

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

**VONDA THOMPSON-WYNN, GINO
VACCARI, EMMA JANE RUBINI,
SHELBY MCGUIRE-SMITH, MARK
TABER, and SAIGE WISBY,**

Plaintiffs,

v.

**CORD BYRD, in his official capacity as
Florida Secretary of State; the FLORIDA
SENATE; and the FLORIDA HOUSE OF
REPRESENTATIVES,**

Defendants.

Case No. 2026-ca- 2026 CA 000925

COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF

Plaintiffs Vonda Thompson-Wynn, Gino Vaccari, Emma Jane Rubini, Shelby McGuire-Smith, Mark Taber, and Saige Wisby file this Complaint for injunctive and declaratory relief against Defendants Cord Byrd, in his official capacity as Florida Secretary of State, the Florida Senate, and the Florida House of Representatives, and allege as follows:

INTRODUCTION

1. “In establishing congressional district boundaries . . . [n]o apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent.” Art. III, § 20(a), Fla. Const. This express prohibition on partisan gerrymandering was passed by the people of Florida in 2010 to restore fairness to redistricting and is set forth in the first tier of requirements included in the Fair Districts Amendments to the Constitution of the State of Florida.

2. In furtherance of this purpose, the Fair Districts Amendments (“FDA”) also provide a second tier of requirements for congressional redistricting including that “districts shall be as nearly equal in population as is practicable,” “districts shall be compact,” and that “districts shall, where feasible, utilize existing political and geographical boundaries.” Art. III, § 20(b), Fla. Const.

3. In passing the FDA, Florida’s voters “sought to eliminate the age-old practice of partisan political gerrymandering—where the political party and representatives in power manipulate the district boundaries to their advantage.” *League of Women Voters of Fla. v. Detzner*, 172 So. 3d 363, 369 (Fla. 2015). Thus, Floridians “employed the essential concept of checks and balances, granting to the Legislature the ability to apportion the state in a manner prescribed by the citizens” to protect their right to elect representatives of their choice. *In re Senate Joint Resol. of Legis. Apportionment 1176*, 83 So. 3d 597, 600 (Fla. 2012) (“*Apportionment I*”). The Florida Supreme Court has recognized that right—and the process by which voters exercise it—as “the very bedrock of our democracy.” *Id.*

4. Indeed, in 2015, the Florida Supreme Court invalidated Florida’s congressional map for containing the unconstitutional partisan intent prohibited by the FDA. *League of Women Voters of Fla.*, 172 So. 3d at 375 (reiterating that “there is no acceptable level of improper intent” under the FDA) (internal citation and quotations omitted). In doing so, the Court noted that “[t]here is no question that the goal of minimizing opportunities for political favoritism was the driving force behind the passage of the Fair Districts Amendment.” *Id.* at 374 (quoting *Apportionment I*, 83 So. 3d at 639).

5. And the U.S. Supreme Court, in explaining why its decision finding partisan gerrymandering claims nonjusticiable in federal courts “does not condone excessive partisan gerrymandering . . . [or] condemn [such] complaints . . . to echo into a void,” approvingly cited

the FDA as an example of states “actively addressing the issue [of excessive partisan gerrymandering] on a number of fronts.” *Rucho v. Common Cause*, 588 U.S. 684, 719 (2019) (noting that “[p]rovisions in . . . state constitutions can provide standards and guidance for state courts to apply” in protecting against partisan gerrymandering).

6. Despite Floridians’ overwhelming support for the Constitution’s express prohibition on partisan gerrymandering and its endorsement from the country’s highest court, on April 27, 2026, Governor Ron Desantis extraordinarily unilaterally announced that the FDA is unconstitutional. On the same day, after talking about calling a special session for months, at least in part at the urging of President Trump and in pursuit of partisan gain for his preferred political party, Gov. DeSantis sent a new, mid-decade congressional map to the Florida Senate and House, drawn to create four new Republican districts at the expense of Florida’s voters. In doing so, Governor DeSantis did not even attempt to comply with the FDA’s requirements—instead he completely ignored them and instructed the Legislature to do the same.

7. It is thus no surprise that Gov. DeSantis’ map does not comply with the FDA. The map was drawn with the intent to surgically crack and pack Democratic voters and harm Democratic incumbents in districts across the state in an attempt to gain four new congressional seats for Republicans and shore up others. For example, the 2022 Congressional Plan (“2022 Plan”) already combined Democratic-leaning parts of St. Petersburg and Tampa to cut the number of Democratic-leaning districts in the Tampa Bay region from two to just one, 2022 CD 14. The 2026 Plan fractures the Democratic-leaning voters in 2022 CD 14 across *five districts* (2026 CDs 12, 13, 14, 15, and 16) eliminating the sole remaining Democratic-leaning congressional district in the region.

8. Nor did Governor DeSantis seriously try to hide the partisan aims of the map. Indeed, at a legislative hearing, his map drawer admitted to using partisan data in the drawing of every single district.¹ In addition, Governor DeSantis expressly *disclaimed* a number of non-partisan motivations, including consideration of race in the drawing of districts, and acknowledged that the map was drawn using exactly the same Census population data as the 2022 Plan. Moreover, the 2022 Plan was upheld just last year by the Florida Supreme Court, *see Black Voters Matter Capacity Building Institute, Inc. v. Secretary, Florida Department of State*, 415 So. 3d 180 (Fla. 2025), and the Supreme Court’s decision in *Louisiana v. Callais*, No. 24–109 (U.S. Apr. 29, 2026) (“*Callais*”), cannot explain the changes in the 2026 Plan. There is no question that partisan aims motivated DeSantis’ mid-decade redistricting push.

9. With no transparency and in a highly rushed process, on April 28-29, the Florida Legislature held a special session to consider and pass the map sent by Governor DeSantis as HB 1-D (the “2026 Plan”). On April 29, 2026, the Florida Legislature passed an unprecedented mid-decade redistricting of Florida’s congressional districts. Rammed through the Legislature and enacted in only two days’ time, the 2026 Plan was passed with no Democratic votes and drawn, including congressional districts 9, 10, 11, 12, 13, 14, 15, 16, and 18, with the intent to favor one political party (the Republican Party) or its incumbents and disfavor another (the Democratic Party) and its incumbents in flagrant violation of the Florida Constitution. In pursuit of these unlawful partisan aims, the 2026 Plan also violates the Florida Constitution’s requirement that districts utilize existing political and geographic boundaries where feasible.

¹ S. Rules Comm. Meeting, 2026D Spec. Sess., at 43:45-44:06 (Apr. 28, 2026), <https://www.flhouse.gov/VideoPlayer.aspx?eventID=11268>.

10. Plaintiffs file this action seeking declaratory and injunctive relief to prevent the implementation and enforcement of the unconstitutional 2026 Plan in any future elections. Such relief is necessary to ensure that the rights of Florida voters are protected and that “the very bedrock of our democracy” remains intact.

PARTIES

11. Plaintiff Vonda Thompson-Wynn is a citizen and qualified, registered voter in St. Petersburg, Florida. Under the 2022 Plan, Ms. Thompson-Wynn resided in CD 14. Under the 2026 Plan, she resides in CD 16. Ms. Thompson-Wynn is registered to vote as a Democrat, has consistently voted for Democratic candidates for the U.S. House of Representatives, and intends to do so in future elections. Plaintiff Thompson-Wynn lives in a congressional district that was drawn to favor Republicans and disfavor Democratic voters and candidates by cracking Democratic voters among multiple congressional districts.

12. Plaintiff Gino Vaccari is a citizen and qualified, registered voter in Kissimmee, Florida. Under the 2022 Plan, Mr. Vaccari resided in CD 9. Under the 2026 Plan, he resides in CD 9. Plaintiff Vaccari is registered to vote as a Democrat, has consistently voted for Democratic candidates for the U.S. House of Representatives, and intends to do so in future elections. Plaintiff Vaccari lives in a congressional district that was drawn to favor Republicans and disfavor Democratic voters and candidates by cracking Democratic voters among multiple congressional districts.

13. Plaintiff Emma Jane Rubini is a citizen and qualified, registered voter in Orlando, Florida. Under the 2022 Plan, Ms. Rubini resided in CD 10. Under the 2026 Plan, she resides in CD 10. Ms. Rubini is registered to vote as a Democrat, has consistently voted for Democratic candidates for the U.S. House of Representatives, and intends to do so in future elections. Plaintiff

Rubini lives in a congressional district that was drawn to favor Republicans and disfavor Democratic voters and candidates by packing Democratic voters into one congressional district in the area.

14. Plaintiff Shelby McGuire-Smith is a citizen and qualified, registered voter in Sorrento, Florida. Under the 2022 Plan, Ms. McGuire-Smith resided in CD 11. Under the 2026 Plan, she resides in CD 11. Ms. McGuire-Smith is registered to vote as a Democrat, has consistently voted for Democratic candidates for the U.S. House of Representatives, and intends to do so in future elections. Plaintiff McGuire-Smith lives in a congressional district that was drawn to favor Republicans and disfavor Democratic voters and candidates by cracking Democratic voters among multiple congressional districts.

