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LDF and Co-Counsel Reach Settlement in Federal Lawsuit Challenging Newbern, Alabama's Electoral Practices

On June 18, 2024, the Legal Defense Fund and its co-counsel Quinn, Connor, Weaver, Davis, & Rouco LLP, on behalf of their clients Newbern Mayor Patrick Braxton and residents James Ballard, Barbara Patrick, Wanda Scott, Janice Quarles and Dorothy Holley reached a settlement in *Braxton et al. v. Stokes et al.*, a federal lawsuit challenging racially discriminatory voting and electoral practices in Newbern, Alabama.

The stipulated agreement, which comes after a four-year process, includes key outcomes for residents in Newbern, Alabama. The Defendant, the City of Newbern, admitted to failing to hold elections for decades, violating the right to vote and engaging in intentional discrimination under the U.S. Constitution and violating the Voting Rights Act. Mayor Patrick Braxton, the first Black mayor of the town who was prevented from fulfilling his official duties, will be reinstated as the Mayor of Newbern. In addition, the town of Newbern, under Mayor Braxton's leadership, will hold its first ever regularly scheduled municipal elections in 2025, conducted in accordance with Alabama law.

The lawsuit was originally filed in November 2022 on behalf of plaintiffs Patrick Braxton and other Black Newbern residents in the United States District Court Southern District of Alabama. For decades, Newbern had not held municipal elections. Instead, government positions were passed down to almost all white residents, although the electorate in Newbern is majority-Black. Although Patrick Braxton came into office in November 2020, he never got the opportunity to properly serve in his office with his majority-Black town council due to another mayor and town council being installed after he was elected, without his knowledge.

"This victory marks a new chapter for Newbern," said Mayor Patrick Braxton. "I am so grateful to finally get to serve the people of Newbern. This is a win for not only me, but for all of the residents of Newbern. After decades, we will finally be able to act as citizens to cast our ballots and actively participate in the democratic process. I look forward to working together with the city council and town residents to move forward and shape our collective future."

"This settlement is a critical win for the residents of Newbern, who after decades of enduring conflict and strife in attempting to exercise their fundamental right to vote, will now be able to make their voices heard," said Morenike Fajana, Senior Counsel at LDF. "We are very hopeful in this outcome and look forward to continuing to work with

the Newbern community and the courts to ensure that democracy is afforded to all, not just some.”

“The Legal Defense Fund is proud to have represented Newbern residents to vindicate their voting rights and uphold the law in protection of fair electoral practices,” said Leah Wong, Voting Rights Defender and Prepared to Vote Attorney at LDF. “This agreement serves as a powerful step for the town to acknowledge decades of injustice and to have representative government where everyone gets to participate going forward.”

“We are pleased with this resolution, as it marks a critical step in addressing decades of electoral neglect in Newbern,” said Richard Rouco, Partner at Quinn, Connor, Weaver, Davis, & Rouco LLP. “Voting is not and should not just be a privilege; it’s a powerful tool for communities to assert their voices and demand change.”

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Founded in 1940, the [Legal Defense Fund \(LDF\)](#) is the nation’s first civil rights law organization. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.