

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAGGIE TOULOUSE OLIVER, in her  
official capacity as Secretary of State for the  
State of New Mexico,

Defendant.

Civil No.

**UNITED STATES' MOTION COMPEL PRODUCTION OF RECORDS**  
**DEMANDED PURSUANT TO 52 U.S.C. § 20705**

Plaintiff, United States of America, by and through the Attorney General, pursuant to Section 305 of the Civil Rights Act of 1960 ("CRA"), 52 U.S.C. § 20705, hereby moves this Honorable Court for an Order Compelling Defendant Maggie Toulouse Oliver, in her official capacity as Secretary of State of the State of New Mexico ("Secretary Toulouse Oliver"), to produce the documents identified in the Attorney General's written demand pursuant to Section 303 of the CRA, 52 U.S.C. § 20703. The United States offers the attached Memorandum of Law, Declaration of Maureen S. Riordan, and Exhibits, in Support of its Motion to Compel.

**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 Secretary Toulouse Oliver to engage in reasonable list maintenance efforts of New Mexico’s voter registration list, along with other specified requirements. That mandate is an integral measure to ensure that New Mexico’s statewide voter registration list (“SVRL”) is accurate in the conduct of elections for Federal offices.

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

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

The United States has properly made a written demand of Federal election records from Secretary Toulouse Oliver pursuant to the CRA, and Secretary Toulouse Oliver has failed to comply as detailed in the Memorandum of Law in Support of this Motion, and exhibits filed contemporaneously herein. The United States brings this action and files this Motion to compel Secretary Toulouse Oliver to produce the requested Federal election records forthwith.

Section 305 of the CRA provides that “[t]he United States District Court for the district in which a demand is made pursuant to Section 303, or in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record of paper.” 52 U.S.C. § 20705. As stated in the Complaint and supporting exhibits, the Attorney General, through her designated representative the Assistant Attorney General for Civil Rights, made the written demand of Secretary Toulouse Oliver in the District of New Mexico.

### **Prayer for Relief**

For the foregoing reasons, the United States requests that this Court enter an Order Compelling Secretary Toulouse Oliver to produce the demanded Federal election records. The United States further requests this Court:

- A. Order Secretary Toulouse Oliver to produce an electronic copy of the New Mexico Statewide Voter Registration List (“SVRL”), 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 that within five (5) days of the order, Secretary Toulouse Oliver be required to produce to the Attorney General all demanded Federal election records consisting of New Mexico’s’s SVRL as described above. Such production should be made to the Attorney General’s designated representative in the Voting Section of the Civil Rights Division, electronically through the United States Department of Justice’s secure file-sharing system, Justice Enterprise File Sharing (“JEFS”); and

C. Grant such other and further relief as the Court may deem just  
and proper.

Dated: December 2, 2025.

Respectfully submitted:

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2025, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ David Vandenberg  
David Vandenberg

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