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IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT IN AND FOR LEON COUNTY, FLORIDA

COMMON CAUSE; LEAGUE OF WOMEN VOTERS OF FLORIDA, INC.; and **LEAGUE OF UNITED LATIN AMERICAN CITIZENS,**

Plaintiffs,

CASE NO: 2026 CA 000928

VS.

RON DESANTIS, Florida Governor; **CORD BYRD**, Florida Secretary of State; **JAMES UTHMEIER**, Florida Attorney General; **DANIEL PEREZ**, Speaker of the Florida House; **BEN ALBRITTON**, President of the Florida Senate; **MIKE REDONDO**, Chair of the Florida House Select Committee on Congressional Redistricting; **KATHLEEN PASSIDOMO**, Florida Senate Committee on Rules Chair; **DON GAETZ**, Florida Senator; **JENNA PERSONS-MULICKA**, Florida Representative; the **FLORIDA HOUSE**; and the **FLORIDA SENATE**,

Defendants.
_____/

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs Common Cause, the League of Women Voters of Florida, and the League of United Latin American Citizens bring suit against Defendants Ron DeSantis in his capacity as Florida Governor, Cord Byrd in his capacity as Florida Secretary of State, James Uthmeier in his capacity as Florida Attorney General, Florida House Speaker Daniel Perez in his official capacity, Florida Senate President Ben Albritton in his official capacity, Florida Senate Committee on Rules Chair Kathleen Passidomo in her official capacity, Florida House Select Committee on Congressional Redistricting Chair Mike Redondo in his official capacity, Florida Senator Don Gaetz in his official capacity, Florida Representative Jenna Persons-Mulicka in her official capacity, the Florida House, and the Florida Senate, and allege as follows:

INTRODUCTION

1. Florida's Constitution, much like the U.S. Constitution, establishes a democratic framework of self-government grounded in popular sovereignty, separated powers, and an evolving system of rights preserved through amendment. It, too, opens with a commitment to "We the People," articulates a Declaration of Rights inherent to all Floridians, and creates a system of separated powers to safeguard those rights. But it goes further. It guarantees Floridians may directly participate in amending their Constitution through citizen-driven ballot initiatives.

2. Unfortunately, our political processes have not always lived up to our ideals. For many years, the redistricting process in Florida and across the country was mired in partisanship, dysfunction, and the sidelining of communities of color. As one three-judge panel lamented, the "raw exercise of majority legislative power does not seem to be the best way of conducting a critical task like redistricting, but it does seem to be an unfortunate fact of political life around the country."[1]

3. In 2010, in recognition of the solemn constitutional truth that "All political power is inherent in the people[,]"[2] Florida voters came together to propose and ultimately pass the Fair Districts Amendments to the state constitution. These amendments prohibit the drawing of a districting plan or district with the intent to favor a political party, as well as plans that diminish minority voters' ability to elect representatives of their choice, ensuring that this "unfortunate fact of political life [would be] banned in Florida."[3]

4. Now, however, Governor Ron DeSantis and the Florida Legislature have disregarded the Fair Districts Amendments and the will of the millions of Floridians expressed

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[1] *Martinez v. Bush*, 234 F. Supp. 2d 1275, 1297 (S.D. Fla. 2002).
[2] Fla. Const. art. I, § 1.
[3] *League of Women Voters of Florida v. Detzner*, 172 So. 3d 363, 370 (Fla., 2015) ("*Apportionment VII*").

within them. Responding to President Trump's calls for Republicans to redraw congressional districts before the 2026 elections in order to increase Republican seats and preserve the Party's slim majority in Congress, Governor DeSantis orchestrated an unprecedented special session to force through a new congressional redistricting plan (the "Challenged Plan") in the middle of the decade.

5. As a nationwide "partisan arm's race"[4] unfolded, with Republican- and Democratic-controlled states across the country redrawing their congressional maps to maximize their respective party's congressional seats in advance of the 2026 elections, Governor DeSantis redrew Florida's congressional districting plan with the goal of delivering four more congressional seats to Republicans, increasing the number of Republican seats to 24 of Florida's 28 congressional districts, while undermining Black and Latino voting strength across the State.

6. The map diminishes Black and Latino voting strength by breaking up clear communities of interest, eliminating or decreasing Black and Latino voters' ability to elect representatives of their choice, and tightly packing communities of color into some districts while deflating their voices in others.

7. This plan plainly violates the Fair Districts Amendments' bar on partisan gerrymandering. While Governor DeSantis, his staff (who is alleged to have drawn the plan), and legislative supporters have all advanced several purportedly nonpartisan justifications for this unnecessary, mid-decade redistricting, each of these pretextual excuses is belied by the facts and common sense.

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[4] Christopher Cadelago, *Democratic Governors Advise Strong Counteroffensive on Redistricting*, Politico, https://www.politico.com/news/2025/08/01/democratic-governors-advise-strong-counteroffensive-on-redistricting-00490344 (Aug. 1, 2025).

8. And even with these pretexts in hand, Governor DeSantis could not conceal the partisan motivations behind the Challenged Plan. Indeed, the Plan's proponents do not even attempt to argue it complies with the Florida Constitution's ban on intentional partisan gerrymandering. His stated map drawer repeatedly confirmed to the Florida Legislature that he considered partisan data when drawing districts. And the Governor's lawyer, in his testimony to the Florida Legislature, repeatedly confirmed that the Governor's plan was founded on the legal theory that the Fair Districts Amendments, codified at Article III, Section 20, do not apply to the Challenged Plan.

9. The Challenged Plan is illegal. It is a flagrant violation of the express will of the people of Florida, who amended their constitution just over 15 years ago to ban precisely the intent that is at the heart of the Plan. The mandate of Article III, Section 20 is clear, and the Challenged Plan just as clearly contradicts that mandate. It should be enjoined.

PARTIES

10. **Plaintiff Common Cause** is a nonpartisan, nonprofit grassroots organization dedicated to upholding the core values of American democracy. Common Cause works to promote equal rights, opportunity, and representation for all, and to empower all Floridians to make their voices heard in the political process. Common Cause assists voters, promotes civic participation, and advocates for democratic reforms, including helping lead the successful passage of the Fair Districts Amendments and thereafter working to defend and enforce those protections. During Florida's 2022 and 2026 congressional redistricting processes, Common Cause advocated for fair redistricting that complies with the Fair Districts Amendments. The Challenged Plan nullifies these efforts and counters Common Cause's mission.

11. Common Cause has over 50,000 members throughout all 67 counties in Florida. Common Cause's membership includes eligible voters who live in Challenged Plan Districts 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 20, 22, 23, 24, 25, and 26. Common Cause brings this action in its representative capacity on behalf of its members, who are harmed by the Challenged Plan. The interests Common Cause seeks to protect are germane to its organizational purpose. Neither the claims asserted nor the relief requested requires the participation of Common Cause's individual members in the lawsuit.

12. **Plaintiff League of Women Voters of Florida, Inc. (the "League")** is a 501(c)(4) nonpartisan, voter-focused nonprofit organization. The League's mission is to encourage informed and active participation in government. For more than a decade, the League has played a central role in Florida's redistricting efforts, including helping lead the successful passage of the Fair Districts Amendments and then working to defend and enforce those protections. During Florida's 2022 and 2026 congressional redistricting processes, the League educated Floridians about redistricting and advocated before the Legislature for fair maps that comply with the Fair Districts Amendments. The Challenged Plan nullifies these efforts and counters the League's mission.

13. The League has 29 chapters across the State of Florida, from Pensacola to the Florida Keys, and thousands of members statewide, including eligible voters who reside in Challenged Plan Districts 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 20, 22, 23, 24, 25, and 26. The League brings this action in its representative capacity on behalf of its members, including its Black and Latino members, who are harmed by the Challenged Plan. The interests the League seeks to protect are germane to its organizational purpose. Neither the claims asserted nor the relief requested requires the participation of the League's individual members in the lawsuit.

14. **Plaintiff League of United Latin American Citizens ("LULAC")** is a nationwide, non-profit, non-partisan, membership-based organization with 421 councils (local chapters) and over 575,000 members, with members in every state in the country. LULAC was established in 1929 and is headquartered in Washington, D.C. LULAC is the largest and oldest Latino civil rights organization in the United States. LULAC's mission is to improve the lives of Latino families throughout the United States and to protect their civil rights in all respects, including voting rights. As part of its mission, LULAC has engaged in significant voter education, voter registration, and voting rights advocacy. It has participated in numerous voting rights cases on behalf of the Latino community, including cases concerning redistricting and alleged gerrymandering, like *Abbott v. Perez*, 585 U.S. 579 (2018), *LULAC v. Perry*, 548 U.S. 399 (2006), and *LULAC Council No. 4434 v. Clements*, 999 F.2d 831 (5th Cir. 1993) (en banc). The Challenged Plan nullifies these efforts and counters LULAC's mission.

15. LULAC has over 15,000 members throughout Florida. LULAC's membership includes eligible voters who live in Challenged Plan Districts 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 20, 22, 23, 24, 25, and 26. LULAC brings this action in its representative capacity on behalf of its members, who are harmed by the Challenged Plan. The interests LULAC seeks to protect are germane to its organizational purpose. Neither the claims asserted nor the relief requested requires the participation of LULAC's individual members in the lawsuit.

16. **Defendant Ron DeSantis** is sued in his official capacity as Governor of the State of Florida. Pursuant to his constitutional authority, Defendant DeSantis issued a proclamation calling the Legislature into special session to consider congressional redistricting.[5] Defendant

[5] Fla. Const. art. III, § 3(c).

DeSantis oversaw the creation of the map and proposed it to the Legislature for consideration.[6] Following enactment by the Legislature, Defendant DeSantis approved the challenged congressional plan and signed it into law on May 4, 2026.

17. **Defendant Cord Byrd** is sued in his official capacity as the Florida Secretary of State. Defendant Byrd is Florida's chief election officer and is responsible for the general supervision and administration of the state's election laws.[7] Defendant Byrd has issued a directive declaring 2026 a year of apportionment for purposes of candidate qualification.

18. **Defendant James Uthmeier** is sued in his official capacity as the Florida Attorney General. Defendant Uthmeier is Florida's chief legal officer.[8] As Attorney General, he is a proper party in any action seeking a declaration regarding the constitutionality of a state statute.[9]

19. **Defendant Daniel Perez** is the Speaker of the Florida House of Representatives and is named as a Defendant in his official capacity.

20. **Defendant Ben Albritton** is the President of the Florida State Senate and is named as a Defendant in his official capacity.

21. **Defendant Kathleen Passidomo** is the Chair of the Senate Committee on Rules and is named as a Defendant in her official capacity.

22. **Defendant Mike Redondo** is the Chair of the House Select Committee on Congressional Redistricting and is named as a Defendant in his official capacity.

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[6] Memorandum from Ben Albritton on the Congressional Map Submission from Governor DeSantis (Apr. 27, 2026) (4_27_26_Combined_PDF_Congressional_Map_Submission_by_Governor_DeSantis.pdf).
[7] Fla. Stat. § 97.012.
[8] Fla. Const. art. IV, § 4(b); Fla. Stat. § 16.01.
[9] Fla. Stat. § 86.091.

23. **Defendant Don Gaetz** is a member of the Florida Senate, representing Florida Senate District 1. He is the sponsor of Senate Bill 8D, the identical counterpart to House Bill 1D, the legislation containing the Challenged Plan. He is named as a Defendant in his official capacity.

24. **Defendant Jenna Persons-Mulicka** is a member of the Florida House of Representatives, representing Florida House District 78. She is the sponsor of House Bill 1D, the legislation containing the Challenged Plan. She is named as a Defendant in her official capacity.

