

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

LEAGUE OF WOMEN VOTERS OF
FLORIDA, INC, *et al.*,

Plaintiffs,

v.

CORD BYRD, in his official capacity as
Florida Secretary of State,

Defendant.

Case No. 4:23-cv-165-AW-MAF

NOTICE OF PRIOR CASE

As required by Local Rule 5.6, Plaintiffs notify the Court that this case includes a similar claim to those raised in *Jones v. DeSantis*, Consolidated Case No. 4:19-cv-300-RH/MJF (filed June 28, 2019), and involves some common issues of law and fact.

In 2018, a supermajority of Florida voters passed Amendment 4 to end the state's policy of lifetime disenfranchisement for most returning citizens who had completed the terms of their sentence, including probation and parole. Shortly after Amendment 4 went into effect, Florida's Legislature enacted Senate Bill 7066 (SB 7066), amending Florida's election code to prevent returning citizens whose rights were restored by Amendment 4 from registering and voting until they have paid certain legal financial obligations. Laws of Fla. Ch. 2019-162 (CS for SB 7066), § 25

at 28–29 (creating Fla. Stat. § 98.0751(1), (2)(a)).

In 2019, a group of returning citizens and organizations, including Plaintiffs League of Women Voters of Florida, Inc. and Florida State Conference of Branches and Youth Units of the NAACP, brought suit in this Court challenging, under the NVRA, the voter registration application that Florida adopted in 2019 after passage of SB 7066, among other claims. *See Jones v. DeSantis*, 462 F. Supp. 3d 1196 (N.D. Fla. 2019), *rev'd in part and vacated in part sub nom. Jones v. Governor of Fla.*, 975 F.3d 1016 (11th Cir. 2020) (*en banc*). After trial in 2020, this Court ruled in Plaintiffs' favor on their NVRA claim, enjoining the defendants there from using the 2019 registration application. *Id.* at 1251. Among other issues, this Court held that the 2019 registration application was “objectionable” because it contained cryptic language unlikely to be understood by applicants. *Id.* at 1244–45 (“[F]ew if any registrants are likely to know that Amendment 4 is now ‘s. 4, Art. VI’ of the State Constitution.”).

In response to the injunction, Florida reverted to the registration application that it had used prior to the enactment of SB 7066—the application at issue here. This application does not account for Amendment 4 or SB 7066, as it dates to about 2013. The Court will need to consider much of the same facts and law in evaluating the current application as it did for the 2019 application enjoined in *Jones*.

Respectfully submitted this 26th day of April, 2023,

/s/ Nicholas L.V. Warren

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** Pro hac vice applications forthcoming*

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