

Voter Registration for College Students

*Saunders v. Andrews (4:04-cv-20) and
Lowe v. Davis (4:04-cv-21) (Raymond A. Jackson, E.D. Va.)*

A college student wishing to run for city council filed a federal complaint challenging the denial of his voter registration. On the following day, three other students filed a similar complaint. The federal judge ruled against the students, but a state judge granted one of the students relief. By the time of the general election, two of the students could register because they obtained driver's licenses at their local address.

Subject: Registration procedures. *Topic:* Student registration.

A sophomore at the College of William and Mary who wished to run for city council filed a federal complaint in the Eastern District of Virginia's Newport News courthouse on Thursday, February 26, 2004, challenging the Williamsburg registrar's denial of the sophomore's voter registration.¹ Because the deadline for filing candidacy papers was the following Tuesday,² the plaintiff filed with his complaint a motion for a temporary restraining order.³

On February 27, another three students filed a similar federal complaint.⁴ They also sought a temporary restraining order.⁵ Judge Raymond A. Jackson heard the motions on March 1 and 2; he ruled on March 8 that the students had not made a sufficient showing that they were wrongfully regarded as nonresidents.⁶ A state judge, however, ruled that one of the second set of plaintiffs should be registered and another should not be.⁷

1. Docket Sheet, *Saunders v. Andrews*, No. 4:04-cv-20 (E.D. Va. Feb. 26, 2004) (D.E. 1) [hereinafter *Saunders* Docket Sheet]; see Andrew Petkofsky, *W&M Student Files Voting Rights Lawsuit*, Richmond Times-Dispatch, Feb. 27, 2004, at B3; Daphne Sashin, *W&M Student Sues to Vote*, Newport News Daily Press, Feb. 27, 2004, at C1.

2. See Sashin, *supra* note 1.

3. *Saunders* Docket Sheet, *supra* note 1 (D.E. 2).

4. Docket Sheet, *Lowe v. Davis*, No. 4:04-cv-21 (E.D. Va. Feb. 27, 2004) (D.E. 1) [hereinafter *Lowe* Docket Sheet]; see Andrew Petkofsky, *Three More W&M Students File Voting Suits*, Richmond Times-Dispatch, Feb. 28, 2004, at B3; Daphne Sashin, *W&M Students Wanting to Vote File Second Suit*, Newport News Daily Press, Feb. 28, 2004, at C4.

5. *Lowe* Docket Sheet, *supra* note 4 (D.E. 2).

6. *Id.* (D.E. 5, 7); *Saunders* Docket Sheet, *supra* note 1 (D.E. 4, 5); see Andrew Petkofsky, *Williamsburg Registrar Upheld on Voter Status*, Richmond Times-Dispatch, Mar. 3, 2004, at B2.

7. See Andrew Petkofsky, *Judge Sides with Student Candidate*, Richmond Times-Dispatch, Mar. 6, 2004, at B1; Patti Rosenberg, *One Wins, One Loses W&M Suit Over Voting*, Newport News Daily Press, Mar. 6, 2004, at C1.

By the 2004 general election, the original federal plaintiff and the unsuccessful state-court plaintiff could register, because they obtained driver's licenses at their Williamsburg addresses.⁸ The federal cases settled.⁹

8. See Zinie Chen Sampson, *Students Win Right to Vote in Williamsburg*, *Virginian-Pilot*, Oct. 15, 2004, at B3.

9. *Saunders* Docket Sheet, *supra* note 1 (D.E. 21); see Andrew Petkofsky, *Students' Voting Suit Is Dropped But Lawyer Says System Could Still Deny Others Right to Register Locally*, *Richmond Times-Dispatch*, Oct. 15, 2004, at B7; Daphne Sashin, *2 W&M Students Can Vote*, *Newport News Daily Press*, Oct. 15, 2004, at C1.