25. **Defendant Florida House of Representatives (the "House")** is one of two chambers of the Florida Legislature. The House, together with the Senate, is responsible for enacting congressional redistricting plans for the State of Florida, subject to the requirements of the Florida Constitution. See Fla. Const. art. III, §§ 20–21.

26. **Defendant Florida Senate (the "Senate")** is one of two chambers of the Florida Legislature. The Senate, together with the House of Representatives, is responsible for enacting congressional redistricting plans for the State of Florida, subject to the requirements of the Florida Constitution. See Fla. Const. art. III, §§ 20–21.

JURISDICTION AND VENUE

27. This Court has jurisdiction over this matter pursuant to Fla. Stat. § 26.012 and Article V, Section 5(b) of the Florida Constitution.

28. Venue is proper pursuant to Fla. Stat. § 47.011 and § 47.021. Plaintiffs' action for declaratory and injunctive relief is authorized by Fla. Stat. § 86.011, as well as Fla. Stat. § 26.012(3).

GENERAL ALLEGATIONS

Florida law governs its Congressional apportionment process.

29. Under Florida law, legislative action based on population, including apportionment, must "be based upon the last federal decennial statewide census." Fla. Stat. § 11.031(1). Florida's Constitution further prescribes the decennial United States census of the state as its official state census. Fla. Const. art. X, § 8.

30. Article III, Section XVI of Florida's Constitution grants the legislative branch apportionment authority. Courts have interpreted this to refer to federal and state and local apportionment.[10]

31. Florida Constitution Article III, §§ 20 and 21 (the "Fair Districts Amendments") set the standards for creating federal and state legislative districts, respectively.[11]

32. The Fair Districts Amendments prohibit partisan gerrymandering, providing that the legislature cannot draw an apportionment plan or districts "with the intent to favor or disfavor a political party or an incumbent."

33. In its entirety, § 20 reads:

> In establishing congressional district boundaries:
>
> (a) No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice; and districts shall consist of contiguous territory.

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[10] *Common Cause Fla. v. Byrd,* 726 F. Supp. 3d 1322, 1332 (N.D. Fla. 2024) (citing Fla. Const. art. III, §§ 7, 16) ("In Florida, the Legislature bears the responsibility of drawing congressional and state maps.")

[11] Sections 20 and 21 are nearly identical. Their sole difference: section 20 applies to "congressional district boundaries" and section 21 applies to "legislative district boundaries." Fla. Const. Art. III §§ 20-21.

(b) Unless compliance with the standards in this subsection conflicts with the standards in subsection (a)1 or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries.
(c) The order in which the standards within subsections (a) and (b)1 of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection.

Floridians chose to add apportionment guidelines to their constitution through the Fair Districts Amendments.

34. In 2010, Floridians introduced the Fair Districts Amendments as a citizen ballot initiative petition.

35. Advocates of the Fair Districts Amendments were motivated by a desire to eliminate the practice of partisan gerrymandering in Florida.

36. For example, prior to the Amendments' passage, Gainesville Sun Staff Writer Tony Fransetta wrote in an op-ed that they would "reign in political corruption," "end the self-serving practice of legislators" drawing lines "to favor a specific political party," "themselves or their allies" or "redistricting to draw their adversaries out of office."[12] Fair Districts Coalition Leader Ellen Freidin said that "the point of [those amendments] is to stop legislators from drawing districts that are strictly for the purpose of keeping their party and themselves in office."[13]

[12] Tony Fransetta, *Why Retirees Should Support Amendments 5 and 6*, Gainesville Sun, https://www.gainesville.com/story/news/2010/10/13/tony-fransetta-why-retirees-should-support-amendments-5-and-6/31778206007/ (Oct. 13, 2010).
[13] Mike Kiniry, *Florida's Fair Districts Amendments: Past & Future*, WGCU, https://www.wgcu.org/show/gulf-coast-life/2021-08-17/floridas-fair-districts-amendments-past-future (Aug. 17, 2021, 12:18 p.m.).

37. The Fair Districts Amendments were enacted in the wake of successive redistricting cycles that generated widespread concerns over disproportionate political representation, and the inability to allay these concerns through the judiciary without such amendments on the books.[14]

38. The proponents of the Fair Districts Amendments also mirrored and eternalized in the Constitution protections for minority voters that existed at the federal level.[15]

39. Floridians passed the Fair Districts Amendments, with 63 percent of voters supporting them.[16]

40. During the 2012 redistricting process—the first redistricting conducted under the Fair Districts Amendments—the Legislature immediately attempted to subvert those amendments for partisan gain. In reshaping the state's congressional lines, the Legislature purported to be conducting a public, transparent process, but "in the shadow of that process" partisan operatives worked behind the scenes with legislators and staff to put in place maps that would benefit the Republican Party.[17]

41. The ensuing congressional plan was challenged as an unconstitutional partisan gerrymander. The Florida courts, "honor[ing] and effectuat[ing] the intent of the voters in passing" the Fair Districts Amendments, stepped in, finding that the "redistricting process and resulting map

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[14] *See In re Senate Joint Resolution of Legislative Apportionment 1176,* 83 So.3d 597, 601-04 (Fla.,2012) (also referred to as "*Apportionment I*").
[15] *Id.* at 619-20.
[16] Mike Kiniry, *Mid- decade redistricting versus Florida's Fair Districts Amendments?*, WGCU, https://www.wgcu.org/show/gulf-coast-life/2025-09-09/mid-decade-redistricting-versus-floridas-fair-districts-amendments(Sep. 9, 2025, 1:46 p.m.).
[17] *Apportionment VII*, 172 So. 3d at 376–86 (quoting trial court decision).

were 'taint[ed]' by unconstitutional intent to favor the Republican Party and incumbents."[18] Ultimately, a court-approved remedial plan was put in place for the remainder of the decade.[19]

Politicians across the country have called for mid-census cycle redistricting to solidify political power before the 2026 congressional elections.

42. Around June 2025, in an unprecedented chain of events, President Donald Trump began to pressure Republican lawmakers to redistrict the congressional maps in their states to shift political power towards Republicans ahead of the 2026 congressional elections.[20]

43. The first state to respond to this pressure was Texas, where President Trump called for "just a very simple redrawing" where "[the Republican Party] pick[s] up five more seats."[21] Texas passed a map designed to achieve that 5-seat goal in August 2025, launching the mid-decade redistricting push that has been called "a partisan arms race."[22]

44. Subsequently, Republican and Democratic politicians across the country began to consider how they might tip the scales in their states.

45. By the end of July, New York Democrats were prepared to present a bill to redraw New York congressional lines.[23]

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[18] *Id.* at 416 (first quoting *League of Women Voters of Fla. v. Fla. House of Representatives*, 132 So. 3d 135, 154–55 (Labarga, J., concurring), then quoting trial court decision).
[19] *League of Women Voters of Fla. v. Detzner*, 179 So. 3d 258, 263 (Fla. 2015) ("Apportionment VIII").
[20] J. David Goodman & Shane Goldmacher, *White House Pushes Texas to Redistrict, Hoping to Blunt Democratic Gains,* The New York Times, https://www.nytimes.com/2025/06/09/us/politics/trump-texas-redistricting.html (June 9, 2025).
[21] *"Unprecedented Power Grab": Trump & Texas Try to Create 5 More GOP House Seats with New Gerrymander*, Democracy Now, https://www.democracynow.org/2025/8/1/trumps_texas_gerrymander (Aug. 1, 2025).
[22] Eleanor Klibanoff, *Gov. Greg Abbott signs new Texas congressional map designed to give GOP five more seats*, Tex. Tribune (Aug. 29, 2025), https://www.texastribune.org/2025/08/29/greg-abbott-signs-texas-congressional-map-redistricting/; Elena Schneider, *Democratic Governors Advise Strong Counteroffensive on Redistricting*, Politico https://www.politico.com/news/2025/08/01/democratic-governors-advise-strong-counteroffensive-on-redistricting-00490344 (Aug. 1, 2025, 8:14 PM).
[23] Nicholas Fandos & Nick Corasaniti, *New York Democrats Consider Redistricting to Counter Texas*, N.Y. Times, https://www.nytimes.com/2025/07/28/nyregion/new-york-redistricting-texas.html (July 28, 2025).

46. California Governor Gavin Newsom encouraged the Democratic-leaning state to "defend our democracy and fight fire with fire."[24] In a special election in November, Californians responded to the partisan redistricting push that began with Texas by voting to redraw state lines to benefit Democrats.[25]

47. In August 2025, Vice President JD Vance traveled to Indiana to pressure state lawmakers to redistrict, in advance of President Trump summoning Indiana Republicans to the White House to continue the pressure campaign.[26]

48. In late 2025, North Carolina Republicans redrew their Congressional map to Republican advantage.[27] President Trump praised their efforts.[28]

49. Missouri also implemented changes to their congressional maps to favor Republican power in late 2025 at President Trump's urging.[29]

50. On April 21, 2026, Virginians voted to approve a new congressional map designed to elect four more Democrats in the state's congressional delegation.[30]

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[24] Gavin Newsom (@GavinNewsom), Post on X, https://x.com/GavinNewsom/status/1951120472609005972 (Aug. 1, 2025, 6:27 PM).
[25] *California Election Results*, NPR, https://apps.npr.org/2025-election-results/california.html (2025).
[26] Adam Wren, *Vance Meeting Doesn't Immediately Convince Indiana Leaders to Redistrict*, Politico, https://www.politico.com/news/2025/08/07/vance-indiana-00497634 (Aug. 7, 2025, 12:06 PM).; Lisa Kashinsky & Adam Wren, *Trump Ramps Up Redistricting Pressure on Republicans in Indiana and Missouri*, Politico), https://www.politico.com/news/2025/08/21/trump-redistricting-pressure-republicans-indiana-missouri-00517281 (Aug. 21, 2025, 5:00 AM).
[27] Gary D. Robertson & Jonathan Mattise, *Judges Allow North Carolina to Use a Map Drawn in Bid to Give Republicans Another U.S. House Seat*, PBS NewsHour, https://www.pbs.org/newshour/politics/judges-allow-north-carolina-to-use-a-map-drawn-in-bid-to-give-republicans-another-u-s-house-seat (Nov. 26, 2025, 6:00 PM EDT).
[28] Rapid Response 47 (@RapidResponse47), Post on X, https://x.com/RapidResponse47/status/1979291087219896467 (Oct. 15, 2025, 9:12 AM).
[29] Jason Rosenbaum & Larry Kaplow, *At Trump's Urging, Missouri Jumps into Redistricting Race to Help Republicans*, VPM, https://www.vpm.org/npr-news/npr-news/2025-08-29/at-trumps-urging-missouri-jumps-into-redistricting-race-to-help-republican (Aug. 29, 2025, 5:53 PM EDT).
[30] Russell Berman, *Trump's Enormous Gerrymandering Blunder*, Atlantic, https://www.theatlantic.com/politics/2026/04/virginia-gerrymandering-redistricting-election-trump/686888/ (Apr. 23, 2026).

Florida lawmakers responded to partisan calls for mid-census cycle redistricting.

51. From the early days of this mid-decade redistricting war, Florida lawmakers, too, have been on the receiving end of calls for partisan redistricting ahead of the 2026 midterm elections.

52. In July 2025, after the national push for more Republican congressional seats began, Florida Governor Ron DeSantis started discussing unprecedented mid-census cycle redistricting in Florida. Reports surfaced that he was "'seriously' weighing" the idea[31] and that he believed redistricting prior to the 2026 midterm elections was "appropriate."[32]

53. Before long, Governor DeSantis explicitly called for the Florida legislature to take up mid-decade redistricting. He initially called for the legislature to consider the issue during its 2026 regular legislative session.[33] On January 7, 2026, however, shortly before the legislative session began, he instead announced a special session for redistricting to occur after the legislative session, proclaiming 2026 to be an apportionment year.[34] Under this proposed schedule, the earliest a map could be adopted was late April, only a matter of weeks before the revised candidate qualifying deadline, which the Governor pushed back to accommodate mid-decade redistricting.

