-6-2(c)(3).

THE FUQUA FIRM  
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By:  \_\_\_\_\_  
Cameron K. Fuqua  
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