IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No. 1:24-cv-21983-JB

CUBANOS PA'LANTE, *et al.*,

Plaintiffs,

v.

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

Defendants.
_____/

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DEFENDANTS' UNOPPOSED REQUEST FOR JUDICIAL NOTICE

Defendants respectfully request the Court to take judicial notice of the interactive map of Florida's state roads on the Florida Department of Transportation's ("FDOT") GIS Open Data Hub. The map is accessible by selecting "View Map" at the following web address:[1]

https://gis-fdot.opendata.arcgis.com/datasets/state-roads-tda/about

The interactive map depicts FDOT's official designation of state roads, including the specific roadway segments under state jurisdiction. This information is directly relevant here because Florida's race-neutral redistricting principles require districts, "where feasible," to "utilize existing political and geographical boundaries," Fla. Const. art. III, §§ 20(b), 21(b), and "geographical boundaries" include "rivers, railways, interstates, and state roads" and other "easily ascertainable and commonly understood" features, *In re Senate Joint Resol. of Legis. Apportionment* 1176, 83 So. 3d 597, 638 (Fla. 2012). The interactive map depicts state roads in blue and provides information about each state road when the road is selected.

[1] Alternatively, the Court may select "More" and choose between two different displays of the same map.

Florida law requires FDOT to coordinate "the planning of a safe, viable, and balanced state transportation system." Fla. Stat. § 334.044(1). That responsibility includes the designation and maintenance of state roads, which are defined as any "street, road, highway, or other way open to travel by the public" that is "designated by [FDOT] . . . as part of the State Highway System." *Id.* § 334.03(26). By empowering FDOT to establish and designate roads within the State Highway System, the Legislature has authorized FDOT to designate state roads. *Id.* § 335.02(1). Under this authority, combined with the requirement of section 334.24, Florida Statutes, to "[c]ollect data and information as to all roads in the state and, when practicable, have maps and plats thereof made," FDOT collects, analyzes, and disseminates transportation data through means such as the interactive map. Accordingly, the interactive map of Florida's state roads on FDOT's GIS Open Data Hub constitutes an official representation of FDOT's designation of state roads pursuant to its statutory authority.

This Court may take judicial notice of any "fact that is not subject to reasonable dispute because it . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b)(2). FDOT's interactive map of state roads is exactly the type of information that this rule contemplates. The map derives from objective facts squarely within FDOT's statutory charge. By identifying where state-road designations begin and end, the map provides a factual basis to show the challenged districts' reliance on existing geographical boundaries. It is a prime example of a judicially noticeable publication of a government agency that is "entitled to judicial notice because '[c]ourts have found that the contents of an administrative agency's publicly available files traditionally qualify for judicial notice.'" *Therapeutics MD, Inc. v. Evofem Biosciences, Inc.*, No. 20-CV-82296, 2022 WL 1978723, at *1 (S.D. Fla. June 5, 2022) (quoting *BPI Sports, LLC v. ThermoLife Int'l LLC*, No. 19-60505-CIV, 2020 WL 10180910, at *3 (S.D. Fla. Jan. 9, 2020)). This Court, moreover, has judicially noticed information that is contained in a public record created by a government agency and is not subject to reasonable dispute. *See Fla. Immigrant Coal. v. Uthmeier*, 780 F. Supp. 3d 1235, 1266 n.21 (S.D. Fla. 2025) (taking judicial notice of government agency reports, including federal immigration statistics); *Padilla v. Porsche Cars N. Am., Inc.*, 391 F. Supp. 3d 1108, 1113 (S.D. Fla. 2019) (taking judicial notice of a Vehicle Information Check from the Florida Department of Highway Safety and Motor Vehicles because it was "a public record that is not subject to reasonable dispute"); *Domond v. Peoplenetwork APS*, No. 16-24026-CIV, 2017 WL 5642450, at *2 n.1 (S.D. Fla. June 16, 2017) (taking judicial notice so long as "such documents are public records that [are] not subject to reasonable dispute because they [are] capable of accurate and ready determination by resort

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to sources whose accuracy could not reasonably be questioned" (quoting *Horne v. Potter*, 392 F. App'x 800, 802 (11th Cir. 2010))).

Significantly, this Court has recognized that it may take judicial notice of a county's publicly available "list of roadways that the Department of Transportation and Public Works . . . has deemed necessary for the appropriate traffic movement on the County's roadway network." *Megladon, Inc. v. Vill. of Pinecrest*, No. 21-CV-22819, 2025 WL 1517181, at *18 n.10 (S.D. Fla. May 28, 2025) (Altman, J.). Courts in other jurisdictions have taken similar notice of transit systems and designations. *Brooklyn Ctr. for Indep. of the Disabled v. Metro. Transp. Auth.*, 11 F.4th 55, 65 (2d Cir. 2021) (taking judicial notice of "maps of New York City bus routes"); *Chan v. United States Dep't of Transp.*, 782 F. Supp. 3d 39, 75 (S.D.N.Y. 2025) (taking judicial notice of the existence of "roadways, bridges, tunnels, subways, commuter trains, buses, and bike paths" in New York City's transportation network); *McIntyre v. Div. of Youth Rehab. Servs., Dep't of Servs. for Child., Youth & Their Fams., State of Del.*, 795 F. Supp. 668, 673 n.4 (D. Del. 1992) (taking judicial notice of the Delaware Department of Transportation's official state highway map); *United States v. Certain Parcels of Land in Peoria Cnty.*, 209 F. Supp. 483 (S.D. Ill. 1962) (taking judicial notice of a federal interstate highway construction program and the completion status of specific routes). Collectively, these cases establish that judicial notice of reliable sources of information on roadways and their official designations are appropriate and routinely considered by courts across the country.

WHEREFORE, Defendants respectfully request the Court to take judicial notice of the interactive map of Florida's state roads on FDOT's GIS Open Data Hub.

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CERTIFICATE OF CONFERRAL

Pursuant to Local Rule 7.1(a)(3)(A), Defendants' counsel conferred with Plaintiffs' counsel, who do not oppose the relief sought in this motion.

Dated January 2, 2026.

Respectfully submitted,

/s/ *Andy Bardos*

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