

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

AMERICAN COUNCIL OF THE BLIND OF )  
INDIANA, INDIANA PROTECTION AND )  
ADVOCACY SERVICES COMMISSION, )  
KRISTIN FLESCHNER, RITA KERSH, and )  
WANDA TACKETT, )

*Plaintiffs,* )

vs. )

No. 1:20-cv-03118-JMS-MJD

INDIANA ELECTION COMMISSION, )  
INDIVIDUAL MEMBERS OF THE INDIANA )  
ELECTION COMMISSION, INDIANA )  
SECRETARY OF STATE, INDIANA ELECTION )  
DIVISION, and CO-DIRECTORS OF THE )  
INDIANA ELECTION DIVISION, )

*Defendants.* )

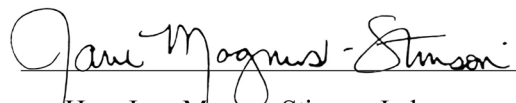
**PRELIMINARY INJUNCTION**

For the reasons set forth in the Court's Order entered this day, Defendants are **ORDERED** to make the use of traveling panels of the absentee voter board (colloquially referred to as "traveling boards") permissive, rather than mandatory, for voters with print disabilities seeking to vote absentee by mail pursuant to Ind. Code § 3-11-10-24 in the upcoming May 3, 2022 primary election. Voters with print disabilities may complete their mail-in ballots with the assistance of an individual of their own choosing, as long as the individual is not the voter's employer, an officer of the voter's union, or an agent of the voter's employer or union. Defendants shall notify county election boards that they must accept and count such ballots if otherwise valid.

Defendants are further **ORDERED** to gather data on the following items in connection with the May 3, 2022 primary election, with the purpose of measuring the success of Defendants' current plan for accessible absentee voting for voters with print disabilities:

- How many voters—and specifically, how many voters with print disabilities—completed the absentee ballot application and registration form contemplated by Senate Enrolled Act ("SEA") 398 and the statutory scheme for absentee voting established by Indiana Code § 3-11-4-6 ("the UOCAVA Scheme");
- How many voters with print disabilities were successfully registered and approved to vote absentee under SEA 398 and the UOCAVA Scheme;
- How many accessible ballots were sent out to voters with print disabilities;
- How many accessible ballots were:
  - started,
  - completed,
  - accepted and counted, and
  - rejected.

Date: 3/9/2022



Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

**Distribution via ECF only to all counsel of record**