

NORTH CAROLINA COURT OF APPEALS

DELMA BLINSON; JERRY R. JOHNSON;)
KELLIENE FISHER; DONALD R. REID; )
BRIAN GOSSAGE; WILFORD R. DOWE;)
and KENT MISEGADES )
Plaintiffs, )

v. )

From Wake County
05 CVS 8378

STATE OF NORTH CAROLINA; )
JAMES T. FAIN, III, Secretary of the )
N.C. Department of Commerce, in his )
official capacity; CITY OF WINSTON- )
SALEM, North Carolina and ALLEN )
JOINES, Mayor of Winston-Salem, in his )
official capacity; FORSYTH COUNTY, )
North Carolina and GLORIA D. )
WHISENHUNT, Chairperson of the Board )
of Commissioners of Forsyth County, in her )
official capacity; THE MILLENNIUM )
FUND; WINSTON-SALEM BUSINESS, )
INC.; THE WINSTON-SALEM )
ALLIANCE; and DELL, INC., )
Defendants. )

FILED
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CLERK OF SUPERIOR COURT
OF NORTH CAROLINA

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MEMORANDUM OF ADDITIONAL AUTHORITY

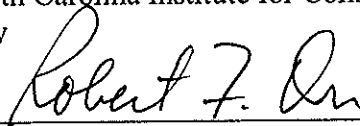
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TO THE HONORABLE COURT OF APPEALS OF NORTH CAROLINA:

Pursuant to Rule 28(g) of the North Carolina Rules of Appellate Procedure, the Plaintiffs-Appellants respectfully submit this Memorandum of Additional Authority. In its brief, Plaintiffs-Appellants cited a decision of the North Carolina Court of Appeals that was pending before the North Carolina Supreme Court. Goldston v. State, 173 N.C.App. 416, 618 S.E.2d 785 (2005). See Plaintiffs-Appellants' Brief at 9. The North Carolina Supreme Court filed a decision in the case on December 15, 2006, wherein it reversed and remanded the decision of the Court of Appeals. \_\_\_ N.C. \_\_\_, \_\_\_ S.E.2d \_\_\_, 2006 WL 3690906 (N.C. Dec 15, 2006) (No. 328PA04-2). Goldston addresses the following issue, which relates to the issues in this case: whether individual taxpayers have standing to challenge unlawful or unconstitutional government expenditures. See 2006 WL 3690906 at 1.

Respectfully submitted, this 28th day of December 2006.

North Carolina Institute for Constitutional  
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing MEMORANDUM OF ADDITIONAL AUTHORITY was served on all parties by depositing a true copy thereof with the United States Postal Service, first-class postage prepaid, addressed to the following:

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This the 28 day of December, 2006.



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