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LDF Seeks Preliminary Injunction in Lawsuit Challenging Racial Discrimination in Newbern, Alabama's Electoral Practices

Last week, the Legal Defense Fund (LDF) and co-counsel Quinn, Connor, Weaver, Davis, & Rouco LLP [filed a motion](#) for a preliminary injunction in *Braxton et al., v. Stokes et al.*, a federal lawsuit challenging racially discriminatory voting and electoral practices in Newbern, Alabama. The motion asks the United States District Court for the Southern District of Alabama to compel the town of Newbern to hold elections in November so that residents of the town may exercise their fundamental right to vote.

The lawsuit, filed in March 2023 by Quinn, Connor, Weaver, Davis, & Rouco LLP and [joined](#) by LDF with an amended complaint in September 2023 on behalf of Black Newbern residents, alleges that white officials in Newbern have manipulated the political process to remain in power in this majority-Black town.

The plaintiffs claim they have continually faced unlawful discrimination in attempting to vote and hold office in Newbern. For decades, Newbern has not held mayoral elections. After the first Black mayor, Patrick Braxton, came into office in November 2020, the defendants arranged an illegal and secret special election, which prevented Mayor Braxton from appointing a majority-Black town council and Newbern voters from electing their candidate of choice for town council.

Lead Plaintiff in the case, Patrick Braxton, issued the following statement:

“As a lifelong resident of Newbern, I firmly believe in the importance of exercising my right to vote. For decades, officials in my town have excluded me and other voters from participating in elections and having a say in what happens here. Voting is not a privilege; it is a responsibility in helping to shape the direction and priorities of our community. We want to ensure our voices are heard and votes are counted. We ask the courts to enforce elections in Newbern this November so that we can cast our ballots and actively participate in the democratic process.”

“For decades, Newbern residents have not had the opportunity to participate in municipal elections—a clear violation of state and federal law. We urge the Court to order new elections be held this November to ensure Newbern residents’ voices are finally heard,” said Morenike Fajana, Senior Counsel at LDF.

“In failing to hold or give notice to residents for municipal elections, Newbern officials have continually prevented residents from electing representatives and holding office. It is imperative that the courts step in to ensure Newbern residents can fairly and fully exercise their

fundamental right to vote,” said Richard Rouco, Partner at Quinn, Connor, Weaver, Davis, & Rouco LLP.

A copy of the motion is available [here](#).

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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.