15. Plaintiff Mark Taber is a citizen and qualified, registered voter in St. Petersburg, Florida. Under the 2022 Plan, Mr. Taber resided in CD 14. Under the 2026 Plan, he resides in CD 13. Mr. Taber is registered to vote as a Democrat, has consistently voted for Democratic candidates for the U.S. House of Representatives, and intends to do so in future elections. Plaintiff Taber lives in a congressional district that was drawn to favor Republicans and disfavor Democratic voters and candidates by cracking Democratic voters among multiple congressional districts.

16. Plaintiff Saige Wisby is a citizen and qualified, registered voter in Valrico, Florida. Under the 2022 Plan, Ms. Wisby resided in CD 16. Under the 2026 Plan, she resides in CD 14. Ms. Wisby is registered to vote as a Democrat, has consistently voted for Democratic candidates for the U.S. House of Representatives, and intends to do so in future elections. Plaintiff Wisby lives in a congressional district that was drawn to favor Republicans and disfavor Democratic voters and candidates by cracking Democratic voters among multiple congressional districts.

17. Defendant Cord Byrd is the Secretary of State for the State of Florida and the State's chief elections officer. Defendant Byrd is responsible for administering and supervising the elections of the U.S. Representatives from the State of Florida. § 97.012, Fla. Stat. (2025). He is sued in his official capacity.

18. Defendant Florida Senate ("Senate") is one of the two houses of the Legislature in the State of Florida. The Senate is responsible for drawing and enacting a congressional plan that complies with the Florida Constitution. With the Florida House, the Senate enacted HB 1-D, which designates the boundaries of the 2026 Plan.

19. Defendant Florida House of Representatives ("House") is the other of the two houses of the Legislature in the State of Florida. The House is responsible for drawing and enacting a congressional plan that complies with the Florida Constitution. With the Florida Senate, the House enacted HB 1-D, which designates the boundaries of the 2026 Plan.

JURISDICTION AND VENUE

20. This Court has jurisdiction over this action pursuant to Article V, Section 5(b) of the Florida Constitution and § 26.012, Fla. Stat. (2025) and has authority to grant declaratory and injunctive relief pursuant to § 86.011, Fla. Stat. (2025) and § 26.012(3), Fla. Stat. (2025) respectively.

21. Venue in this Court is proper pursuant to § 47.011, Fla. Stat. (2025).

FACTUAL ALLEGATIONS

Florida's Constitutional Requirements for Congressional Redistricting

22. In 2010, Floridians overwhelmingly voted (62.9% to 37.1%) in favor of the Fair Districts Amendment, which added requirements for redrawing congressional districts to the Florida Constitution in Article III, § 20.²

23. In its entirety, Article III, § 20 of the Florida Constitution provides that, “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.

(b) Unless compliance with the standards in this subsection conflicts with the standards in subsection (a) 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) of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection.

Art. III, § 20, Fla. Const.

24. The requirements in Art. III, § 20 are set forth in two tiers. As the text makes clear, the Tier II requirements in Art. III, § 20(b) are subordinate to the Tier I requirements in Art. III, § 20(a). *See Apportionment I*, 83 So. 3d at 639.

25. “[T]here is no acceptable level of improper intent” to draw a plan or district with the intent to favor or disfavor a political party or incumbent, and the prohibition “applies to both the apportionment plan as a whole and to each district individually.” *Id.* at 684-85.

² November 2, 2010 General Election: Const. Amendments, Fla. Dep’t of State, <https://results.elections.myflorida.com/Index.asp?ElectionDate=11/2/2010&DATAMODE=>.

26. The Florida Supreme Court has defined the Tier II requirements as Florida's traditional redistricting principles and held that "the extent to which the Legislature complies with the sum of Florida's traditional redistricting principles serves as an objective indicator of the impermissible legislative purpose proscribed under tier one (i.e., intent to favor or disfavor a political party or an incumbent)." *Id.* at 639. In other words, a violation of the Tier II requirements is both unlawful on its own and can also indicate a violation of the Tier I requirements.

The Background of the 2026 Mid-Decade Congressional Redistricting Process

27. The last redistricting in Florida occurred in 2022, following the results of the 2020 decennial census. Because of the state's population growth, Florida was accorded an additional congressional seat as a result of the 2020 decennial reapportionment.

28. Following reapportionment, Florida undertook a redistricting process in 2022. The Legislature and the Governor both proposed redistricting plans, and eventually the Legislature adopted a map proposed and primarily drawn by Governor DeSantis's office.

29. On April 21, 2022, the Legislature passed SB 2-C, the 2022 congressional map ("2022 Plan"), and the governor signed the bill into law on April 22, 2022. The 2022 Plan was drawn using the population data from the 2020 census and contained 28 equally populated districts. Eight of those districts favored Democrats, and 20 favored Republicans. The 2022 Plan was used in both the 2022 and 2024 congressional elections, and in both years the map resulted in the election of 20 Republicans and 8 Democrats.

30. On July 15, 2025, President Donald Trump began publicly calling for states with Republican-controlled legislatures to conduct mid-decade redistricting to gain additional Republican seats in the U.S. House of Representatives. President Trump's initial request was focused on Texas, but he added that "there could be some other states we're going to get another

three, or four or five in addition.”³ Following the President’s public call for redistricting, several states redrew their congressional districts “in ways that are predicted to favor the State’s dominant political party.” *Abbott v. League of United Latin Am. Citizens*, 146 S. Ct. 418, 419 (2025).

31. On July 17, 2025, the Florida Supreme Court issued a decision upholding Florida’s 2022 map for the U.S. House of Representatives—a map in which 18 of the 28 districts were drawn by Governor DeSantis’ office—against a challenge to CD 5 under the FDA’s racial vote dilution requirements. In response to a post on X that read “@GovRonDeSantis’ 2022 congressional map that added 4 Republican seats, caused Dems to lose 3 seats, upheld by Florida Supreme Court,” Governor DeSantis responded, “This was always the constitutionally correct map – and now both the federal courts and the FL Supreme Court have upheld it.”⁴



³ Nicole Markus, *Trump wants 5-seat pickup from redraw of Texas congressional map*, Politico (July 15, 2025), <https://www.politico.com/news/2025/07/15/trump-five-seat-pickup-redraw-texas-congressional-map-00454301>.

⁴ Ron DeSantis (@GovRonDeSantis), X (July 17, 2025, at 1:52 PM), <https://x.com/GovRonDeSantis/status/1945904446283632827>.

32. On July 24, 2025, Governor DeSantis said that he thought Florida could engage in mid-decade redistricting, primarily citing a claim that “the state is malapportioned” because of an undercount in the 2020 census as the reason why “it would be appropriate to do a redistricting in the mid-decade.”⁵ At the time, Governor DeSantis mentioned a conversation he had with the Commerce Secretary and a claim that a “re-do” of the census could result in an additional congressional seat for Florida.⁶ No such recount or reapportionment ever occurred.

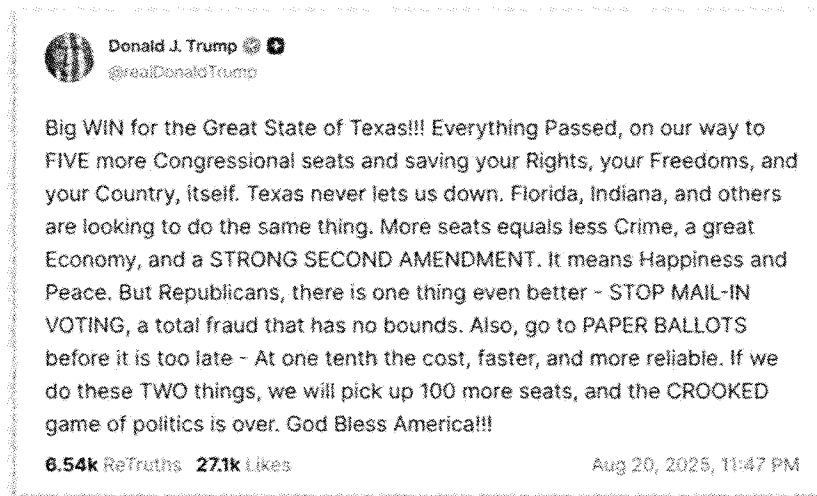
33. On August 7, 2025, the House announced the creation of the House Select Committee on Congressional Redistricting.⁷

34. Following Texas’s redistricting, President Trump posted on social media on August 20, 2025: “Big WIN for the Great State of Texas!!! Everything Passed, on our way to FIVE more Congressional seats and saving your Rights, your Freedoms, and your Country, itself. Texas never lets us down. Florida, Indiana, and others are looking to do the same thing.”

⁵ Mitch Perry, *DeSantis says it’s ‘appropriate’ to redistrict congressional districts before next election*, Fla. Phoenix (July 24, 2025), <https://floridaphoenix.com/2025/07/24/desantis-says-its-appropriate-to-redistrict-congressional-districts-before-next-election/>.

⁶ *Id.*

⁷ Tristan Wood, *Florida House announces Congressional redistricting committee*, WFSU (Aug. 7, 2025), <https://news.wfsu.org/state-news/2025-08-07/florida-house-announces-congressional-redistricting-committee>.



