



# North Carolina Court of Appeals

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From Wake  
( 23CV029308-910 )

No. P25-298

JOSHUA H. STEIN, IN HIS OFFICIAL CAPACITY AS  
GOVERNOR OF THE STATE OF NORTH CAROLINA

v.

PHILIP E. BERGER, IN HIS OFFICIAL CAPACITY AS PRESIDENT  
PRO TEMPORE OF THE NORTH CAROLINA SENATE; DESTIN C. HALL, IN  
HIS OFFICIAL CAPACITY AS SPEAKER OF THE NORTH CAROLINA  
HOUSE OF REPRESENTATIVES; AND THE STATE OF NORTH CAROLINA

AND

DAVE BOLIEK, IN HIS OFFICIAL CAPACITY AS NORTH CAROLINA STATE  
AUDITOR

## ORDER

The following order was entered:

By unanimous vote, the petition for writ of supersedeas and motion for temporary stay filed in this cause by defendant-appellants Philip E. Berger, in his official capacity as President Pro Tempore of the North Carolina Senate, and Destin C. Hall, in his official capacity as Speaker of the North Carolina House of Representatives, on 25 April 2025 are decided as follows: The petition for writ of supersedeas is allowed. The "Order Granting Plaintiff's Motion for Summary Judgment" entered on 23 April 2025 is hereby stayed pending disposition of defendant-appellants' appeal or until further order of this Court.

The motion for temporary stay is dismissed as moot.

By order of the Court, sitting as a three-judge panel, this the 30th of April 2025.

WITNESS my hand and official seal this the 30th day of April 2025.

Eugene H. Soar  
Clerk, North Carolina Court of Appeals

Copy to:  
Mr. Matthew F. Tilley, Attorney at Law, For Berger, Philip E., et al - (By Email)  
Mr. Emmett Whelan, Attorney at Law - (By Email)  
Mr. Noah H. Huffstetler, III, Attorney at Law - (By Email)  
Mr. Jim W. Phillips, Jr., Attorney at Law, For Stein, Joshua H. - (By Email)

Mr. Eric M. David, Attorney at Law, For Stein, Joshua H. - (By Email)  
Mr. Daniel F.E. Smith, Attorney at Law - (By Email)  
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Mr. W. Ellis Boyle, Attorney at Law, For Boliek, Dave - (By Email)  
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Mr. D. Martin Warf, Attorney at Law, For Berger, Philip E., et al - (By Email)  
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The Honorable Clerk of Superior Court, Wake County