

## Unsuccessful Pro Se Challenge to a Special Election

*Progressive Southern Christian Leadership Conference  
v. Georgia Secretary of State  
(Mark H. Cohen, N.D. Ga. 1:20-cv-3877)*

A pro se motion to enjoin an imminent special election was unsuccessful for failure to show any entitlement to relief.

*Subject:* Filling vacancies. *Topics:* Pro se party; enjoining elections.

An organization and its founder filed a pro se motion in the Northern District of Georgia on Friday, September 18, 2020, for an emergency injunction against a writ of special election and a party's selection of a candidate to replace recently deceased U.S. Representative John Lewis.<sup>1</sup> On Wednesday, Judge Mark H. Cohen issued a seven-page denial of immediate relief.<sup>2</sup> He cautioned the plaintiffs that organizations cannot proceed pro se, and he noted that he could not find a record for the organization among Georgia's business records.<sup>3</sup> Judge Cohen observed that the filing had not shown sufficient reasons for not providing notice to the defendants,<sup>4</sup> and the plaintiffs had not shown justification for relief.<sup>5</sup>

On January 7, 2021, 111 days after the complaint was filed, Judge Cohen issued an order that the plaintiffs show cause within two weeks why the action should not be dismissed for failure to serve the defendants within ninety days of the action's filing.<sup>6</sup> Judge Cohen dismissed the action on January 26.<sup>7</sup>

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1. Complaint, *Progressive S. Christian Leadership Conference v. Sec'y of State*, No. 1:20-cv-3877 (N.D. Ga. Sept. 18, 2020), D.E. 1, 2.

2. Opinion, *id.* (Sept. 23, 2020), D.E. 8.

3. *Id.* at 1–2 n.1.

4. *Id.* at 6.

5. *Id.* at 5–7.

6. Order, *id.* (Jan. 7, 2021), D.E. 11.

7. Order, *id.* (Jan. 26, 2021), D.E. 12.