35. On December 1, 2025, Governor DeSantis announced that he would be calling a special session for congressional redistricting in Spring 2026, now citing his postulation that the United States Supreme Court might issue a decision in the *Louisiana v. Callais* case that would make Florida “required to do it.”⁸ He said “[t]he issue is that there is a Supreme Court decision that we are waiting on – the argument in October about Section 2 of the VRA that impacts Florida’s maps, so we’re going to do it next Spring.”⁹

36. On December 3, 2025, the Senate followed the lead of Governor DeSantis, with Senate President Ben Albritton sending a Memorandum out to all senators and Senate professional staff saying that “[t]he Governor has expressed a desire to address this issue next Spring. As such there is no ongoing work regarding potential mid-decade redistricting taking place in the Senate at

⁸ Michael Costeines, *DeSantis Will Call for Special Legislative Session on Congressional Redistricting*, The Floridian (Dec. 1, 2025), <https://floridianpress.com/2025/12/desantis-will-call-for-special-legislative-session-on-congressional-redistricting/>.

⁹ *Id.*

this time.”¹⁰ The Memorandum also cautioned members about the limitations of legislative privilege related to redistricting.¹¹

37. The House Select Committee on Redistricting met twice, on December 4 and 10, 2025, receiving presentations on an introduction to congressional redistricting outlining the basics of redistricting and the legal standards governing redistricting.

38. At the December 4, 2025, meeting, Representative Mike Redondo, the Chair of the Committee, stated that “this committee was formed by the Speaker ahead of the 2026 legislative session, so that if we do decide to propose a new congressional map, we may do so under our traditional process of lawmaking and with enough time to enact a map if passed by our legislature.”¹² He continued:

Given the fact that we are less than a year away from the election, not to mention the fact that the candidate qualifying period for federal office is in late April, it would be irresponsible to delay the creation and passage of a new map, especially until after session. It would also be irresponsible to any who are called to civil service and, most importantly, it would be irresponsible to the citizens of Florida.¹³

39. At the December 10, 2025, meeting, in response to a question about whether Florida would be required to redistrict in response to a decision in the *Callais* case, outside counsel to the House answered that, while Louisiana (the state that is a party to the case) may have no choice but to redistrict in response to the *Callais* decision, “whether Florida chooses to, after *Callais*, to keep

¹⁰ Memorandum from Sen. Ben Albritton to All Senators and S. Pro. Staff, Re: Information Regarding Potential Mid-Decade Redistricting (Dec. 3, 2025), https://static-s3.lobbytools.com/docs/2025/12/3/136900_on_information_regarding_potential_mid_decade_redistricting.pdf.

¹¹ *Id.*

¹² H. Select Comm. on Cong. Redistricting Meeting, 2026 Reg. Sess., at 4:02-4:17 (Dec. 4, 2025), <https://flhouse.gov/VideoPlayer.aspx?eventID=10724>.

¹³ *Id.* at 4:18-4:37.

its maps in place, await either the next cycle or await litigation or redraw its districts, that will be a judgment call that has to be made when we see the *Callais* decision.”¹⁴

40. Also at the December 10, 2025, meeting, Chair Redondo stated that “we will have an opportunity for public comment at future meetings.”¹⁵ The committee did not hold another meeting until April 28, 2026. On April 28, the committee provided less than two hours total time for public comment and no changes were made to the map to reflect any public comment.

41. On December 11, 2025, the day after the second House Select Committee on Redistricting meeting in Florida, a proposed bill to redraw the congressional districts in Indiana failed. Two days later, President Trump posted on Truth Social: “Republicans in the Indiana State Senate, who voted against a Majority in the U.S. House of Representatives, should be ashamed of themselves . . . Indiana, which I won big, is the only state in the Union to do this!”¹⁶

42. On January 7, 2026, Governor DeSantis issued a proclamation formally announcing the call for a special session for congressional redistricting to take place April 20, 2026 through April 24, 2026. Governor DeSantis’ press release specified that the session was “to ensure that Florida’s congressional maps accurately reflect the population of our state and to comply with an upcoming U.S. Supreme Court ruling.”¹⁷

43. The proclamation specifically stated that “the Legislature should wait as long as is feasible for conducting the 2026 elections before redrawing Florida’s congressional district

¹⁴ H. Select Comm. on Cong. Redistricting Meeting, 2026 Reg. Sess., at 1:00:00-1:00:17 (Dec. 10, 2025), <https://flhouse.gov/VideoPlayer.aspx?eventID=10752>.

¹⁵ *Id.* at 1:14:42-1:15:03.

¹⁶ Donald J. Trump, @realDonaldTrump, Truth Social (Dec. 13, 2025) 12:52 AM, <https://trumpstruth.org/statuses/34215>.

¹⁷ Press Release, Executive Office of the Governor, Governor Ron DeSantis Announces Special Legislative Session on Congressional Redistricting (Jan. 7, 2026), <https://www.flgov.com/eog/news/press/2026/governor-ron-desantis-announces-special-legislative-session-congressional>.

boundaries in order to take advantage of any further guidance from the United States Supreme Court, which is expected in early 2026, on the use of race in drawing electoral districts.”¹⁸

44. The U.S. Supreme Court did not issue its decision in the *Callais* case prior to the beginning of the special session or prior to the drafting of the congressional map introduced at the special session.

45. The original special session was supposed to start on April 20. It was widely known that on April 21, Virginians were voting on a constitutional amendment allowing a redraw of their congressional districts prior to the 2026 election. Prior to this, a number of other states, including Texas, California, Missouri, and North Carolina redrew their congressional maps for the 2026 midterm elections, resulting in a partisan national redistricting war.

46. On April 15, 2026, right before the Virginia election, Governor DeSantis issued another proclamation delaying the special session to April 28, 2026 through May 1, 2026.¹⁹

47. On April 21, 2026, the amendment allowing a redraw of Virginia’s congressional districts was approved by voters in Virginia.

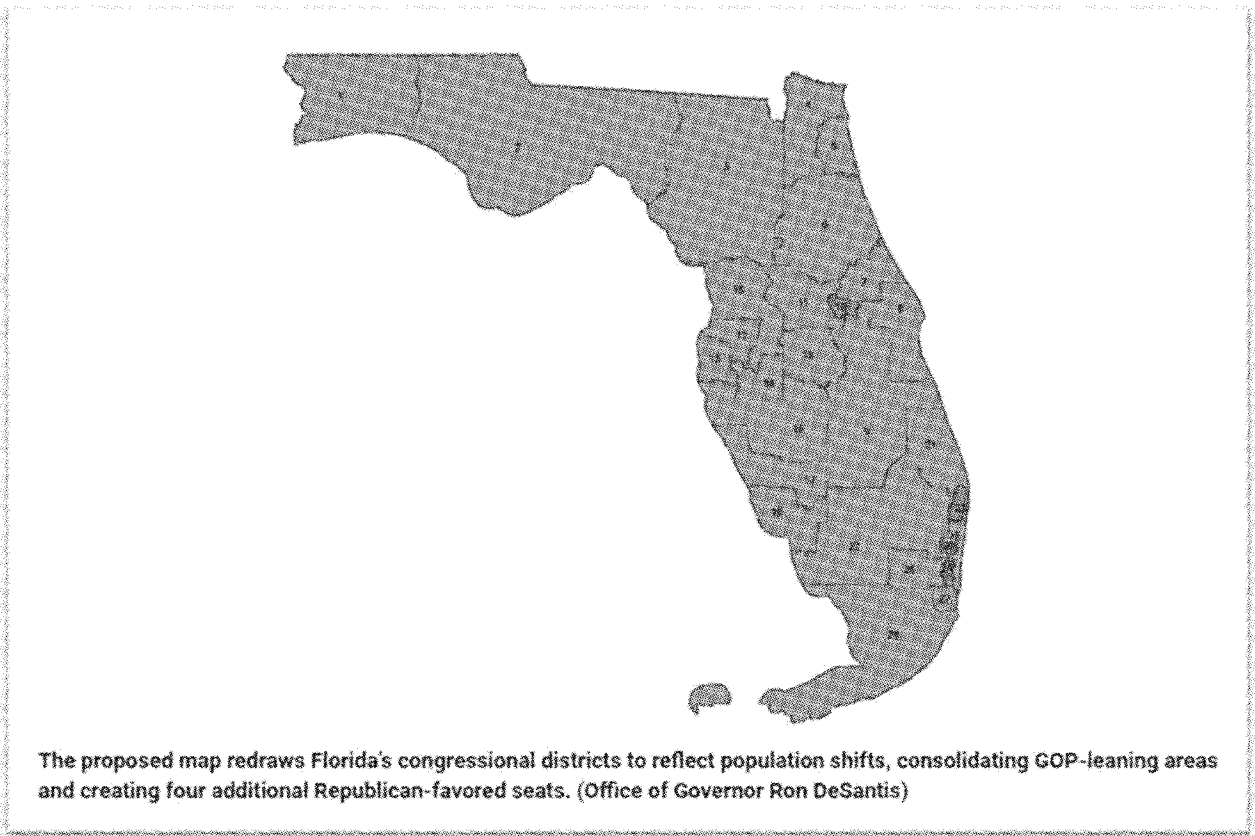
48. The 2026 Plan was not released to the public until April 27, 2026, the day before the special session on congressional redistricting. No public input was solicited prior to the release of the 2026 Plan, which was drawn behind closed doors.

