

CHAMBERS OF
HON. FRED T. VAN SOELEN
DISTRICT JUDGE
Division III



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STATE OF NEW MEXICO
Ninth Judicial District Court

FILED
5th JUDICIAL DISTRICT COURT
Lea County
4/19/2022 4:31 PM
NELDA CUELLAR
CLERK OF THE COURT
Cory Hagedoorn

April 19, 2022

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Counsel:

The Court requested proposed findings of fact and conclusions of law from the parties by noon after yesterday's hearing, and have received the same from both sides, and I thank you for your prompt response.

The Court also promised its own findings and conclusions by 4:00 p.m.. After receiving the parties' proposals and reading through them, I find that I may have been too optimistic that I could draft a full findings and conclusions in this short period of time. Therefore, I am writing this letter to give you my decision, which will be followed up by the Court's findings of fact and conclusions of law.

On the Plaintiff's Motion for a Preliminary Injunction, the Court will deny the motion, based mainly and importantly on the very small window in which a new map could be implemented, with all the attendant notices, ballot preparations, and mailings necessary by April 23, 2022, which the Court is aware of as the last day all the requirements for the ballot need to be in place for the primary election process to begin. To require a change this late in the game would bring a level of chaos to

the process that is not in the public's or the candidate's interests. It is simply too late to make any changes for this primary election. The Court's other findings related to the Motion for Preliminary Injunction will be included in the findings of facts and conclusion of law to be released.

The Court notes that it has also denied the Defendants' motions to dismiss. The map at issue will be used not just for this election, but potentially for the next five (5) elections, until the next redistricting process in approximately ten (10) years. Therefore, the case will continue, and the Court will hear further argument at a later date on Plaintiff's complaint, that could affect the elections after 2022.

Thank you for your professional and well-argued pleadings.

Sincerely,



Hon. Fred Van Soelen
District Judge

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