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[31] Douglas Soule, *DeSantis Weighing New Florida Congressional Map in Battle for GOP House Control*, WUSF, https://www.wusf.org/politics-issues/2025-08-01/desantis-weighing-new-florida-congressional-map-battle-gop-house-control. (Aug. 1, 2025).

[32] Mitch Perry, *DeSantis Says It's "Appropriate" to Redistrict Congressional Districts Before Next Election*, Fla. Phoenix, https://floridaphoenix.com/2025/07/24/desantis-says-its-appropriate-to-redistrict-congressional-districts-before-next-election/ (July 24, 2025).

[33] Bruce Hamilton, *LIVE: Gov. DeSantis Holds News Conference with Attorney General in South Florida*, News4JAX, https://www.news4jax.com/news/local/2025/08/20/live-gov-desantis-holds-news-conference-with-attorney-general-in-south-florida/ (Aug. 20, 2025, 10:00 AM).

[34] Proclamation, Office of the Governor of Fla., *April Special Session Proclamation,* https://flgov.com/eog/sites/default/files/shared/2026/01/AprilSpecialSessionProclamation_Filed_1.7.26.pdf (Jan. 7, 2026).

54. The Florida legislature—controlled by the Governor's party—dutifully complied. While Governor DeSantis publicly discussed the possibility of redistricting in Florida, Speaker Perez formed a Select Committee on Redistricting[35] that met twice in the committee weeks preceding Florida's 2026 legislative session.

55. Senate President Albritton opted not to address redistricting prior to or during session, instead adhering to the special session timeline initiated by Governor DeSantis.

56. On April 15, just days before the special session's planned April 20th start date, Governor DeSantis issued a new proclamation moving the start date to April 28.[36] This schedule change meant that the Florida legislature would not convene to decide whether to adopt its own new congressional map until after Virginia did so on April 21.

57. President Albritton memorialized his intent to yield the drawing and presentation of a new Congressional map bill to the office of Governor DeSantis through a memorandum titled *Special Session Update and Planning* where he wrote:

> [T]he Senate is not drafting or producing a map for introduction during the special session. It is our expectation that pursuant to the proclamation issued by the Governor and consistent with the process undertaken during the 2022 Special Session on Congressional Reapportionment, a proposal will be transmitted from the Governor's Office to the Senate for our consideration.[37]

58. Florida lawmakers' non-mandated mid-census redistricting parallels the timelines of the openly partisan mid-decade redistricting efforts in other states. But, bound by the Fair

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[35] Fla. House of Representatives, *Memorandum: Select Committee on Congressional Redistricting,* https://www.flhouse.gov/api/document/house?listName=Press%20Releases&itemId=923 (Aug. 7, 2025).
[36] Proclamation, Office of the Governor of Fla., *April Special Session Proclamation*, https://flgov.com/eog/sites/default/files/pdf/AprilSpecialSessionProclamationAmendment_Filed_4.15.26.pdf (April 15, 2026).
[37] Ben Albritton, President, Fla. Senate, *Memorandum Re: Special Session Update & Planning*, https://static-s3.lobbytools.com/docs/2026/4/15/138246_te_president_albritton_memo_special_session_update_planning.pdf (Apr. 15, 2026).

Districts Amendments, Governor DeSantis and legislators attempted to thwart accusations of partisan gerrymandering.

59. Governor DeSantis and his representatives have offered a myriad of pretextual justifications for mid-decade redistricting, including an alleged decennial census undercount,[38] a July 2025 Florida Supreme Court ruling in *Black Voters Matter Capacity Building Institute, Inc., et al., v. Florida Secretary of State*[39] and a subsequent attempt to correct for purported racial motivations behind the current boundaries, and the then-forthcoming United States Supreme Court ruling in *Louisiana v. Callais.*[40]

60. But statements by state lawmakers and political operatives revealed that solidifying political power for Republicans in Congress drove the decision-making. For example, in October 2025 remarks at a luncheon, Evan Power, chair of the Republican Party of Florida, said that "[w]e need to get to a fair ground where we have equal representation, where Republicans can have their majority."[41]

61. Some Republican federal legislators also cautioned against partisan overreach in drawing new districts, an implicit concession that the redistricting was in fact motivated by partisanship. U.S. House Representative Mario Diaz-Balart warned, "You could potentially do two

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[38] Marcela Camargo, *DeSantis Says Florida Will Join Trump Administration's Push to "Fix" Census Issues*, News4JAX, https://www.news4jax.com/news/local/2025/08/20/live-gov-desantis-holds-news-conference-with-attorney-general-in-south-florida/ (Aug. 20, 2025, 5:41 PM).

[39] Ja'han Jones, *MAGA Republicans try to run from the racism in their redistricting plan,* MS NOW, https://www.ms.now/top-stories/latest/redistricting-racism-texas-abbott-florida-desantis-trump-rcna224891?icid=latestpost_bot. (Aug. 13, 2025).

[40] Sam Stockbridge, *Florida redistricting special session could see delays but Central Florida district remains a target,* Central Florida Public Media, https://www.cfpublic.org/politics/2026-04-14/central-florida-redistricting-preview (April 14, 2026).

[41] Douglas Soule, *Florida GOP Chair Believes State Could Send Extra Republicans to Congress Through Redistricting*, WUSF, https://www.wusf.org/politics-issues/2025-10-30/florida-gop-chair-state-send-extra-republicans-congress (Oct. 30, 2025).

[new GOP seats.] I think after that, you are really, really, really, really risking a very large overreach, which I think is in the Democrats' best interest."[42]

62. While campaigning for governor, Republican Congressional Representative Byron Donalds stated, "Because of what [redistricting] now has been done in Virginia, now Florida needs to respond."[43]

63. The Washington Examiner reported that U.S. House Speaker Mike Johnson "wants to see Gov. Ron DeSantis[] redraw the state's congressional map mid-decade after Virginia voters passed a referendum redrawing theirs Tuesday."[44]

64. Governor DeSantis agreed. His team's official X account retweeted a call to "go for BROKE in Florida" following Virginia's mid-census cycle redistricting benefitting Democrats. The retweet has since been deleted.

65. Claims that redistricting was necessary to correct for court decisions past and future were thinly veiled diversions that Florida officials called into question with their media comments. For instance, on April 23, 2026, in response to a question about United States House Minority Leader Hakeem Jeffries's warning against Florida engaging in mid-decade redistricting in the wake of Virginia, Florida Attorney General James Uthmeier responded first by saying that Virginia engaged in partisan gerrymandering before immediately mentioning Florida's scheduled special session stating, "at the end of the day we still have districts in the state of Florida—legacy [Voting

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[42] Michael Van Sickler, *Republicans Should Think Twice Before Redrawing Florida's Congressional Maps*, Tampa Bay Times, https://www.tampabay.com/viewpoints/2026/03/31/republicans-should-think-twice-before-redrawing-floridas-congressional-maps-column/ (Mar. 31, 2026).
[43] Alexandra Glorioso, *Donalds Acknowledges Partisan Goal in Florida Redistricting*, Miami Herald, https://www.miamiherald.com/news/politics-government/article315392027.html (Apr. 13, 2026).
[44] Cami Mondeaux, *Johnson Wants DeSantis to Gerrymander Florida After Virginia Redistricting Vote*, Wash. Examiner, https://www.washingtonexaminer.com/news/house/4538998/johnson-desantis-gerrymander-florida-virginia/ (Apr. 22, 2026).

Rights Act ("VRA")] districts—that are gerrymandered to favor minority power which our courts have told us is unconstitutional. So there's going to be redistricting that takes place. It will change the map."[45]

66. Attorney General Uthmeier likewise framed Florida's alleged census undercount—one justification for redistricting—within the context of partisan power dynamics, stating that because of an undercount, "Florida lost a congressional seat that [it] should have had" while "liberal sanctuary states like California and others received seats that they shouldn't have had, received electoral power that they did not deserve and ultimately received billions in federal funding, why? Because they have a disproportionately high count in the Census."[46]

67. Additionally, Governor DeSantis and other Florida officials began to address the Census undercount only after the nationwide call for partisan redistricting began.

68. Between April and September 2021, the Census Bureau provided states with all the data they would need to reapportion their districts based on the 2020 Census results.[47]

69. Accordingly, Governor DeSantis signed a bill on April 22, 2022, to apportion congressional districts based on this data.[48]

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[45] Republican Attorneys General Ass'n (@RepublicanAGs), X, https://x.com/republicanags/status/2047356790765949104 (July 20, 2026, 10:15 AM).

[46] James Uthmeier (@AGJamesUthmeier), X, https://x.com/AGJamesUthmeier/status/2044510351748722865 (July 12, 2026, 1:42 PM).

[47] U.S. Census Bureau, *2020 Census Timeline of Important Milestones*, https://www.census.gov/programs-surveys/decennial-census/decade/2020/planning-management/release/timeline.html

[48] Press Release, Office of Governor Ron DeSantis, *Governor Ron DeSantis Signs Legislation to Create Lawful Congressional Districts and Remove Special Interest Carveouts*, https://www.flgov.com/eog/news/press/2022/governor-ron-desantis-signs-legislation-create-lawful-congressional-districts-and (Apr. 22, 2022).

70. On May 19, 2022, the Census Bureau released its Post-Enumeration Survey results, revealing that Florida was one of a few states that the 2020 Census undercounted. The Bureau noted that these results could not change 2020 Census counts or redistricting data.[49]

71. It was not until August 2025, more than three years later, that Governor DeSantis announced any "efforts to correct" the undercount.[50] One such example from this proclamation included Attorney General Uthmeier's April 13, 2026, petition to the Census Bureau to alter Census methodology "following the release of data" showing that Florida was undercounted in the 2020 Census.[51]

72. Tellingly, despite Governor DeSantis's reasoning that the Census undercount required redistricting, Governor DeSantis later stated he supported redistricting "even if they don't revise the current census[.]"[52]

During special session, Florida lawmakers introduced and passed a partisan gerrymandered map that also diminished the voice of Black and Latino voters in the State.

73. On April 27, 2026, at 10 a.m., Fox News published the Challenged Map, which they had received from the Governor's office.[53]

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[49] America Counts Staff, *2020 Census Undercounts in Six States, Overcounts in Eight*, U.S. Census Bureau, https://www.census.gov/library/stories/2022/05/2020-census-undercount-overcount-rates-by-state.htm (May 19, 2022).

[50] Press Release, Office of Governor Ron DeSantis, *Governor Ron DeSantis Announces Efforts to Correct Census Undercount*, https://www.flgov.com/eog/news/press/2025/governor-ron-desantis-announces-efforts-correct-census-undercount (Aug. 20, 2025).

[51] Press Release, Office of the Att'y Gen. of Fla., *Attorney General James Uthmeier Petitions Census Bureau to Correct 2020 Apportionment*, https://www.myfloridalegal.com/newsrelease/attorney-general-james-uthmeier-petitions-census-bureau-correct-2020-apportionment (Apr. 13, 2026).

[52] Ana Goñi-Lessan, *DeSantis, Uthmeier Float Redistricting Ideas Tied to Census Concerns*, Tallahassee Democrat, https://www.tallahassee.com/story/news/local/state/2025/08/11/desantis-uthmeier-redistricting-census/85608955007/ (Aug. 11, 2025).

