

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

TATI ABU KING, *et al.*,
Plaintiffs,

v.

Civil Action No. 3:23cv408

JOHN O'BANNON, in his official
capacity as Chairman of the State Board
of Elections for the Commonwealth of
Virginia, *et al.*,
Defendants.

FINAL ORDER

This matter comes before the Court on five motions: (1) the defendants' motion to exclude the testimony of Professor Carissa Byrne Hessick, (ECF No. 143); (2) the defendants' motion to exclude the testimony of Dr. Edward L. Ayers, (ECF No. 145); (3) the defendants' motion for summary judgment, (ECF No. 147); (4) the plaintiffs' motion to certify a class, (ECF No. 149); and (5) the plaintiffs' motion for summary judgment and permanent injunctive relief, (ECF No. 151).

For the reasons stated in the accompanying Opinion, the Court ORDERS as follows:

1. The Court GRANTS the motion for class certification, (ECF No. 149), and certifies the following class:

All citizens of the Commonwealth of Virginia who are currently, or in the future will be, disqualified from voting under Article II, Section 1 of the Virginia Constitution because they were convicted of a crime that was not a felony at common law in 1870.

2. The Court DENIES both motions to exclude. (ECF Nos. 143, 145.)

3. The Court DENIES the defendants' motion for summary judgment, (ECF No. 147), and GRANTS the plaintiffs' motion for summary judgment and permanent injunctive relief, (ECF No. 151).
4. The Court DECLARES that the defendants have violated the Virginia Readmission Act. Accordingly, the Court PERMANENTLY ENJOINS the defendants from using Article II, § 1 of the Virginia Constitution to violate the Virginia Readmission Act. Consequently, by May 1, 2026, the defendants SHALL not deny a person attempting to register to vote or cancel a person's existing registration except for convictions of the following common-law felonies: (1) arson; (2) burglary; (3) escape and rescue from a prison or jail; (4) larceny; (5) manslaughter; (6) mayhem; (7) murder; (8) rape; (9) robbery; (10) sodomy; and (11) suicide.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: 22 January 2026
Richmond, VA

/s/
John A. Gibney, Jr.
Senior United States District Judge