49. Governor DeSantis first released the 2026 Plan to Fox News, which published an article at 10:00 am on April 27, 2026 including an image of the 2026 Plan credited as having been

¹⁸ Proclamation, Gov. Ron DeSantis (Jan. 7, 2026), https://flgov.com/eog/sites/default/files/shared/2026/01/AprilSpecialSessionProclamation_Filed_1.7.26.pdf.

¹⁹ Proclamation, Gov. Ron DeSantis (Apr. 15, 2026), https://flgov.com/eog/sites/default/files/pdf/AprilSpecialSessionProclamationAmendment_Filed_4.15.26.pdf.

provided by the “Office of Governor Ron DeSantis.”²⁰ The image, shown below, depicts the 2026 Plan color coded in red and blue to show the partisan lean of each district. The map depicts the four Democratic-leaning districts as drawn in the 2026 Plan, which is a reduction by half of the eight Democratic-leaning districts in the 2022 Plan. In the image, the map was described as “consolidating GOP-leaning areas and creating four additional Republican-favoring seats.”



Id.

50. The article also included a statement from Governor DeSantis which directly cited partisanship as a reason for the redraw. Governor DeSantis said that since the 2020 Census, Florida has “moved from a Democrat majority to a 1.5 million Republican advantage.”²¹

²⁰ Preston Mizell, *Ron DeSantis unveils new Florida congressional map that would give the GOP an extra four seats*, Fox News (Apr. 27, 2026), <https://perma.cc/7ZG3-ZX5Q>.

²¹ *Id.*

51. Later on April 27, at 11:15 am, the Governor’s Office provided the 2026 Plan to the Senate Ethics and Elections Committee and House Select Committee on Congressional Redistricting along with a supporting memorandum from David Axelman, General Counsel to Gov. DeSantis (the “Axelman Memo”) and an accompanying data packet. Senate President Ben Albritton then forwarded the materials to all members of the Senate.²² The same documents were provided to the members of the House.²³

52. The following day, April 28, the Legislature held two hearings, one in the House and one in the Senate. At the hearings, Jason Poreda, the map drawer from Governor DeSantis’ office, and Mohammad Jazil, redistricting counsel for the Governor’s office, presented the 2026 Plan to the respective committees. Echoing Governor DeSantis, Mr. Poreda and Mr. Jazil asserted that the map drawer was not bound by the FDA’s prohibition on drawing districts with partisan intent.

53. These two hearings, held on the same afternoon barely 24 hours after the 2026 Plan had been released, were the only opportunities for public comment and feedback on the plan throughout the entire process. The comments were overwhelmingly in opposition to the 2026 Plan. Nevertheless, the 2026 Plan passed out of both committees without a single amendment even having been proposed.

54. The next morning, beginning at 9:30 am on April 29, the House met to briefly debate and vote on the bill. Mid-way through the House’s debate on the bill, the U.S. Supreme

²² Memorandum from President Ben Albritton to All Senators, Re: Congressional Map Submission from Governor DeSantis (Apr. 27, 2026), https://www.flSenate.gov/PublishedContent/Offices/President/4_27_26_Combined_PDF_Congressional_Map_Submission_by_Governor_DeSantis.pdf.

²³ Memorandum from Speaker Daniel Perez to Members of the Fla. H.R., Re: Congressional Map Submission from Governor DeSantis (Apr. 27, 2026), <https://www.flHouse.gov/api/document/house?listName=Press%20Releases&itemId=937>.

Court's decision in the *Louisiana v. Callais* case was released. The House voted down a proposal to recess for two hours to consider any impact the *Callais* decision might have on the redistricting. An hour after the release of the *Callais* decision, the House passed the bill. Shortly thereafter, the bill was debated and passed by the Senate without amendment as well. It was signed into law by the Governor on May 4, 2026.

The 2026 Plan as a Whole

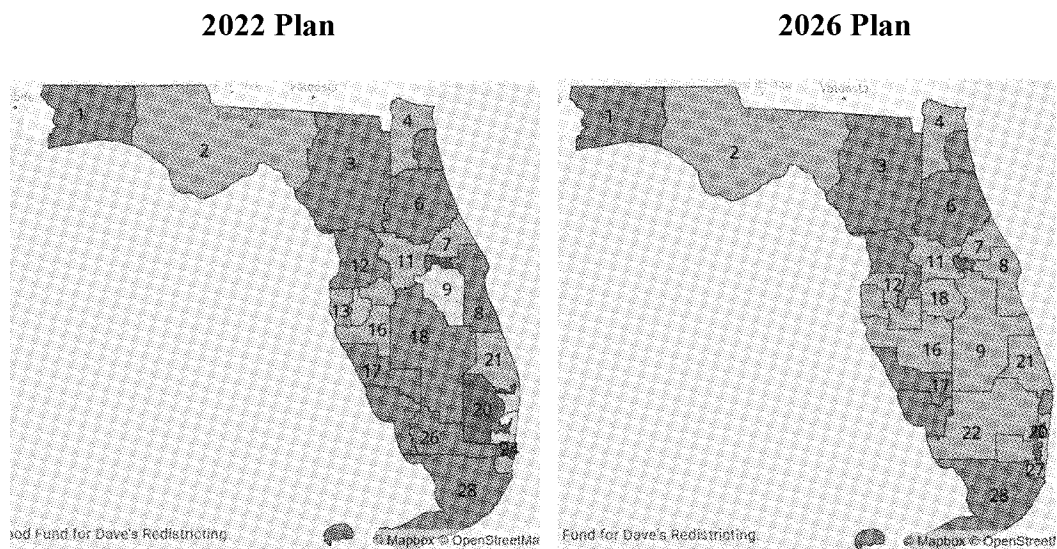
55. The process that was undertaken to draw the 2026 Plan and the 2026 Plan itself were both infected with the intent to favor the Republican Party and disfavor the Democratic Party.

56. At the time mid-decade redistricting in Florida was being discussed and any draft maps and the 2026 Plan and were drawn and passed, there was a “trifecta,” or single-party control in Florida, as majorities in both houses of the Legislature and the Governorship were controlled by Republicans.

57. An overarching goal of the 2026 Plan was to increase the number of congressional districts expected to lean Republican, while decreasing the number of congressional districts expected to favor Democrats. In doing so, the 2026 Plan also disfavored Democratic incumbents by intentionally cracking voters that support them into multiple districts, making it more difficult, if not impossible, for Democratic incumbents to win election.

58. The 2026 Plan has an extreme and drastic partisan effect. The 2026 Plan altered at least 21 of Florida's 28 congressional districts (75%) in order to produce 24 Republican districts and 4 Democratic districts. Every single district that remained unchanged between the 2022 and 2026 Plans was a district held by Republicans. The 2026 Plan thus reduced by half the number of Democratic seats in the 2022 Plan, which had 20 Republican seats, and 8 Democratic seats. The

image below demonstrates the drastic change between the 2022 and 2026 Plans in terms of treatment of Democratic voters:



59. To further this partisan gerrymandering goal, the 2026 Plan was drawn in an extraordinary and unusual process. First, the plan was introduced mid-decade, after the President of the United States urged Republican-controlled states to redistrict for partisan advantage, and during an unprecedented special session called well into 2026, after multiple elections had already been conducted under the 2022 Plan.

60. In introducing the Plan, Governor DeSantis—part of the State’s *executive branch*—unilaterally declared that the FDA was unconstitutional, and then proceeded as if the 2026 Plan need not comply with it. That is the reverse of how the process works—courts review laws or statutes enacted by the Legislature and signed by the Governor for their constitutionality. No court had held the FDA unconstitutional. Moreover, it meant that for the Governor and Legislature, the entire process of drawing the 2026 Plan was not bound by any restraint on partisan intent in crafting the new congressional districts.

61. Indeed, Jason Poreda, the alleged map drawer of the 2026 Plan, openly admitted that partisan data was considered in the drawing of all districts in the 2026 Plan.²⁴ Mr. Poreda testified that he “consider[ed] it for every district that [he] drew.”²⁵

62. Next, the 2026 Plan was drawn behind closed doors in a secretive process, allegedly by Jason Poreda over the course of just two weeks.²⁶ While details of the process of creating the 2026 Plan remain unclear, it appears that rather than being developed by or in consultation with the Legislature or legislative staff, the 2026 Plan was created by the Governor’s office, as a possible attempt to misdirect and shield evidence regarding the map’s partisan intent from disclosure. According to Mr. Poreda, the only persons with whom he consulted or who reviewed the map prior to the April 27 release were “other [EOG] staff and counsel” that he refused to refer to by name on advice of counsel.²⁷

63. The public did not have access to any meetings held to draw the 2026 Plan, and there is no public record of what was discussed during the creation of the 2026 Plan. The 2026 Plan was first released to Fox News by the Governor, which displayed a partisan-shaded congressional map attributed to the Governor’s office in its reporting, and only after its publication by the news outlet, sent to the Legislature.