[53] Preston Mizell, *Ron DeSantis Unveils New Florida Congressional Map That Would Give the GOP an Extra Four* Seats, Fox News, https://www.foxnews.com/politics/ron-desantis-unveils-new-florida-congressional-map-would-give-gop-extra-four-seats (Apr. 27, 2026, 10:00 AM EDT).

74. The Challenged Map submitted to Fox News identified all the proposed Congressional districts in the colors red or blue. An image of the map, as posted on Fox News on April 27, 2026, is shown in **Figure 1** below.

The proposed map redraws Florida's congressional districts to reflect population shifts, consolidating GOP-leaning areas and creating four additional Republican-favored seats. (Office of Governor Ron DeSantis)

Figure 1[54]

75. This triggered a clear signal of partisanship to a public that widely associates the color red with the Republican Party, and the color blue with the Democratic Party.[55] The Governor's Communications Director, Alex Lanfranconi, reposted the map on X with a caption that proclaimed that the "GOP gains FOUR seats" under the new plan.

[54] *Id.*

[55] *See e.g.* Henry L. Chambers, Jr., *Enhancing Rural Representation Through Electoral System Diversity*, 57 U. Rich. L. Rev. 851, 865 (2023) ("Political discussion often focuses on blue and red states, essentializing a state's politics based on which party controls a legislature or the governor's mansion. States controlled by Republicans are red and conservative; states controlled by Democrats are blue and liberal.").

76. Over an hour and a half after the news media outlet received and published an exclusive article about the Challenged Map, at 11:36 a.m., the Florida Senate posted it on their website in a memo titled Congressional Map Submission from Governor DeSantis ("Memo").[56]

77. In the Memo, Senate President Albritton indicated that the map's sponsor before the Senate, former Senate President and chair of the Senate Ethics & Elections Committee Don Gaetz, did not receive a copy of the map until 11:15 a.m.,[57] over an hour after the Governor transmitted the map to Fox News.

78. The Memo attached a letter from the Governor's office that provided pretext for the Challenged Map and mid-census cycle redistricting. It focused on three main pretextual justifications: (1) an alleged census undercount, (2) a supposed need to correct for U.S. House representation being "distorted by considerations of race,"[58] and (3) a position that the Fair Districts Amendments' protections for minority voters are invalid and that the remainder of the Amendments must also fall as inseverable from those protections.

79. The undercount rationalization in the Governor's letter focused on an alleged Census undercount during the 2020 decennial census. The Governor's letter asserted that Floridians were "deprived of appropriate representation" in the House because they only received a single additional seat "[d]espite substantial population growth."

80. The no race considerations rationalization opined that the Fair Districts Amendments' requirements that districts be drawn without "the intent or result of denying or

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[56] Office of Governor Ron DeSantis, Congressional Map Submission, https://www.flsenate.gov/PublishedContent/Offices/President/4_27_26_Combined_PDF_Congressional_Map_Submission_by_Governor_DeSantis.pdf (Apr. 27, 2026).
[57] *Id.*
[58] *Id.*

abridging the equal opportunity of racial or language minorities to participate in the political process" inappropriately "requires the use of race in redistricting."

81. The Governor's letter attempted to support the race-neutral rationalization in part by referencing the Florida Supreme Court's decision in *Black Voters Matter*. The Governor's letter also attempted to support the no race considerations rationalization by fortune telling—asserting that the U.S. Supreme Court "has signaled" that the use of race in redistricting is unconstitutional and "is poised to affirm" its understanding in its *Louisiana v. Callais* opinion, which was still forthcoming at the time of the letter.

82. The Challenged Plan made substantial changes to the congressional districts in the central and southern portions of the state. These changes would significantly shift the partisan performance of the map, resulting in four more Republican-leaning seats.

83. On April 28, 2026, the first day of special session, the office of Governor DeSantis presented the Challenged Map before the House Select Committee on Congressional Redistricting ("House Select Committee") as HB 1D. In the House, the map bill was sponsored by Representative Persons-Mulicka.

84. Jason Poreda, the alleged map drawer, presented on behalf of the office of Governor DeSantis alongside Mohammad Jazil. Mr. Poreda serves in the Office of Policy and Budget within the Governor's office and claimed he was the sole map drawer in the redistricting process. Mr. Jazil, present as the Executive's outside counsel, is a partner at Holtzman Vogel.

85. After Mr. Poreda and Mr. Jazil presented, Select Committee Chair Redondo moved to questions for the presenters from committee members.

86. Prior to questions, Democratic Ranking Committee Member Bruce Antone moved for Mr. Poreda and Mr. Jazil to answer questions under oath. The Committee declined to require the presenters to answer questions related to their presentation under oath by voice vote.[59]

87. Notably, during questions Mr. Poreda alleged that he was first tasked to draw the map approximately two weeks before the revised special session date and completed it "over the weekend" prior to the special session's revised commencement date.[60]

88. At no point during the presentation or ensuing debate did Mr. Poreda describe the sequence of events between his completion of the map and lawmakers' receipt of the map on Monday April 27, 2026. He did not inform lawmakers or the public of the specifics of who reviewed the Challenged Map, who approved the Challenged Map, how Fox News obtained a red-and-blue version of the map prior to any lawmakers receiving it, why he was only provided two weeks—including a week extension due to rescheduling—to work on the map when a special session on redistricting had been proclaimed over three months prior to its occurrence, or why, given the approaching session date, there was such a large gap of time between the map's completion and its transmission to lawmakers.

89. Following public comment, Committee members began debate. Each Committee Member was limited to five minutes.

90. The debate split along party lines. Democratic Ranking Member Antone, Democratic Representative Lopez, and Democratic Representative Chambliss each offered points in debate and voted against the Challenged Map's passage.

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[59] *See* Ex. 1, Transcript of *Congressional Redistricting*, 40:3-9, House Select Committee, (Apr. 28, 2026).
[60] *See* Ex. *2,* Transcript of *2026D Special Session*, 76:21-77:1, Florida Senate Committee on Rules, (Apr. 28, 2026).

91. **Ranking Member Antone** expressed unease about what he believed could only be explained by "partisan gerrymandering".[61] He expressed that this belief was underscored by the release of the map from the Office of the Governor to media prior to its transmission to the Governor's co-equal branch—what he framed as the canary in the mine.[62]

92. **Representative Lopez**, whose constituency is in central Florida, discussed her concerns that her colleagues were ignoring the will of the voters. Representative Lopez's office received "1,247 emails and 19 letters" from Floridians stating opposition to mid-decade redistricting since she was placed on the select committee.[63]

93. Representative Lopez also laid out her main opposition to the map. Among them that (1) that redistricting was politically motivated because "[t]he only variable that has changed since 2022," when redistricting last occurred, "is political;" (2) that members were "being asked to ratify [a] map drawn outside [the] chamber;" (3) "Partisan intent" in the redistricting process "was not inferred[,]" "[i]t was published;" and (4) "the proposed lines deny Black and Hispanic Floridians equal opportunity to elect candidates of choices."[64]

94. **Representative Chambliss** echoed the sentiments of his colleagues while also making known his belief that the mid-decade redistricting process was "irresponsible" as lawmakers were asked to consider "too much information" on "too short of a notice with only one option."[65]

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[61] *See* Ex. 1, Transcript of *Congressional Redistricting*, 139:16-24, House Select Committee, (Apr. 28, 2026).
[62] *Id.* at 139:16-140:3.
[63] *Id.* at 140:21-141:1.
[64] *Id.* at 141:8-2.
[65] *Id.* at 142:15-18.

95. No Republican members on the select committee offered any points for debate in support of or opposition to the Challenged map.

96. All Republican members on the select committee voted to pass the Map to the floor.

97. The bill passed out of the House Committee by a vote of eight yeas and three nays—strictly split along partisan lines.

98. That same day, in a committee meeting that overlapped with the House's convening, the office of Governor DeSantis also presented the Challenged Map before the Senate Committee on Rules ("Rules Committee") as SB 8D.[66] Mr. Poreda and Mr. Jazil's presentation to the lawmakers in the Senate Committee was nearly identical in substance as their presentation to the House Committee.

99. After the Rules Committee presentation, Senate lawmakers questioned Mr. Jazil and Mr. Poreda, leading to some additional information from what was conveyed to the House Committee.

100. Notably, when asked if he analyzed the partisan performance of districts, stated map drawer Jason Poreda repeatedly confirmed that he used partisan data in drawing the Challenged Map, explaining, for example, "Not using race, and not having to comply with the Fair Districts Amendments, the entire suite of redistricting criteria that are available to other states, I used here, including partisan data."[67]

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[66] Fla. S. Comm. on Rules, Meeting Notice (No. 6908), https://www.flsenate.gov/Committees/Show/RC/MeetingNotice/6908

[67] *See* Ex. 2, Transcript of *2026D Special Session*, 73:17-20, Florida Senate Committee on Rules, (Apr. 28, 2026).

101. During questions and answers, Mr. Poreda and Mr. Jazil also articulated and defended the severability rationalization for mid-census cycle redistricting that was previewed to the legislature in the Transmittal Letter.

102. Following questions, the People testified before the Members engaged in debate.

103. The Map was voted out of the Senate Rules Committee by a vote of 14 yeas, 9 nays.

House and Senate floor proceedings demonstrated commitment to new map—without articulable reason, participation, or need.

104. During House and Senate floor proceedings, lawmakers asked the bill sponsors many questions that their colleagues only began to scratch the surface of asking the preceding day. Notably, because the Governor's representatives were not available to answer questions during the floor proceedings, Senator Gaetz and Representative Persons-Mulicka, the bill sponsors in their respective chambers, answered many of the questions by disclaiming any personal knowledge beyond what was discussed during the committee meetings. The bill sponsors also indicated that they did not have any direct conversations with the Governor's office about the map or the redistricting process beyond receipt of the Transmittal Letter.[68]

105. On Wednesday, April 29, 2026, both chambers voted to approve the Challenged Map. The House voted to approve the Challenged Map by a vote of 83 yeas, 28 nays, and the Senate approved it with a vote of 21 yeas, 17 nays.

106. The Map was sent to the Governor's office for signature on May 4, 2026, and that same day, Governor DeSantis signed the Challenged Map into law.

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[68] *See* Ex. 3, Transcript of *2026D Special Session*, House Session (Apr. 29, 2026); *see also ex. 4*, Transcript of *2026D Special Session*, Florida Senate Session (April 29, 2026).

Florida lawmakers pushed through mid-decade redistricting despite large public opposition.

107. The People of the State of Florida appeared in droves to oppose the Challenged Map and mid-decade redistricting. Hundreds of members of the public testified or waived in opposition. None provided testimony in support.

108. So many people went to the Capitol to oppose the map that Representative Kevin Chambliss moved to extend the House Select Committee's meeting time by 30 minutes to allow time for more Floridians to share their comments.[69] His motion was rejected by voice vote, despite the presence of over 100 Floridians who had yet to provide public testimony.[70]

109. The People's comments echoed consistent themes. Floridians condemned the apparent partisan gerrymandering, voiced their concern that legislators were yielding their lawmaking power to the Governor, aired their frustrations with the mid-decade redistricting process, and gave voice to their opposition to the map's inevitable impact of silencing Black and Latino voices statewide.

110. Many members of the public voiced concerns that the mid-decade redistricting process was a clearly partisan maneuver orchestrated by President Trump and Governor DeSantis. Commenters characterized the process as unlawful partisan gerrymandering in violation of the Florida Constitution and described it as an effort to manipulate electoral outcomes rather than a legitimate redistricting exercise.[71]

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[69] *See* Ex. 1, Transcript of *Congressional Redistricting*, 80:23-81:2, House Select Committee, (Apr. 28, 2026).
[70] *Id.* at 81:3-8.
[71] *Id.* at 94:4-7 ("The man at 1600 Pennsylvania Avenue triggered this."); 118:19-22 ("[P]artisan gerrymandering is illegal and against the State Constitution."); 90:1-13 ("It is gerrymandering . . . [i]f you want to be elected, don't cheat.").

