

**02-1580 VIETH v. JUBELIRER**

Ruling below: DC Middle District of Pennsylvania, 241 F. Supp. 2d 478.

QUESTIONS PRESENTED

1. Whether the District Court erred in effectively concluding that voters affiliated with a major political party may never state a claim of unconstitutional partisan gerrymandering, thereby nullifying this Court's decision in *Davis v. Bandemer*, 478 U.S. 109 (1986).
2. Whether a State presumptively violates the Equal Protection Clause when it subordinates all traditional, neutral districting principles to the overarching goal of drawing a congressional redistricting map that achieves maximum partisan advantage for members of one political party.
3. Whether a State exceeds its delegated power under Article I of the Constitution when it draws congressional-district boundaries to ensure that candidates from one political party will consistently capture a supermajority of the State's congressional seats even if those candidates win less than half the popular vote statewide.

PROBABLE JURISDICTION NOTED: 6/27/03