64. The public had no ability to provide input regarding the 2026 Plan’s district configuration before it was drawn, and just two days after it was released, the 2026 Plan was rammed through the Legislature with only two committee hearings, which provided less than two hours total for public comment.

²⁴ S. Rules Comm. Meeting, at 43:45-44:06 (Apr. 28, 2026).

²⁵ *Id.* at 1:39:00-31.

²⁶ *Id.* at 1:26:06-14.

²⁷ *Id.* at 1:35:12-58.

65. The Legislature was aware of the partisan context, intent, and impact of the 2026 Plan before it was enacted.

66. Moreover, the changes necessary to achieve the partisan gain favoring Republicans in the 2026 Plan were accomplished at the expense of traditional redistricting criteria for the map as a whole, including but not limited to political subdivision splits and boundary agreement.

67. The mere fact that the Legislature and Governor DeSantis have asserted that the 2026 Plan is not motivated by partisan intent is not sufficient to overcome this evidence, nor demonstrate that improper intent did not exist.

68. As demonstrated by the process, the failure of any sufficient alternative justification, public statements asserting the projected partisan impact of the plan to eliminate four Democratic districts, and the violation of Tier II requirements, impermissible partisan intent infected the entire redistricting process utilized to create the 2026 Plan, as well as the 2026 Plan itself.

69. Therefore, the entire 2026 Plan violates the Florida Constitution's prohibition on congressional redistricting with the intent to favor or disfavor a political party.

District-Specific Allegations in the 2026 Plan

70. In addition to and supported by the constitutional violations for the whole 2026 Plan, specific districts in the 2026 Plan violate Article III, § 20 of the Florida Constitution in numerous respects.

a. Central Florida: Districts 9, 10, 11 and 18

71. Congressional District 9 was drawn with impermissible partisan intent to favor the Republican Party and disfavor the Democratic Party by cracking Democratic voters previously included in 2022 CD 9 into multiple districts, so that the 2026 CD 9 is now firmly Republican.

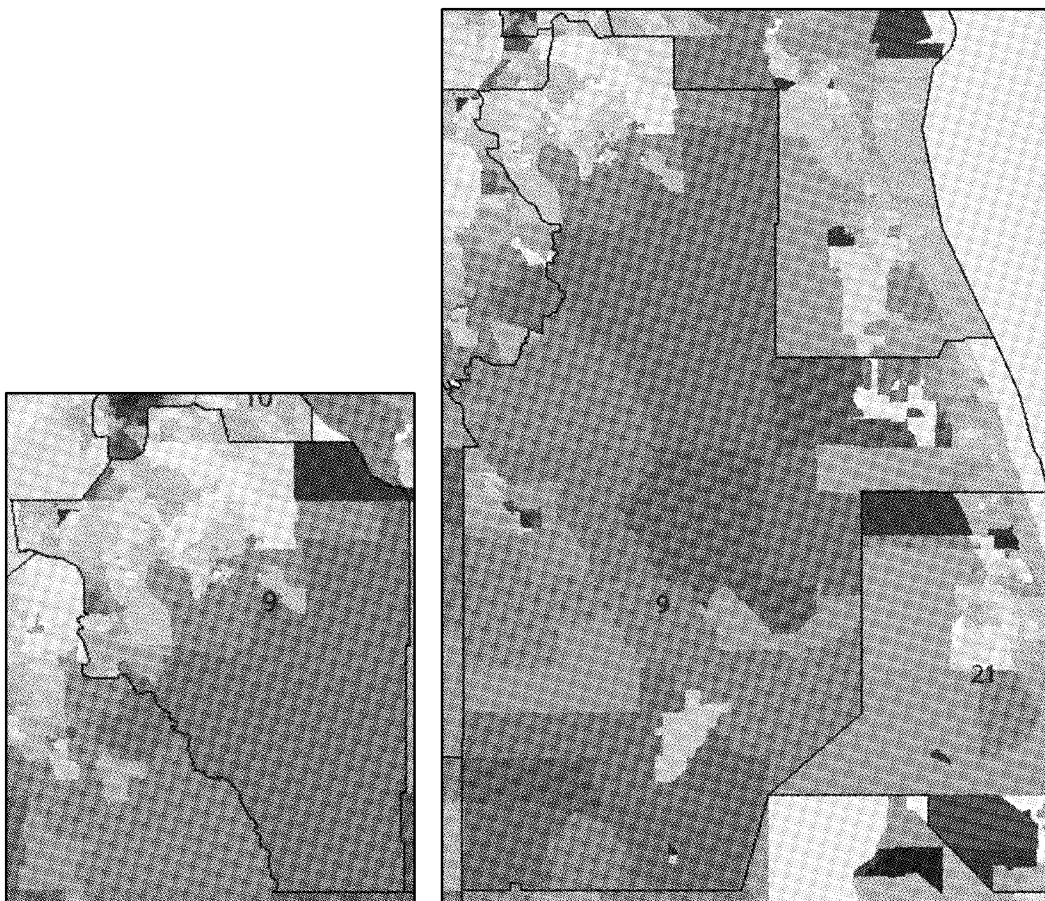
72. Likewise, CD 9 and the surrounding districts CDs 10, 11, and 18 were drawn with impermissible intent to disfavor the Democratic incumbent in CD 9.

73. Both 2022 CD 9 and 2026 CD 9 are depicted below with shading based on 2024 Presidential election results.

74. The northwestern portion of 2022 CD 9 included Democratic-leaning voters in and around Orlando (which is in Orange County) and Poinciana (which is in both Osceola and Polk counties). In 2026 CD 9, the previously unified Democratic-leaning voters in the northwestern portion of the district are broken off from CD 9 and cracked across surrounding CDs 10, 11, and 18.

2022 CD 9

2026 CD 9



2022 CD 9 and 2026 CD 9 (with shading based on 2024 Presidential election results)

75. 2022 CD 9 was a visually compact district which consisted of nearly all of Osceola County as well as portions of Orange and Polk counties.

76. Meanwhile, the compactness of 2026 CD 9 decreased. 2026 CD 9 exploded in size, stretching all the way past Lake Okeechobee in the South and to the Atlantic coast in the East. 2026 CD 9 has territory from more than double the number of counties as 2022 CD 9. It now includes territory from Osceola County, though with more high-population precincts from Osceola split into another district, as well as territory from Orange, Polk, Indian River, Okeechobee, Highlands, and Glades Counties.

77. A significant portion of the population of the old CD 9 was redistributed to other districts in the surrounding area in the 2026 Plan, in order to effectuate the change in partisanship in 2026 CD 9 and harm the CD 9 incumbent.

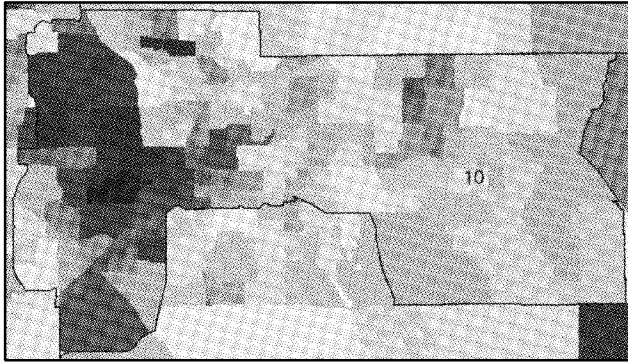
78. CD 9 performs worse in terms of treatment of political subdivisions.

79. CD 9 in the 2026 Plan has an overall average decrease compared to the 2022 Plan in the percentage of its district boundaries that utilize the Legislature's recognized boundary types, including a significant decrease in the percent of the district lines that utilize road boundaries.

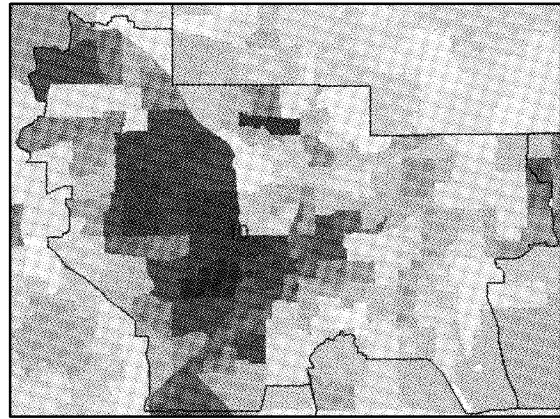
80. Neighboring CD 10 was also drawn with impermissible partisan intent to favor the Republican Party and disfavor the Democratic Party by packing Democratic voters into 2026 CD 10, diminishing the overall power of Democratic voters.

81. Both 2022 CD 10 and 2026 CD 10 are depicted below with shading based on composite 2024 Presidential election results.

2022 CD 10



2026 CD 10



2022 CD 10 and 2026 CD 10 (with shading based on 2024 Presidential election results)

82. 2022 CD 10 included portions of Orlando and the surrounding areas with most of the territory containing Democratic-leaning voters but also including some Republican-leaning areas, in particular on the east side of the district.