111. Members of the public also expressed concern that Governor DeSantis's outsized role in the development and passage of the Challenged Plan reflected a disregard for the separation of powers, and that the Legislature's willingness to proceed under those circumstances constituted an abdication of its lawmaking responsibilities. Commenters described the process as driven by executive influence and political ambition rather than independent legislative judgment and emphasized that redistricting authority rests with the Legislature—not the Governor.[72]

112. Floridians who spoke during the public comment period repeatedly warned that the unprecedented mid-decade redistricting process would silence their voices and dilute the political power of racial and language minority communities, underscoring the foreseeable and intended consequences of the Challenged Plan. They emphasized that redistricting is "one of the most powerful tools we have to shape whose voices are heard and whose are diminished,"[73] and described the process as one in which "[p]oliticians [are] choosing their voters, not voters choosing their politicians."[74]

113. Commenters further rejected claims of neutrality, explaining that the map "effectively neutralizes minority voters,"[75] and urged legislators to recognize that the communities affected are "not numbers" or "lines on a map[,]"[76] but people whose voices are being erased. These concerns, raised directly before the Legislature, put lawmakers on notice that the Challenged

[72] *Id.* at 104:5-11 ("[R]edistricting and drawing Congressional maps is your responsibility, . . . not the Governor's."); 87:23-88:1 ("[I]t seems like the governor thinks that the third legislative branch is not you guys[.]"); 102:12-13 ("Ron DeSantis wants to grow his own political ambitions[.]"); 136:7-13 ("Governor DeSantis is running out the clock . . . [and] is taking his strategy from President Trump.").
[73] *See* Ex.1, Transcript of *Congressional Redistricting* at 95:17-19, House Select Committee, (Apr. 28, 2026).
[74] *Id.* at 104:12-15.
[75] *Id.* at 104:12-15.
[76] *Id.* at 128:8-13.

Plan would diminish minority voting strength and silence disfavored communities, yet the Legislature proceeded regardless.

114. Volusia County National Advancement for the Association of Colored People ("NAACP") President Cynthia Slater approached the podium wearing a t-shirt that read "[a] black vote was oppressed today" and commented "the people delivered a mandate, not a suggestion, to not draw partisan maps."[77]

115. These comments make clear that the Legislature's stated justifications were not credited by the public but were instead understood as a clear attempt to obscure an unlawful partisan gerrymander— "we all see a horse, but you're trying to tell us it's a cow." [78]

The Challenged Plan violates the Fair Districts Amendments by intentionally favoring the Republican Party and disfavoring the Democratic Party.

116. The Challenged Plan is not a wholesale replacement of the plan enacted in 2022 ("Benchmark Plan"). Indeed, by the stated mapmaker's characterization, the Challenged Plan retains 7 districts unchanged from the 2022 Benchmark Plan and makes only small changes to another 10 districts. This results in 17 districts that are identical or similar in both the Benchmark and Challenged Plan, and 11 districts that see more significant changes in the Challenged Plan.[79] The stated map drawer Jason Poreda attributed this stability to "trying to keep the cores of the existing districts and trying to limit the impact of this mid-decade redistricting[.]"

117. But the 11 districts that, in Mr. Poreda's estimation, see significant changes from the Benchmark Plan are not evenly dispersed throughout the Challenged Plan. Instead, the changed

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[77] *Id.* at 98:23-99:2.
[78] *Id.* at 125:16-17.
[79] Although there were 10 districts which were not as drastically changed, many of these small changes nonetheless play a significant role in aiding the Challenged Plan's goal of increasing the number of Republican-performing districts.

districts are geographically concentrated in three regions: Tampa Bay, Central Florida, and South Florida. *See* **Figure 2**.

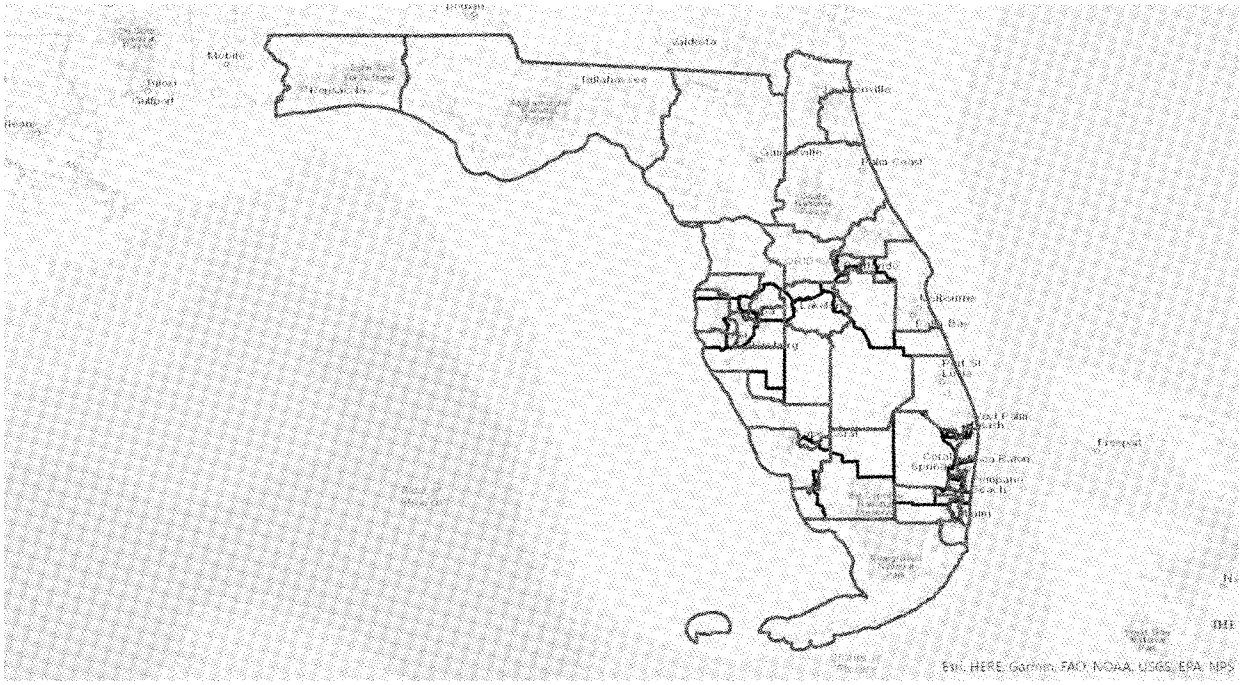

Figure 2: ***2026 Challenged Plan (red) Laid Over the 2022 Benchmark Plan (black)***

118. Not coincidentally, these areas are the only places where there are currently Democratic congressional representatives and the places where the projected partisan performance of the plan sees significant changes. Under the Benchmark Plan, Democrats were elected to 8 of Florida's 28 congressional seats: one in Tampa Bay, two in Central Florida, and five in South Florida. Under the Challenged Plan, Democrats are favored to hold only four congressional seats: none in Tampa Bay, one in Central Florida, and three in South Florida. The Challenged Plan targets the remaining four seats currently held by Democratic representatives, seeking to disfavor their incumbents and favor the Republican Party by systematically dismantling these Democratic-leaning districts.

119. None of the pretextual explanations proffered by Governor DeSantis or the stated map drawer explain this clear partisan tilt from the Benchmark Plan to the Challenged Plan.

120. For example, while the stated map drawer asserted core retention was an important goal for the Challenged Plan, district cores were retained or disrupted in a grossly uneven fashion. Only about 41% of the population within the Benchmark Plan's Democratic-leaning districts remained in the same-numbered district in the Challenged Plan, whereas about 83% of the population in the Benchmark Plan's Republican-leaning districts remained in the same-numbered district in the Challenged Plan. Many of the districts that retained less of their population also changed from Democratic-leaning to Republican-leaning, exemplifying a pattern of disrupting districts for partisan gain.

121. Nor can this pattern of uneven district core disruption be explained as an attempt to balance the districts for post-Census growth, despite the map drawer's testimony and Governor DeSantis's asserted rationale regarding the mid-decade redistricting for the Challenged Plan.

122. Most importantly, the redrawn map equalizes population among districts using the same 2020 census data that was used in 2022. The relevant data dictating how population is actually measured has not changed.

123. Moreover, the stated map drawer himself testified only that he used the updated population estimates as a rough guide for where to redraw; he disclaimed any specific usage of that data beyond the county level while drawing. "I used the 2020 census data exclusively. I did not overlay any other data over the map itself."[80] The map drawer failed to actually employ any

[80] *See* Ex.2, Transcript of *2026D Special Session* at 73-74, Florida Senate Committee on Rules, (Apr. 28, 2026).

updated population estimates while drawing, or to check the districts for improved population equality using those estimates.

124. The map drawer also failed to apply this standard of updating districts for uneven population growth evenly across the state. For example, the Challenged Plan failed to make any modifications in Northeast Florida near Jacksonville, despite St. John's County having one of the highest levels of population growth in the past five years using the very same dataset the map drawer purported to rely on.[81] This is a higher rate of growth than any of the areas identified by the map drawer as needing to be redrawn for population growth, and even comparable on an absolute basis despite St. John's County starting from a much lower population baseline than the areas that were redrawn, such as Hillsborough, Orange, and Miami-Dade counties.[82]

125. As a result of these omissions, the map drawer disclaimed knowledge of whether the districts were in fact more equally apportioned, whether using updated population estimates or in reality. "[T]he actual populations of the districts, like, might be more balanced than before, but I don't know for certain. Nobody really does[.]"[83]

126. Governor DeSantis and his counsel's speculation that the Supreme Court would soon "bar the consideration of race" in redistricting also did not play out.[84] The *Callais* decision had not been issued when the map was drawn. Nor did the Supreme Court or the Florida Supreme Court in fact hold that *all* consideration of race in redistricting is per se unconstitutional. And the

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[81] *Florida Population Estimates by County and Municipality* at 13, Fla. Office of Economic & Development Research (Apr. 1, 2025), https://edr.state.fl.us/content/population-demographics/data/2025_Pop_Estimates.pdf (showing St. John's County with over 25% growth between 2020 and 2025, adding 74,911 people).
[82] *Id.*
[83] *See* Ex.2, Transcript of *2026D Special Session* at 48-49, Florida Senate Committee on Rules, (Apr. 28, 2026).
[84] *See* Ex.1, Transcript of *Congressional Redistricting* at 8:13-18, House Select Committee, (Apr. 28, 2026).

Challenged Plan made changes across much of the map, well beyond the areas that had been drawn with race as a consideration in 2022.

127. The primary district Governor DeSantis pointed to as needing correction for race-blindness was CD-20 in South Florida.[85] This district could have been made more compact and compliant with traditional redistricting principles. Yet the Challenged Map drastically reshaped distant districts in Central Florida and Tampa Bay, both regions where the state had disclaimed use of race in 2022. Meanwhile, it left CDs 27 and 28 relatively untouched, despite these districts having been drawn based on racial considerations in 2022.

128. Finally, the Challenged Plan cannot be explained by any improved adherence to the Fair Districts Amendments' Tier II criteria. The Challenged Plan is less compact than the Benchmark Plan on multiple measures. Likewise, the Challenged Plan makes less use of existing political boundaries than the Benchmark Plan, splitting more whole counties (19 vs. 17), cities (27 vs. 15), towns (2 vs. 1), villages (1 vs. 0), and municipalities (30 vs. 16).

