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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Case Number: 3:25-cv-00728

Plaintiff,

v.

FRANCISCO V. AGUILAR, in his
Official Capacity as Secretary of State
for the State of Nevada,

MOTION FOR ORDER TO
COMPEL PRODUCTION OF
RECORDS PURSUANT TO 52
U.S.C. § 20701, *et seq.*

Defendant(s).

**MOTION FOR ORDER TO COMPEL RECORDS DEMANDED
PURSUANT TO THE CIVIL RIGHTS ACT OF 1960**

Plaintiff, UNITED STATES OF AMERICA, by and through the Attorney General, pursuant to Title III of the Civil Rights Act of 1960 (“CRA”), 52 U.S.C. § 20701, *et seq.*, hereby moves this Honorable Court for an Order to Show Cause requiring Defendant, FRANSISCO AGUILAR, Secretary of State of Nevada, to show why he should not be compelled to produce the documents requested by Plaintiff. The United States offers the attached Memorandum of Law, Declaration of Eric Neff, and Exhibits, in Support of its Motion to Show Cause.

Introduction

The Attorney General has been tasked by Congress with enforcement authority for both the National Voter Registration Act (“NVRA”) and the Help America Vote Act (“HAVA”). *See* 52 U.S.C. § 20510(a) and 52 U.S.C. § 21111. Both statutes require Defendant to conduct specified maintenance of Nevada’s voter registration list. These requirements are an integral measure to ensure that

1 Defendant’s statewide voter registration lists (“SVRL”) are accurate. Ensuring the
2 accuracy of the list of eligible voters preserves the integrity of Defendant’s federal
3 election procedures.

4 Pursuant to Section 301 of the CRA, 52 U.S.C. § 20701, “every officer of
5 election shall retain and preserve, for a period of twenty-two months from the date
6 of any general, special, or primary election of which candidates for the office of
7 President, Vice President, presidential elector, Member of the Senate, Member of
8 the House of Representatives, or Resident Commissioner from the Commonwealth
9 of Puerto Rico are voted for, all records and papers which come into his possession
10 relating to any *application, registration*, payment of poll tax, or other act requisite
11 to voting in such election[.]” (emphasis added).

12 Further, Section 303 of the CRA provides, “Any record or paper required by
13 section 301 to be retained and preserved shall, *upon demand in writing by the*
14 *Attorney General* or his representative directed to the person having custody,
15 possession, or control of such record or paper, be made available for inspection,
16 reproduction, and copying at the principal office of such custodian by the Attorney
17 General or his representative. This demand shall contain a statement of the basis and
18 the purpose therefor.” 52 U.S.C. § 20703 (emphasis added).

19 The United States has properly demanded records from Defendant pursuant
20 to these federal statutes and Defendant has failed to comply as detailed in the
21 Memorandum of Law in Support of this Motion, and exhibits filed
22 contemporaneously herein. The United States brings this action and files this Motion
23 to compel Defendant to produce the requested records forthwith.

24 Section 305 of the CRA, 52 U.S.C. § 20705, provides that “[t]he United States
25 District Court for the district in which a demand is made pursuant to Section 303, or
26 in which a record or paper so demanded is located, shall have jurisdiction by
27 appropriate process to compel the production of such record of paper.

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Prayer for Relief

For the foregoing reasons, Plaintiff requests that this Court enter an Order directing Defendant to show cause why they have failed to produce the demanded records. Plaintiff further requests this Court:

- A. Order Defendant to produce an electronic copy of the Nevada statewide Voter Registration List, to include each registrant’s name, date of Birth, address, and as required by HAVA, the last four digits of the registrant’s social security number, driver’s license/state identification number or the unique HAVA identifier;
- B. Order Defendant to produce the other documents demanded by the Attorney General to ascertain Defendant’s compliance with federal law; specifically, the National Voter Registration Act (“NVRA”), 52 U.S.C. § 20501, *et seq.*, and the Help America Vote Act of 2002 (“HAVA”), 52 U.S.C § 20901, *et seq.*;
- C. Order Defendant to submit electronically to the Attorney General, Civil Rights Division Voting Section, within 5 (five) days of this order; and
- D. Order Defendant to produce all documents requested immediately.

DATED: December 11, 2025

Respectfully submitted,

HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division

/s/ Brittany E. Bennett
ERIC NEFF
Acting Chief, Voting Section
BRITTANY E. BENNETT
Trial Attorney, Voting Section

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CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2025, a true and correct copy of the foregoing document was served via the Court’s ECF system to all counsel of record.

/s/ Brittany E. Bennett
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