83. In a presentation on the ultimately-enacted 2022 Plan, the self-identified map drawer, Deputy Chief of Staff for the Executive Office of the Governor, Alex Kelly, described 2022 CD 10 as a “very, very Tier II adherent district, very compact, all of those lines are used to define either major roadways or municipal boundaries.”²⁸ He added that he “didn’t consider race in any way in the drawing of the seat.”²⁹

84. 2026 CD 10 no longer includes the Republican-leaning territory on the east side of the district. 2026 CD 10 instead consolidates Democratic voters in the region previously included in surrounding districts, including 2022 CD 9. The district significantly limits the inclusion of Republican-leaning areas to those that are largely incidental to packing additional neighboring Democratic-leaning territory into CD 10. 2026 CD 10 thus ensures that the region’s Democratic

²⁸ S. Comm. on Reapportionment, 2022C Spec. Sess., at 1:16:08-1:16:20 (Apr. 19, 2022), <https://thefloridachannel.org/videos/4-19-22-senate-committee-on-reapportionment/>.

²⁹ *Id.* at 1:33:03-1:33:07.

voters are maximally contained within one district, minimizing Democratic voting power while increasing the Republican vote share and voting power in surrounding districts.

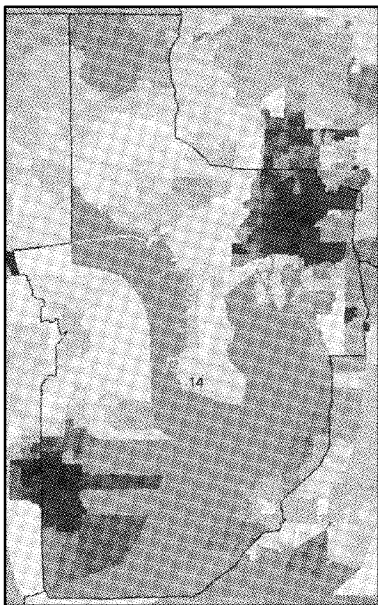
b. Tampa Bay: Districts 12, 13, 14, 15, 16

85. Congressional District 14 was drawn with impermissible partisan intent to favor the Republican Party and disfavor the Democratic Party by cracking Democratic voters previously included in 2022 CD 14 into multiple districts, so that the 2026 CD 14 is now Republican-leaning.

86. Likewise, CD 14 and the surrounding districts CDs 12, 13, 15, and 16 were drawn with impermissible intent to disfavor the Democratic incumbent in CD 14.

87. Both 2022 CD 14 and 2026 CD 14 are depicted below with shading based on composite 2020-2024 precinct-level partisan data.

2022 CD 14



2026 CD 14



2022 CD 14 and 2026 CD 14 (with shading based on 2024 Presidential election results)

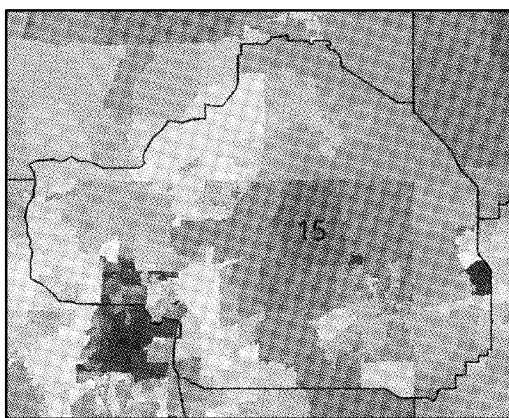
88. 2022 CD 14 included portions of Pinellas and Hillsborough counties. The district joined Democratic-leaning voters primarily in St. Petersburg and Tampa.

89. 2026 CD 14, which resembles a teapot, increases significantly in size and is visually much less compact than its 2022 counterpart. The new CD 14 shifts to the east, making it a Republican-leaning district, eliminating the sole Democratic-leaning district in the region.

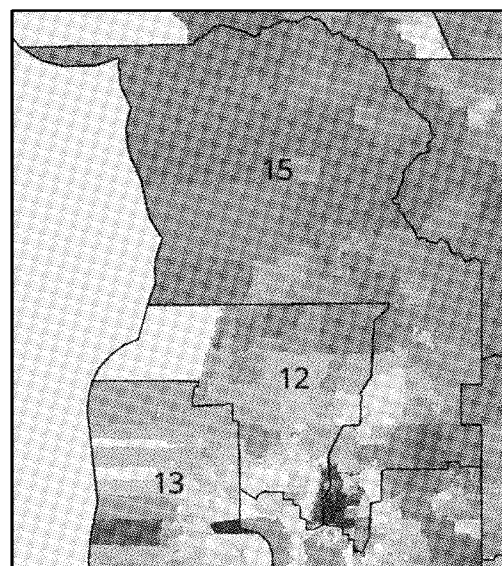
90. A significant portion of the population of the old CD 14 was redistributed to other districts in the surrounding area, in order to effectuate the change in partisanship in 2026 CD 14 and harm the CD 14 incumbent.

91. The areas of Tampa with Democratic-leaning voters previously included in 2022 CD 14 are now cracked across three separate districts in the 2026 Plan—CDs 12, 14, and 15. To divide Tampa's most Democratic-leaning voters, 2026 CD 15, which contains all of Citrus and Hernando counties and part of Pasco County, reaches all the way down into Hillsborough. Unsurprisingly, CD 15's compactness dramatically worsened in the 2026 Plan, and several of the surrounding districts were also made less compact. Both 2022 CD 15 and 2026 CD 15 are depicted below with shading based on 2024 Presidential election results.

2022 CD 15



2026 CD 15



2022 CD 14 and 2026 CD 14 (with shading based on 2024 Presidential election results)

92. The areas in Pinellas with Democratic-leaning voters previously included in 2022 CD 14 are now cracked into CDs 13 and 16. Voters in the most Democratic-leaning areas of St. Petersburg are still required to cross a bridge across Tampa Bay to access the remainder of their congressional district, but they must now take the Skyway Bridge into a far-reaching, Republican CD 16 to the south. Mr. Kelly, the 2022 Plan map drawer, disclaimed any consideration of racial data or intent related to race in the drawing of any congressional district, and particularly in the drawing of 2022 CD 14. Mr. Kelly said, “[r]ace and political partisan data in no way related at all to my drawing of districts 13, 14, 15, 16, or any of the districts in the map.”³⁰ Rather, he said 2022 CD 14 was drawn “based on nice, clean, compact lines, lines that adhere to [] major recognizable roadways, and try[ing] to split as few cities as possible in this area.”³¹

93. The 2026 congressional districts in the Tampa Bay region also generally do a worse job at respecting political boundaries than the prior districts. For example, the 2026 Plan eliminates CD 13 as a district entirely situated in Pinellas County, which was the primary goal of the “very squared up, compact” 2022 CD 13, which tracked the boundary between Pinellas and Hillsborough counties, according to Mr. Kelly.³² CD 13 in the 2026 Plan also has a significant decrease in the percent of the district lines that utilize county boundaries, and an overall decrease in boundary utilization averaged across all boundary types, along with an increase in boundary lines that utilize no recognized political or geographic boundary.

³⁰ S. Comm. on Reapportionment, at 1:13:35-1:13:46 (Apr. 19, 2022).

³¹ *Id.* at 1:04:02-1:04:33; *see also id.* at 1:10:43-1:11:02 (“I drew that district, Districts 13, 14, all the districts around it solely based on trying to draw districts that are compact, aesthetically compact, statistically compact, that follow clearly definable political/geographical boundary lines that meet that Tier II test, so I didn’t draw a single district in this map based on race.”).

³² *Id.* at 1:01:50-1:02:36

94. CDs 14 and 16 in the 2026 Plan also both saw increases in the percentage of their district boundaries that utilized none of the recognized boundary types.

The 2026 Plan’s Purported Justifications

95. No justification, apart from unconstitutional partisan intent, explains the configuration of the 2026 Plan or individual CDs 9, 10, 11, 12, 13, 14, 15, 16, or 18.

96. The Axelman Memo provides several purported justifications for the unprecedented mid-decade redistricting of Florida’s congressional districts, none of which provide explanations, let alone constitutionally permitted explanations, for the configuration of the 2026 Plan or any individual congressional districts.

97. The Axelman Memo, consistent with prior public statements by Governor DeSantis, begins by highlighting the alleged undercount of Florida in the 2020 census.³³ However, the 2026 Plan was drawn using the population data from the 2020 decennial census, as required by Florida law. § 11.031(1), Fla. Stat. (2025); *Georgia v. Ashcroft*, 539 U.S. 461, 488 n.2 (2003) (“[B]efore the new census, States operate under the legal fiction that even 10 years later, the plans are constitutionally apportioned.”). Therefore, any claimed malapportionment in the prior map cannot justify the configuration of the 2026 Plan as it is drawn with the exact same population data as the 2022 Plan.