129. These additional political boundary splits are concentrated in the areas of the Challenged Plan that were re-drawn with impermissible partisan intent. Both newly split counties are the result of the re-drawn areas, with the Tampa-area districts creating a new split in Sarasota County and the Central Florida districts creating a new split in Osceola County. The Challenged Plan also splits both Broward, Miami-Dade, and Pasco counties one additional time as compared to the Benchmark Plan. All of these new county splits are in regions that were re-drawn for partisan advantage.

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[85] Office of Governor Ron DeSantis, Congressional Map Submission, https://www.flsenate.gov/PublishedContent/Offices/President/4_27_26_Combined_PDF_Congressional_Map_Submission_by_Governor_DeSantis.pdf (Apr. 27, 2026).

130. Each of these pretexts breaks down at the precise point in the Challenged Plan where it would otherwise interfere with partisan goals. Core retention is important—except in CD 14, where a compact Tampa-based district is splintered into tendrils connecting parts of Tampa with rural communities to the north, east, and south. New districts are needed in areas of high-growth—except in Northeast Florida, one of the highest-growth areas of the state but also where there are no Democratic-held seats to target. The plan must be redrawn as race-blind—but not in CDs 27 and 28, which are Republican-held districts that went virtually unchanged despite being drawn with race consciousness in the Benchmark Plan. The plan needs to better follow traditional redistricting criteria—except that it gets less compact and splits more counties and more municipalities.

131. The Challenged Plan is optimized for Republican partisan performance, rather than calibrated to serve any of the pretextual motivations offered by the Governor or his team.

132. In this case, the obvious answer is also the best one. The Challenged Plan is drawn with the intent to favor the Republican Party and Republican incumbents and disfavor the Democratic Party and Democratic incumbents. The map drawer admitted consulting partisan data when drawing the plan, and in this singular respect, he perfectly achieved his goals.

133. The Challenged Plan is an unlawful partisan gerrymander.

134. While partisan intent tainted the entire map drawing process and resulting districts, examining district-specific changes also reveals the Challenged Plan as a partisan gerrymander intended to gain four new Republican-leaning seats.

The Challenged Plan's Central Florida districts reflect partisan bias and unjustified departures from traditional redistricting criteria.

135. In Central Florida, the Challenged Plan eliminates a district, CD-9, that had elected a Democrat under the Benchmark Plan, violating the Fair Districts Amendments' Tier II principles and other traditional redistricting principles to achieve this end. Benchmark CD-9 contained all of Osceola County, southern Orange County, and a small part of Polk County. Under the Challenged Plan, CD-9 now spans from southern Orange County all the way south to Glades County. It removed Democratic-leaning precincts from Benchmark CD-9 and dispersed them among new CDs 11 and 18. It also markedly reduced the district's Latino population share, cracking the cohesive, largely Puerto Rican community of Benchmark CD-9 into no less than five different districts in the Challenged Plan. *See* **Figures 3a and 3b**.

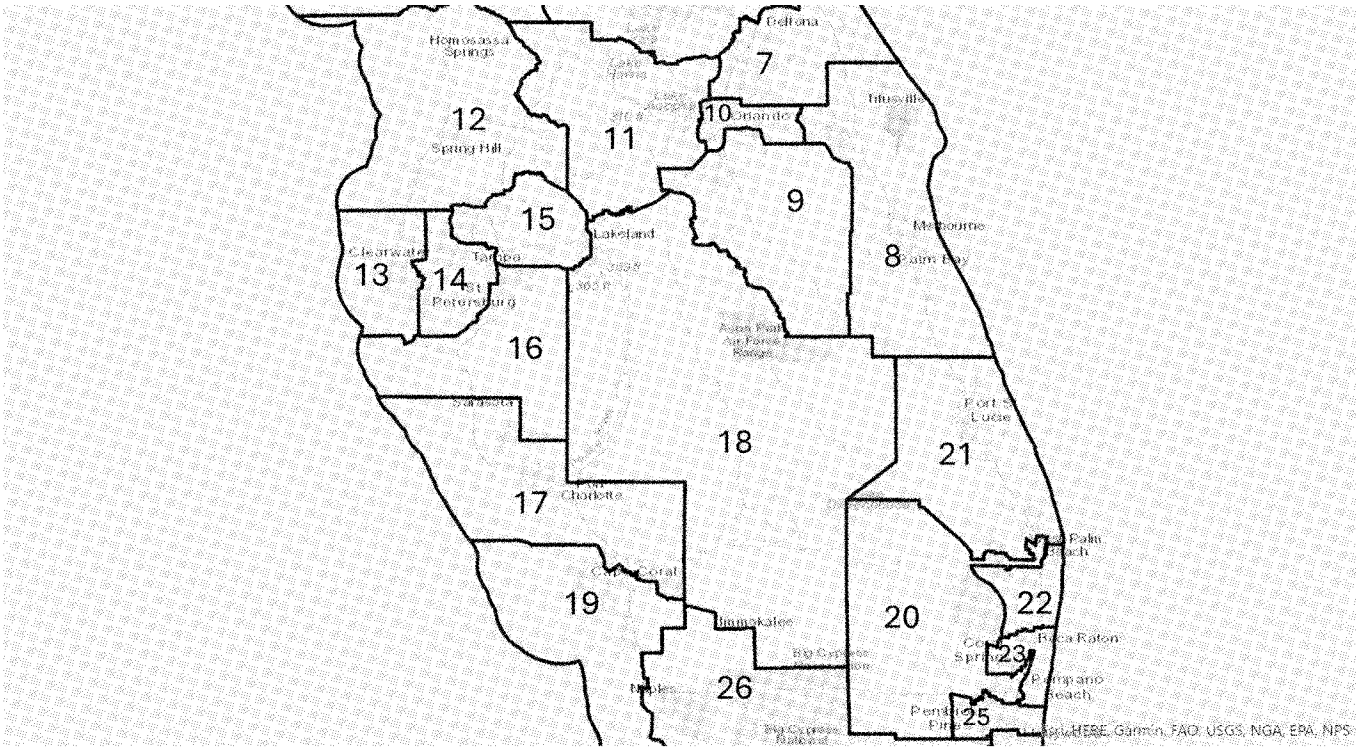

Figure 3a: ***Central Florida, 2022 Benchmark Plan***

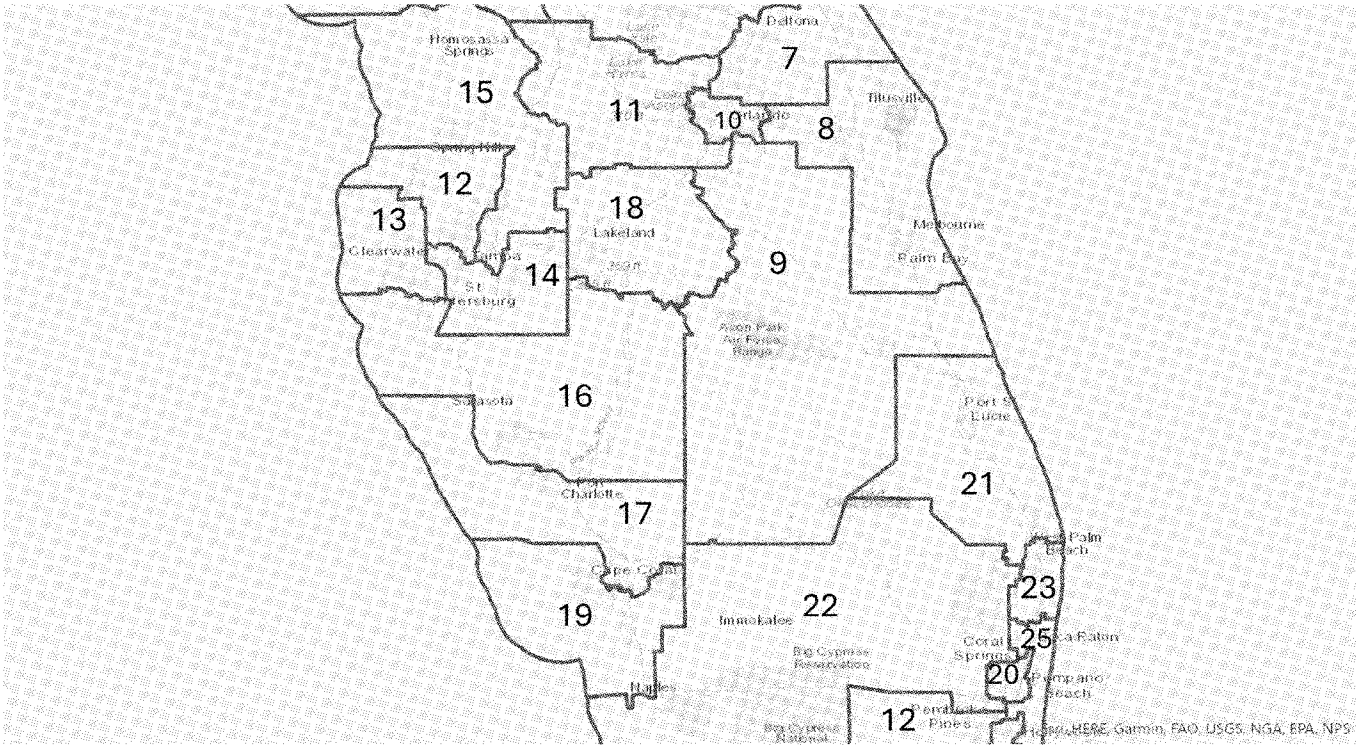

Figure 3b: ***Central Florida, 2026 Challenged Plan***

136. Mr. Poreda testified in both the House and Senate committee hearings that in order to draw these districts, he "jumped up" to Central Florida[86] after finishing his redraw of CDs 17 and 19. He further testified that he began with CD-8, drawing a new version that traded the entirety of Indian River County, which was paired with Brevard County in Benchmark CD-8, for more population in Orange County in the Challenged Plan's CD-8. This caused his new versions of CD-10 and CD-11 to move west, which he testified allowed him to keep new CD-11 out of Polk County entirely. But despite testifying that Polk County was a very fast-growing county and that he wanted to keep a district "mostly entirely" within Polk accordingly, the Challenged Plan splits Polk County three ways, even though it would fit entirely within a single district. He offered no explanation as to why he did not keep Polk County whole, as he did numerous times throughout the map with other counties.

137. This split of Polk County results in a new split of Osceola County, pairing parts of Osceola and Polk in both CDs 9 and 18. The majority of Osceola County, previously contained whole in Benchmark CD-9 but now split, is now paired with rural counties to the south and Indian River County to the east. The map drawer testified this configuration allows Indian River County to have "a greater voice than it had previously in the district it was in before."[87] He expressed no such regard for Osceola County.

138. The effect of this configuration is the whittling away of CD-9, taking small pieces and separating them into the surrounding districts until a Democratic-performing, majority-Latino district is replaced by a Republican-leaning, plurality-White one. By pairing Indian River County

[86] *See* Ex.1, Transcript of *Congressional Redistricting* at 31:7-11, House Select Committee, (Apr. 28, 2026).
[87] *See* Ex.2, Transcript of *2026D Special Session* at 31, Florida Senate Committee on Rules, (Apr. 28, 2026).

with Osceola County to its west instead of Brevard County to its immediate north, it moves CDs 8, 10, and 11 west and south, leaving CD-9 with less of heavily Democratic Orange County. This allows the Challenged Plan to split Osceola County instead of leaving it whole as it was in the Benchmark Plan; this includes two districts that contain parts of both Osceola and Polk Counties, despite neither county requiring a split for population reasons. These shifts in turn push CD-9 south, pairing the bulk of Osceola County with much more rural communities and with Indian River County, completing the map's reconfiguration of Central Florida. This, as the map drawer testified, gives Republican-leaning Indian River County "a greater voice" in the Challenged Plan. Left unsaid is that this "greater voice" comes at the expense of the cohesive Democratic-leaning Latino community in Benchmark CD-9, who sees CD-9 transform into a heavily Republican-leaning seat.

