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IN THE SUPREME COURT OF THE STATE OF ALASKA

In the Matter of the
2021 Redistricting Plan

Supreme Court No. S-_____

Trial Court Case No: 3AN-21-08869CI (Consolidated)

STATEMENT OF POINTS ON APPEAL

Appellants Matanuska-Susitna Borough and Michael Brown (collectively hereinafter referred to as “MSB”), by and through their counsel of record, Holmes Weddle & Barcott, P.C., hereby file the following Statement of Points on Appeal:

1. The court erred in finding the Board followed the *Hickel* process.
2. The court erred in finding that the Board complied with Article VI, Section 6, particularly in finding that the Board created compact districts, particularly where certain districts created bizarrely shaped appendages.
3. The court erred in finding that the Board complied with Article VI, Section 6, particularly in finding that the Board created districts within the MSB that were relatively socioeconomically integrated.
4. The court erred in finding that the Board complied with Article VI, Section 6, particularly in finding that the Board created districts as near as practicable to the population quotient.

5. The court erred in finding that the Board did not violate the quantitative element of equal protection of “one person, one vote”.

6. The court erred in finding that the Board did not violate the qualitative element of equal protection by denying the MSB fair and effective representation.

7. The court erred in finding that the Board did not prioritize the Voting Rights Act (“VRA”) over the Alaska Constitution, even though the court found the Board locked in certain regions, including the VRA districts, which resulted in foreclosing options available to treat the MSB fairly.

8. The court erred in finding that the Board acted in good faith in adopting the maps under the Constitution, when it never meant to meaningfully comply with the timelines set forth in the Article VI, Section 10.

9. The court erred in failing to find that the now perpetual and blatant violations by the Board of the Open Meetings Act do not result in a plan that is void requiring remand.


10. The court erred in failing to address the Open Meetings Act violation set forth by the MSB.

11. The court erred in failing to address the abuse by the Board of the attorney-client privilege, and the waiver of privilege that occurred as a result for certain discussions and those discussions that occurred when the Board illegally entered executive session.

12. The court erred in finding that the Board took a “hard look” at the MSB/Valdez pairing, particularly as the court found that the Board addressed and locked in certain regions on the map first, thus not keeping all of its options open.

DATED this 17th day of February 2022, at Anchorage, Alaska.

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