98. The Axelman Memo also claimed that the prior congressional plan was “distorted by considerations of race,” due to the FDA’s Tier I requirement that “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.” Axelman Memo at 1. The Axelman Memo

³³ Letter from David Axelman to Sen. Don Gaetz and Rep. Mike Redondo (“Axelman Memo”), at 1 (Apr. 27, 2026), https://www.flsenate.gov/PublishedContent/Session/Congressional/EOG_Transmittal_Letter.pdf.

specifically cited CD 20 and other districts in the southeastern part of Florida. *Id.* at 2. But no court has found CD 20 or any other congressional district in southeastern Florida to be in violation of federal law, and Governor DeSantis himself—less than a year ago—publicly stated that the 2022 Plan is constitutional.

99. Moreover, racial considerations have no bearing on the reconfiguration of CDs 9, 10, and 14 (or the surrounding districts 11, 12, 13, 15, 16 and 18). The map drawer of those 2022 districts explicitly disclaimed the consideration of race in the creation of those districts.³⁴ Likewise, the Axelman Memo is clear that the 2026 Plan “does not take race into consideration at all” and “makes no attempt to adhere to the race-based requirements of the FDA.” Axelman Memo at 3. To the extent the 2026 Plan seeks to “remedy” districts from the 2022 Plan that were drawn based on racial criteria, Mr. Poreda testified that those efforts were limited to the 2022 Plan’s CDs 20, 26, 27, and 28.³⁵ Therefore, the Tier I requirements related to racial vote dilution cannot justify the configuration of any part of the 2026 Plan, and especially not in the Tampa Bay and Central Florida regions.

100. The Axelman Memo also claims that “[t]he most population growth appears to have occurred in the outlying areas surrounding Tampa and Orlando and north of Palm Beach County up the eastern coast” and that the 2026 Plan “attempts to account for these dramatic population changes by reconfiguring districts around the areas of high growth.” Axelman Memo at 3.

101. However, in his testimony to the Legislature on April 28, Mr. Poreda claimed that, in addition to the 2020 Census data, he used estimated county-level population data from the Office of Economic and Demographic Research to attempt to account for population growth that has

³⁴ See, e.g., S. Comm. on Reapportionment, at 1:10:43-1:11:02 (Apr. 19, 2022).

³⁵ S. Rules Comm. Meeting, at 58:02-23 (Apr. 28, 2026).

occurred in Florida since 2020. However, Mr. Poreda also emphasized that, to actually balance the population of the districts in the 2026 Plan, he “used 2020 Census data exclusively” and did not overlay the map with any other population data at any time.³⁶

102. This is perhaps unsurprising given that Mr. Poreda admitted that he thought it “wasn’t necessary” for the 2026 Plan to make any changes to the counties that experienced the most growth (St. John’s County) and third most growth (Walton County) from 2020 to 2025.³⁷ According to Mr. Poreda, he claimed he left those areas untouched for purposes of maintaining core retention, which is not a consideration recognized by the FDA or any other state or federal law.³⁸

103. The source cited in the Axelman Memo also identifies the top cities in Florida by population change from 2020 to 2025: the six cities with the greatest population growth are Jacksonville, Port St. Lucie, Miami, Orlando, Cape Coral, and Tampa.³⁹ Of these, the 2026 Plan leaves the districts around Jacksonville—which was already split between two Republican districts in the 2022 Plan—entirely unchanged and continues to keep both Port St. Lucie and Cape Coral intact in one Republican district each.

104. However, rather than leaving untouched or further coalescing districts around the high-growth cities of Orlando and Tampa, the 2026 Plan instead further fractures each of those cities. In fact, Mr. Poreda testified that the *only* two large cities in the state that were split into three

³⁶ *Id.* at 1:22:24-31.

³⁷ *Id.* at 2:13:38-17:31.

³⁸ *Id.*

³⁹ Bureau of Economic and Business Research, *Florida Estimates of Population 2025*, at 40 (Apr. 1, 2025), <https://edr.state.fl.us/Content/population-demographics/data/Estimates2025.pdf>.

districts in the 2026 Plan were Tampa and Orlando.⁴⁰ This undercuts the assertion that the 2026 Plan can be justified by accounting for population growth.

105. Moreover, accounting for population growth mid-decade is not a redistricting criterion under the Florida Constitution. Nor does the 2026 Plan actually account for any population growth—it continues to use the same 2020 Census data as the 2022 Plan. Therefore, this consideration cannot justify the configuration of the 2026 Plan.

106. The Axelman Memo unilaterally declares that, because Governor DeSantis does not believe the race-related provisions of the FDA to be lawful, there is no need for the Legislature to comply with any portion of the FDA. The Axelman Memo states:

The race-based requirements of the FDA also cannot be severed from the other requirements of the FDA. The FDA was sold to the voters as a package. There was no severability provision included in the FDA when it was presented to the voters. And because one part is unconstitutional, there's little reason to think that voters would have approved the remaining parts by themselves.⁴¹

107. To support this proposition, the Axelman Memo cites two comments made by the Chief Justice of the Florida Supreme Court during an oral argument related to a challenge to CD 5 based on the racial vote dilution provisions of the FDA. But no court, including the Florida Supreme Court, has held any portion of the FDA unconstitutional, let alone the entire provision. Furthermore, contradicting the Axelman Memo's assertion that Florida's voters would not have approved the FDA if it included just a Tier I ban on partisan intent, the Florida Supreme Court has said that "[t]here is no question that the goal of minimizing opportunities for political favoritism was the driving force behind the passage of the Fair Districts Amendment." *Apportionment I*, 83 So. 3d at 639. The Court has also specifically referenced "the intent of the framers and voters who

⁴⁰ S. Rules Comm. Meeting, at 1:31:39-33:05 (Apr. 28, 2026).

⁴¹ Axelman Memo at 3.

passed the Fair Districts Amendment to outlaw partisan political gerrymandering.” *League of Women Voters of Fla.*, 172 So. 3d at 415. And when interpreting constitutional language, “the Court’s obligation is to ensure that ‘every clause and every part’ of the language of the constitution is given effect where ‘an interpretation can be found which gives it effect.’” *Apportionment I*, 83 So.3d at 640 (quoting *In re Apportionment Law Senate Joint Resolution No. 1305, 1971 Regular Session*, 263 So. 2d 797, 807 (Fla. 1972)).

108. These holdings by the Florida Supreme Court are supported by voluminous sources evidencing the voters’ understanding of the FDA that the amendments were primarily targeted at ending partisan gerrymandering. For example, in a compilation of arguments in support of the FDA (including by Fair Districts Florida, the initiative sponsor) and the Media Editorial positions on the FDA (from newspapers across the state), nearly every endorsement and editorial specifically focused on the FDA’s ban on partisan gerrymandering.⁴²

COUNT I

Intent to favor a political party in violation of Art. III, Section 20(a), Fla. Const. (Tier I)

109. Plaintiffs reallege the facts set forth herein.

110. Article III, Section 20(a) of the Florida Constitution guarantees Florida voters the right to vote in a district not drawn with the intent to favor or disfavor a political party.

111. Article III, Section 20(a) states explicitly that “[n]o apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party.”

112. This constitutional prohibition on partisan favoritism requires no showing of “malevolent or evil purpose,” nor does it require demonstrating any partisan effect. *Apportionment I*, 83 So. 3d at 617. It only requires demonstrating partisan intent.

⁴² Ballotpedia, *Florida Amendment 6, Congressional District Requirements Initiative (2010)*, [https://ballotpedia.org/Florida_Amendment_6,_Congressional_District_Requirements_Initiative_\(2010\)](https://ballotpedia.org/Florida_Amendment_6,_Congressional_District_Requirements_Initiative_(2010)).

113. “[T]here is no acceptable level of improper intent.” *Id.* at 684. Any partisan intent in the drawing of a redistricting plan—either map-wide or on an individual district level—violates Article III, Section 20(a) and is unconstitutional.

114. Intent is assessed by examining both direct and circumstantial evidence. *Id.* Direct evidence of intent can include communications, documents, and statements of actors “responsible for drafting districting plans.” *League of Women Voters of Fla.*, 172 So. 3d at 388 (internal citation and quotation marks omitted).

115. While partisan results do not by themselves violate the constitution, results are relevant because they “serve as objective indicators of intent.” *Apportionment I*, 83 So. 3d at 617. The “specific sequence of events leading up to the challenged decision also may shed some light on the decisionmaker’s purposes” and “might afford evidence that improper purposes are playing a role.” *League of Women Voters of Fla.*, 172 So. 3d at 389 (internal citations and quotation marks omitted).

116. Additional evidence of intent includes deviations from the Tier II criteria, while strict adherence to the Tier II criteria can provide evidence to counter a claim of improper intent. The Legislature’s 2026 Congressional Plan and individual CDs 9, 10, 11, 13, 14, 15, 16, and 18 were drawn with the intent to favor the Republican Party and to disfavor the Democratic Party in violation of the Florida Constitution, Art. III, Section 20(a).

117. Direct and circumstantial evidence demonstrates that the map as a whole, as well as CDs 9, 10, 11, 13, 14, 15, 16, and 18 were drawn with partisan intent.

118. Deviations from the Tier II criteria further support a finding of improper partisan intent. On the Tier II criterion of utilizing existing boundaries, the 2026 Plan performs notably worse than the 2022 Plan, while performing comparably or slightly worse on most compactness

measures. Furthermore, the Governor and Legislative leaders disclaimed that adherence to any Tier I criteria was the explanation for the shape of the map or any individual districts. Nor do any Tier II criteria justify the 2026 Plan or the configuration of any individual congressional district.

