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K.S. DISTRICT COURT
THIRD JUDICIAL DIST.
TOPEKA, KS.

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THIRD JUDICIAL DISTRICT
SHAWNEE COUNTY DISTRICT COURT
CIVIL DEPARTMENT

Aaron Belenky, *et al.*,)
Petitioners,)
)
v.) Case No. 2013-CV-001331
)
Kris Kobach, *et al.*,)
Respondents.) Division No. 7
)

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION
AND FOR AN EXPEDITED HEARING**

Petitioners Aaron Belenky, Scott Jones, and Equality Kansas, by and through their undersigned counsel, respectfully move this Court to issue a Preliminary Injunction ordering Respondents to register Petitioner Belenky, Petitioner Jones, and similarly situated electors to vote in Kansas elections, and enjoining Respondents' unlawful implementation of a dual system of voter registration. In support thereof, Petitioners state and allege as follows:

1. Respondents have unlawfully implemented a dual system of voter registration, which permits some Kansas citizens to vote for federal offices such as U.S. Senator, but not for state offices such as Secretary of State.
2. Respondents have unlawfully adopted the rules and regulations governing the dual registration system without fulfilling the notice, opportunity for comment, publication and other processes required by the Rules and Regulations Filing Act (the "Filing Act"). *See* K.S.A. § 77-421.

3. Where, as here, the requirements of the Filing Act are not followed to promulgate rules or regulations, those rules and regulations are void.

4. Petitioner Belenky and Petitioner Jones have submitted complete and valid voter registration applications, but are prohibited from voting in state and local elections and from signing election-related petitions based on the unlawful rules and regulations of the dual system of registration.

5. Respondents' administration of a dual registration system therefore violates Petitioner Belenky's and Petitioner Jones's voting rights, causing irreparable harm absent an injunction.

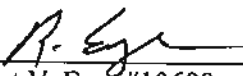
6. The Petitioners respectfully request that this Court enjoin Respondents' unlawful dual system of registration to protect Petitioner Belenky's and Petitioner Jones's fundamental right to vote.

7. In light of the upcoming primary election on August 5, 2014, Petitioners request an expedited hearing on July 11, 2014 and an expedited briefing schedule.

8. Filed in support of this motion is a memorandum that more fully sets forth the factual and legal bases for Petitioners' motion.

Dated: June 27, 2014

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on the 27th day of June, 2014, a copy of the above and foregoing document was hand-delivered to the chambers of the Hon. Franklin. R. Theis, and was served on the following by electronic mail delivery and UPS:

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