139. These changes cannot be justified by any improvements in performance of these districts on Tier 2 criteria.

140. Nor do the changes to these districts result in meaningful improvements to compactness, as reflected in **Table 1** below:

Table 1				
	2022 Polsby-Popper	**2026 Polsby-Popper**	**2022 Reock**	**2026 Reock**
District 8	0.452	0.442	0.323	0.436
District 9	0.468	0.359	0.490	0.467
District 10	0.373	0.365	0.409	0.463
District 11	0.357	0.330	0.519	0.412
District 18	0.422	0.403	0.423	0.662

141. Across these districts, Polsby-Popper scores uniformly decline, while Reock scores show inconsistent changes that do not reflect a coherent effort to improve compactness. Instead, these data confirm that the Challenged Plan does not meaningfully advance Tier II compactness criteria.

142. The shifts in Central Florida are all orchestrated for the purpose of dismantling the Democratic-leaning Benchmark CD-9 and replacing it with a heavily-Republican version, in violation of the Fair Districts Amendments.

The Challenged Plan's Tampa Bay districts reflect partisan bias and unjustified departures from traditional redistricting criteria.

143. Shifting to the Tampa Bay area, the Challenged Plan also dismantles Benchmark CD-14. Benchmark CD-14 was based in Hillsborough and Pinellas counties, centered around the Tampa Bay. The Challenged Plan distributes Benchmark CD-14 across five different districts, one of which reaches as far north as Citrus County, and one as far south as DeSoto County. It also

carves up the area around downtown Tampa, splitting it between three new districts (new CDs 12, 14, and 15). *See* **Figure 4a** and **Figure 4b**.

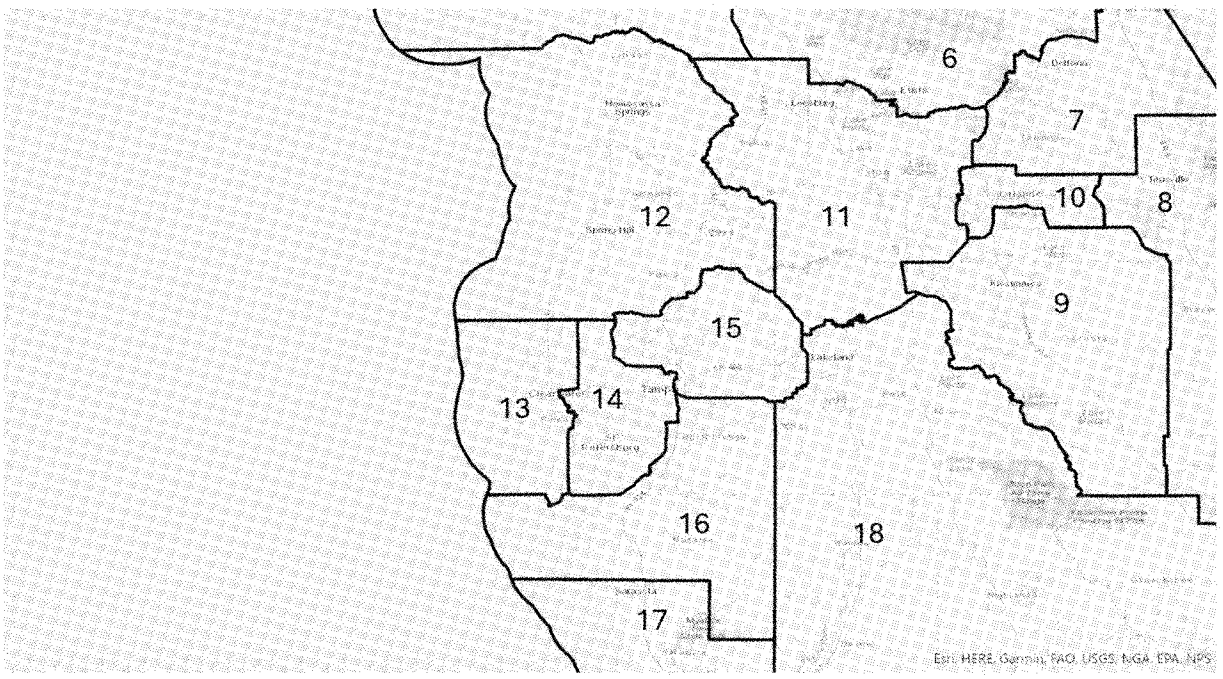

Figure 4a: ***Tampa Bay, 2022 Benchmark Plan***

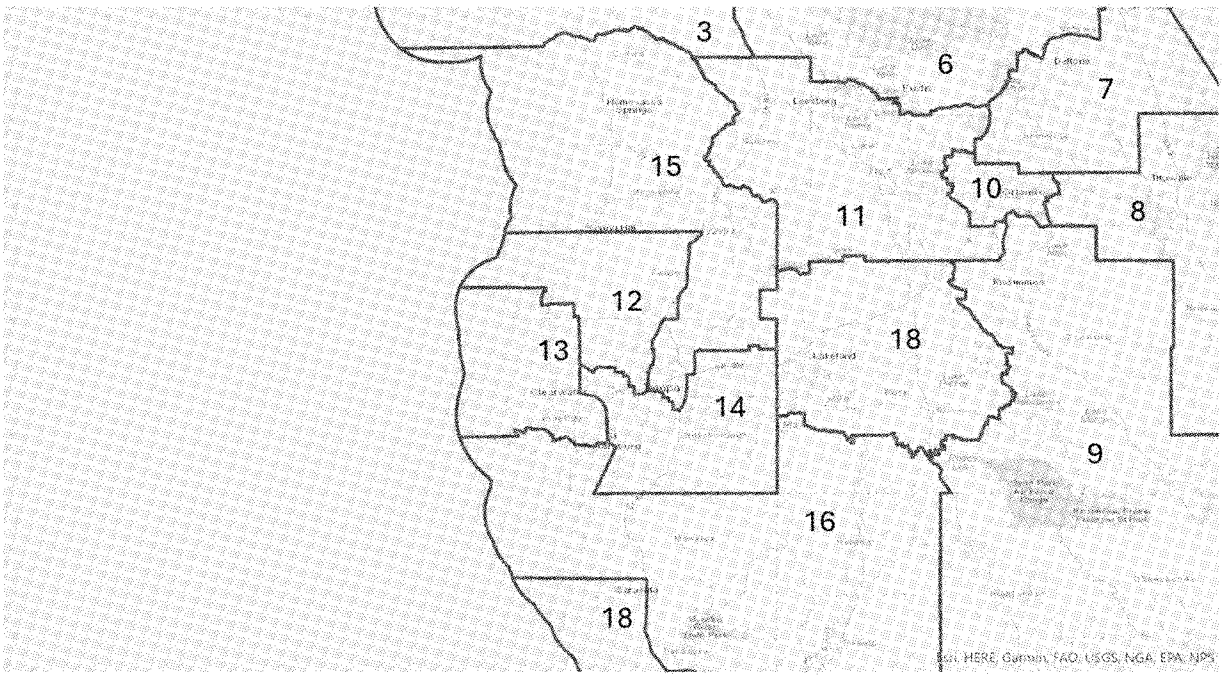

Figure 4b: ***Tampa Bay, 2026 Challenged Plan***

144. The map drawer characterized the changes in this area as geared toward creating a district entirely within Hillsborough County, due to its being a "faster growing county." To achieve that goal, he claimed to have started from the southern end of the county and worked his way north.[88] He never explained why he chose that starting point rather than another approach that would, for example, keep the City of Tampa more whole. He also testified that he then needed to connect Pinellas County with new CD-16 to the south.[89]

145. The effect of the Challenged Plan's redraw is to split the municipality of Tampa across three separate districts. One of those districts, CD-15, now stretches from parts of downtown Tampa in the south, curving up through the eastern edge of Pasco County, and then expanding out all the way north and west to rural Hernando and Citrus counties on the state's western coast. Another, CD-12, starts at that same downtown Tampa point and reaches up through central and western Pasco County. And CD-14 keeps the remainder of the now sliced up Hillsborough County. But Tampa could have been kept more whole. For example, the Benchmark Plan split Tampa a single time, separating only the farther-reaching northwest arm of the city from the remainder and keeping its core intact. And given the map drawer's stated goal of creating a district entirely within Hillsborough County, as well as Tampa's population size, there is no reason to believe that Tampa had to be split at all.

146. The Challenged Plan's changes cannot be explained by the Fair Districts Amendments' Tier II criteria. It sharply decreases CD-15's compactness, without a corresponding increase for CDs 12 or 14. It cuts downtown Tampa into three pieces. It splits the even-faster-

[88] *See* Ex.2, Transcript of *2026D Special Session* at 33:1-24, Florida Senate Committee on Rules (Apr. 28, 2026).
[89] *Id.*

growing Pasco County into three pieces.[90] And the Benchmark Plan shows this change was not necessary to equalize populations.

147. Meanwhile, St. Petersburg is now split by a jagged line running east to west across Pinellas County that does not follow any consistent roadway or geographic boundary. The northern portion was joined onto CD-13, while the southern portion was added to CD-16. As a result, CD-16, once a compact district made up of Manatee County and parts of Hillsborough, now forms a U-shape starting in Pinellas County, reaching down and inland through Manatee and parts of Sarasota County, all the way south to DeSoto County, and then back north through Hardee and parts of Polk County. This change cannot be explained by the Fair Districts' Amendments' Tier II criteria or any other traditional redistricting criteria. It decreases the compactness of both CD-13 and CD-16. And it does not better use existing political and geographic boundaries: The jagged line cutting through St. Petersburg creates a new split in Seminole, for example.

148. The changes to these Tampa-area districts do not result in meaningful improvements to their compactness, as can be seen in **Table 2** below:

[90] *Florida Population Estimates by County and Municipality* at 13, Fla. Office of Economic & Development Research (Apr. 1, 2025), https://edr.state.fl.us/content/population-demographics/data/2025_Pop_Estimates.pdf.

Table 2				
	2022 Polsby-Popper	**2026 Polsby-Popper**	**2022 Reock**	**2026 Reock**
District 12	0.381	0.407	0.446	0.415
District 13	0.584	0.547	0.509	0.498
District 14	0.474	0.437	0.480	0.521
District 15	0.577	0.257	0.577	0.326
District 16	0.449	0.372	0.447	0.391

149. By spreading the population of Benchmark CD-14 across these five new districts, the Challenged Plan gained a Republican seat; what were formerly four Republican-leaning districts and one Democratic-leaning district became five Republican-leaning districts.

The Challenged Plan's South Florida districts reflect partisan bias and unjustified departures from traditional criteria.

150. In South Florida, similar partisan shifts can be seen. The Challenged Plan reconfigures the South Florida-based districts to create two new Republican-leaning districts that are non-compact and not justified by the need to alter adjacent districts. *See* **Figure 5a** and **Figure 5b**.