119. Once legislative intent to favor or disfavor a political party is shown, the burden shifts to the Legislature “to justify its decisions in drawing the congressional district lines,” and no deference is afforded to the Legislature’s decisions. *League of Women Voters Fla.*, 172 So. 3d at 396-397, 400.

120. The 2026 Plan was created and passed as part of a nation-wide partisan gerrymandering war instigated by President Trump. The map was drafted by the Governor’s office with no public input, and by a map drawer who admitted considering partisan data while drawing every single district, after the Governor announced he could ignore the state constitution. It was passed in a rushed process with limited public comment and debate, and surgically packs and cracks Democratic voters, reducing by half the number of districts expected to be won by candidates supported by Democrats. The new map—first released to Fox News in a graphic with red and blue partisan shading—results in just 4 out of 28 districts likely to be carried by a Democrat.

121. This precise partisan gerrymander was accomplished in significant part by cracking the voters in formerly Democratic-leaning CD 9 across CDs 10, 11, and 18, by packing Democratic voters into Democratic CD 10, and by cracking the voters in formerly Democratic leaning CD 14 across CDs 12, 13, 14, 15 and 16.

122. The Legislature cannot justify the constitutional validity of the 2026 Plan or CDs 9, 10, 11, 12, 13, 14, 15, 16, or 18.

123. Plaintiffs are therefore entitled to declaratory and injunctive relief, as more fully set forth below.

COUNT II

Intent to favor or disfavor incumbents in violation of Art. III, Section 20(a), Fla. Const. (Tier I)

124. Plaintiffs reallege the facts set forth herein.

125. Article III, Section 20(a) of the Florida Constitution guarantees Florida voters the right to vote in a district not drawn with the intent to favor or disfavor any incumbent.

126. Article III, Section 20(a) states explicitly that “[n]o apportionment plan or individual district shall be drawn with the intent to favor or disfavor . . . an incumbent.”

127. As with the prohibition on partisan favoritism, the prohibition on incumbent favoritism requires only a showing of intent, not results, and can be demonstrated through both direct and circumstantial evidence.

128. The incumbent favoritism inquiry “focuses on the shape of the district in relation to the incumbent’s legal residence, as well as other objective evidence of intent.” *Apportionment I*, 83 So. 3d at 618-19. This may include factors such as drawing district lines to avoid pitting incumbents against each other in the same district, or changing district lines to ensure certain populations are put in districts with certain incumbents. *Id.* at 619.

129. Incumbent favoritism can be assessed by simple observation of the map and comparison to incumbent addresses. And as with partisan favoritism, deviation from the criteria in Tier II can provide further supporting evidence.

130. The Legislature’s 2026 Congressional Plan and the individual districts in the Legislature’s 2026 Congressional Plan, including but not limited to CDs 9, 10, 11, 12, 13, 14, 15, 16, and 18, were drawn with the intent to favor certain incumbents and disfavor others in violation of the Florida Constitution, Art. III, Section 20(a).

131. As a Tier I requirement, once incumbent favoritism is shown, the burden shifts to the Legislature “to justify its decisions in drawing the congressional district lines,” with no deference afforded to the Legislature’s decisions. *League of Women Voters Fla.*, 172 So. 3d at 396-397, 400.

132. A simple review of the incumbent addresses, the lines on the map, the population moved between districts, and the projected partisan impact of the 2026 Plan reveals that the 2026 Plan was drawn with the intent to disfavor Democratic incumbents in CDs 9 and 14, and the Legislature cannot justify the drawing of those districts and the ones surrounding them by adherence to any acceptable criteria.

COUNT III
Failure to utilize existing boundaries in violation of Art. III, Section 20(b), Fla. Const.
(Tier II)

133. Plaintiffs reallege the facts set forth herein.

134. Article III, Section 20(b) of the Florida Constitution guarantees Florida voters the right to vote in a district where districts lines are drawn using existing political subdivision boundaries and natural boundaries.

135. Article III, Section 20(b) requires that “districts shall, where feasible, utilize existing political and geographical boundaries.”

136. Political and natural boundary utilization is a Tier II requirement, meaning that if there is a conflict between compliance with the boundary utilization requirement and compliance with a Tier I requirement or with federal law, the boundary utilization requirement must give way. Absent such a conflict however, boundary utilization where feasible is a mandatory redistricting requirement in Florida.

137. Furthermore, a lack of adherence to the boundary utilization requirement can serve as evidence of a violation of a Tier I requirement such as the prohibition on partisan or incumbent favoritism.

138. Utilization of existing boundaries is assessed in two ways. The first is examining the number of splits of political subdivisions such as counties and municipalities. According to Mr. Poreda, the 2026 Plan splits 19 counties 32 times, whereas the 2022 Plan splits only 17 counties 29 times. Additionally, according to Mr. Poreda, the 2026 Plan splits 30 cities, whereas the 2022 splits only 16. These increases in the number of county and municipal splits show that existing boundaries were not utilized where feasible.

139. The second way to assess utilization of existing boundaries involves a metric developed by the Legislature to measure alignment with political and natural boundaries including cities, counties, roads, water, and rail lines. Using this metric, the 2026 Plan has slightly worse boundary utilization than the 2022 Plan, with an overall lower percentage of district boundaries following the Legislature's own identified boundary types. Specifically, boundaries of cities, counties, roads, and water form a lower percentage of district boundaries in the 2026 Plan than in the 2022 Plan, demonstrating that the 2026 Plan fails to utilize natural boundaries where feasible. The 2026 Plan also saw an increase in the percentage of district boundaries that utilize none of the recognized boundary types.

140. The 2026 Plan fails to utilize existing boundaries where feasible, scoring lower on the boundary analysis metric, and containing more county and municipal splits than the 2022 Plan. No Tier I requirement can explain this departure from boundary utilization, nor can any permissible Tier II requirements. Furthermore, the Legislature and the map drawer failed to describe how they viewed the "where feasible" clause of the boundary utilization requirement.

141. The Legislature's 2026 Congressional Plan and the individual districts in the Legislature's 2026 Congressional Plan, including but not limited to CDs 9, 11, 12, 13, 14, 15, 16, and 18, fail to utilize existing political and geographic boundaries where feasible in violation of the Florida Constitution, Art. III, Section 20(b).

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

- a. Declare that HB 1-D, which enacted the 2026 Plan, and/or individual CDs 9, 10, 11, 12, 13, 14, 15, 16, and 18 invalid and unconstitutional because they violate Plaintiffs' rights under the Florida Constitution Article III, Section 20(a) and (b);
- b. Enjoin Defendants and their agents, officers, employees, and successors from administering, preparing for, or moving forward with the 2026 Plan and enjoin Defendants from conducting any election using the 2026 Plan, including Florida's 2026 primary and general elections;
- c. Declare that the 2026 Plan is void ab initio and set a deadline by which the Legislature has an opportunity to enact a redistricting plan that complies with the Florida Constitution and federal law. Failing such an enactment or failing the enactment of a plan that legally remedies the violation, order a Court-imposed plan that complies with the Florida Constitution and federal law;
- d. Retain jurisdiction of this action to render any further orders that this Court may deem appropriate, including determining the legality and constitutionality of any new congressional redistricting plans adopted by the Legislature to remedy the violations of law alleged herein and the entry of an Order imposing a congressional plan that complies with the Florida Constitution and federal law if necessary;

- e. Issue an order requiring Defendants to pay costs incurred by Plaintiffs in litigating this action, including reasonable attorneys' fees, case expenses, expert fees and costs, pursuant to § 86.081, Fla. Stat. (2025) and common law private attorney general doctrine; and
- f. Grant such other and further relief as the Court deems just and appropriate.

Respectfully submitted this 4th day of May, 2026,

/s/ Chad W. Dunn

Chad W. Dunn (Fla. Bar No.119137)
Bernadette Reyes*
Sonni Waknin*
UCLA VOTING RIGHTS PROJECT
3250 Public Affairs Building
Los Angeles, CA 90095
Phone: (310) 400-6019
chad@uclavrp.org
bernadette@uclavrp.org
sonni@uclavrp.org

Annabelle E. Harless*
CAMPAIGN LEGAL CENTER
55 W. Monroe St., Ste. 1925
Chicago, IL 60603
Phone: (202) 736-2200
aharless@campaignlegalcenter.org

/s/ Simone Leeper

Simone Leeper (Fla. Bar No. 1020511)
Mark P. Gaber*
Aseem Mulji*
Benjamin Phillips*
Isaac DeSanto*
CAMPAIGN LEGAL CENTER
1101 14th St NW Suite 400
Washington, DC 20005
Phone: (202) 736-2200
sleeper@campaignlegalcenter.org
mgaber@campaignlegalcenter.org
amulji@campaignlegalcenter.org
bphillips@campaignlegalcenter.org
idesanto@campaignlegalcenter.org

Counsel for Plaintiffs

*motions for admission *pro hac vice*
forthcoming