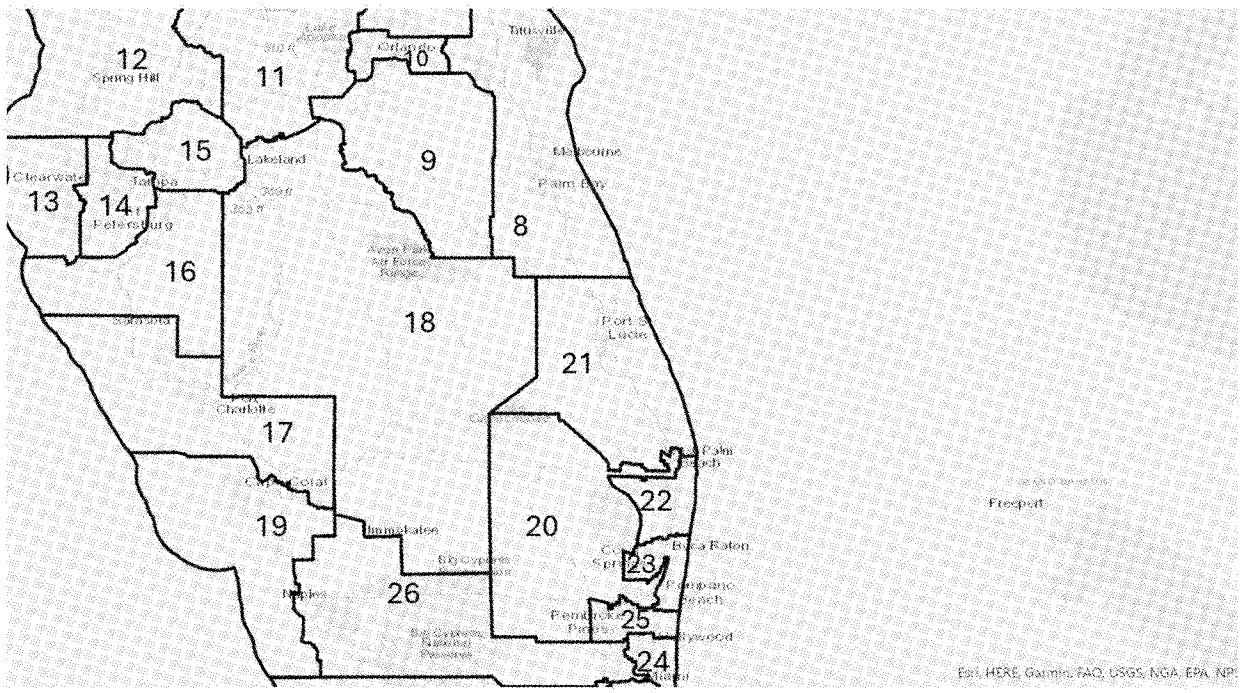

Figure 5a: ***South Florida, 2022 Benchmark Plan***

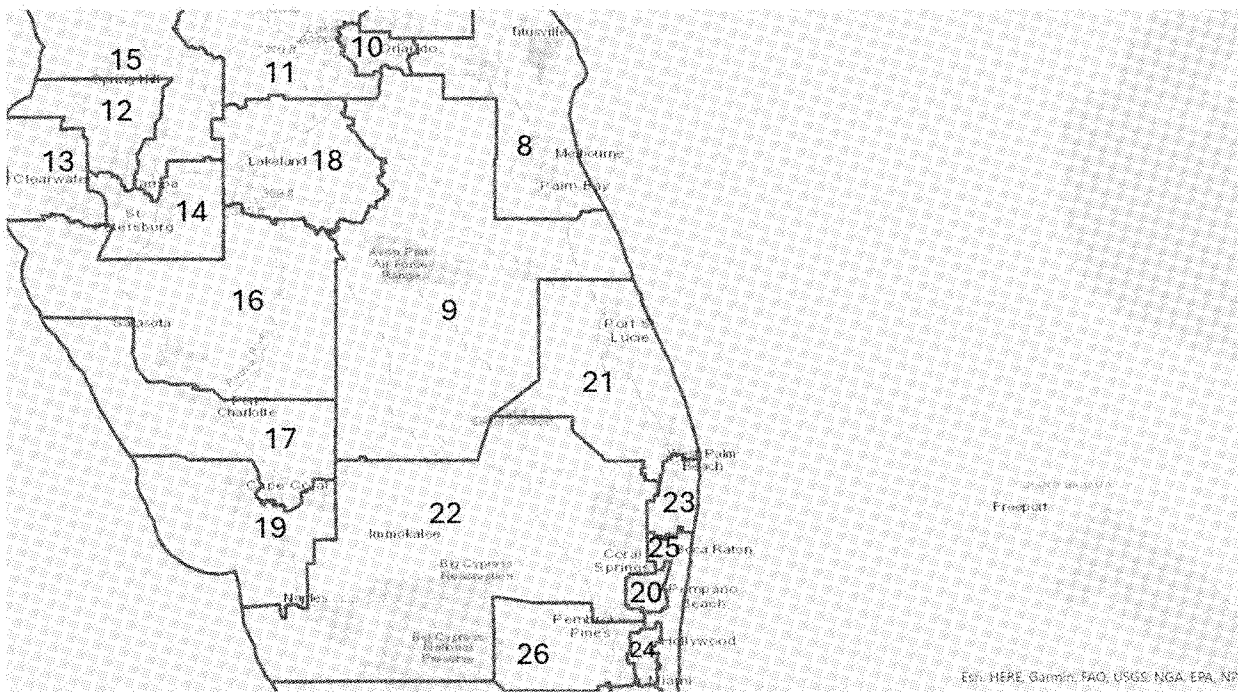

Figure 5b: ***South Florida, 2026 Challenged Plan***

151. The map drawer explained his process as flowing from the need to reconfigure what he viewed as a racial gerrymander in Benchmark CD-20. But rather than make modest changes to

ensure that the district was not racially predominant and more compliant with Tier 2 criteria, he engaged in wholesale changes of Benchmark CDs 20, 22, 23, 24, 25, and 26. After making modest changes to Benchmark CD-21, the map drawer testified that he drew the Challenged Plan's CD-23 to ensure that Palm Beach County had a district entirely contained within the county.[91] Although the Benchmark Plan already had a district entirely contained within Palm Beach County in Benchmark CD-22, the map drawer chose instead to draw a brand new CD-23 to achieve this same purpose.

152. The map drawer testified that he next drew from the southern tip of the state, leaving CDs 27 and 28 mostly unchanged but purportedly following municipal boundaries to construct new CDs 24 and 26. He then testified that he created an all-Broward new CD-20, again choosing to discard an already-compact, all-Broward district in Benchmark CD-25.

153. The map drawer concluded his explanation of the South Florida districts by accounting for new CD-25 as a district that connects coastal precincts in Palm Beach, Broward, and Miami-Dade counties that were functionally leftover after he created his other districts, which he connected in an admittedly non-compact fashion. He then explained that there were leftover communities in western Broward and Palm Beach counties, which he chose to have cross the Everglades and paired with Hendry and Collier counties in new CD-22.

154. The partisan impacts of this new configuration are clear. The map drawer's purported prioritization of drawing districts contained entirely within Broward and Palm Beach counties ignores the Benchmark Plan's districts that meet these criteria; instead, the Challenged Plan constructs such districts anew, packing the most Democratic-leaning precincts in the counties

[91] *See* Ex.1, Transcript of *Congressional Redistricting* at 22-23, House Select Committee (Apr. 28, 2026).

into new districts. This, when paired with some tweaks to make the Miami-based Democratic-leaning seat even more Democratic, enables the construction of two districts that the map drawer presents as having been drawn at the very end, comprised of areas that have to go somewhere.

155. These two "leftover" districts just so happen to be brand-new, non-compact agglomerations of the most Republican-leaning precincts that were not already in a Republican-held district in southeast Florida. New CD-25 takes the shape of a Lego brick, gathering up Republican-leaning coastal precincts from Benchmark CDs 23 and 24, as well as retaining some additional Republican-leaning precincts from Benchmark CD-25, to produce a new Republican-leaning seat. The Challenged Plan's coastal CD-25 is now the least compact district in either the Benchmark or Challenged Plan, and its abnormal, non-compact shape also transforms it from a Democratic-leaning district in the Benchmark Plan to a Republican-leaning district in the Challenged Plan. In addition, the effective packing of the Challenged Plan's CDs 20, 23, and 24 allows the creation of a new CD-22 that the map drawer testified was the last district created in south Florida, and operates to unite disparate areas of Republican-leaning precincts into a Republican-leaning district.

156. Nor do Tier 2 considerations save the South Florida configuration of the Challenged Plan. The changes in South Florida carve up counties even more than the Benchmark Plan. Under the Challenged Plan, Miami-Dade and Broward counties are both split between five districts, compared to four in the Benchmark Plan.

157. Nor do these changes meaningfully improve the compactness of South Florida's Congressional districts, as can be seen in **Table 3** below:

Table 3				
	2022 Polsby-Popper	**2026 Polsby-Popper**	**2022 Reock**	**2026 Reock**
District 20	0.277	0.412	0.497	0.479
District 21	0.495	0.509	0.497	0.491
District 22	0.421	0.403	0.442	0.483
District 23	0.288	0.460	0.496	0.494
District 24	0.484	0.321	0.476	0.382
District 25	0.381	0.161	0.423	0.166
District 26	0.326	0.546	0.291	0.526
District 27	0.727	0.691	0.711	0.669
District 28	0.241	0.241	0.216	0.216

158. The Challenged Plan's South Florida districts are, like the Central Florida and Tampa districts before them, illegal partisan gerrymanders.

CLAIM FOR RELIEF

COUNT I

Violation of Florida Constitution Article III, Section 20 Intent to Favor or Disfavor a Political Party

159. Plaintiffs restate and incorporate by reference the allegations of paragraphs 1 through 158 above as though fully set forth herein.

160. The Challenged Plan, both as a whole and with respect to individual districts within the plan, including but not limited to Districts 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 20, 22, 23, 24,

25, and 26, were drawn with the intent to favor the Republican Party and disfavor the Democratic Party in violation of Article III, Section 20 of the Florida Constitution.

RELIEF REQUESTED

WHEREFORE, Plaintiffs respectfully request that this Court:

A. Declare that the Challenged Plan and/or individual districts within the Challenged Plan, violate Article III, Section 20 of the Florida Constitution;

B. Temporarily and permanently enjoin Defendants, their officers, agents, employees, successors, and all persons acting in concert, from administering, implementing, enforcing, or giving any effect to the Plan, including prohibiting the use of the Plan in any election for the United States House of Representatives;

C. Order the implementation of the 2022 benchmark congressional redistricting plan for the upcoming 2026 election and every election thereafter unless replaced by a lawfully enacted congressional redistricting plan that complies with Article III, Section 20 of the Florida Constitution;

D. Award Plaintiffs their costs and expenses incurred in this action pursuant to Fla. Stat. § 86.081 and any other applicable provision of law; and

E. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted by:

/s/ Jennifer Thelusma
Jennifer Thelusma (Fla. Bar # 1019776)
Matletha Bennette (Fla. Bar # 1003257)
Southern Poverty Law Center
2 South Biscayne Blvd, Suite 3200
Miami, FL 33131
786-347-2056
jennifer.thelusma@splcenter.org
matletha.bennette@splcenter.org

Bradley E. Heard*
Jack Genberg (Fla. Bar # 1040638)
Southern Poverty Law Center
1101 17th Street NW, Suite 550
Washington, DC 20036
202-945-7904
bradley.heard@splcenter.org
jack.genberg@splcenter.org

Christopher Shenton*
Adrianne M. Spoto*
Rachel Allore*
Southern Coalition for Social Justice
PO Box 51280
Durham, NC 27717
919-323-3380
chrisshenton@scsj.org
adrianne@scsj.org
rachel@scsj.org

Norman L. Eisen*
Andrew H. Warren (Fla. Bar #646431)
Democracy Defenders Fund
600 Pennsylvania Avenue SE, Suite 15180
Washington, DC 20003
202-594-9958
Norman@democracydefenders.org
Andrew@democracydefenders.org

* *Pro hac vice* applications forthcoming.