

IN THE CIRCUIT COURT OF
COLE COUNTY, MISSOURI

JAKE MAGGARD et al.,)
)
Plaintiffs,)
)
v.) Case No. 25AC-CC09120
)
STATE OF MISSOURI et al.,)
)
Defendants.)

PLAINTIFFS’ MOTION TO SHORTEN TIME
UNDER RULE 81.045

Pursuant to Rule 81.045, Plaintiffs Jake Maggard and Gregg Lombardi respectfully request that the Court shorten the thirty-day period during which it has control over the final judgment in this matter. *See* Rule 75.01.

Plaintiffs have good cause to request such relief. This matter involves the congressional districts that will be used in the upcoming primary and general elections, and voters, candidates, and Plaintiffs alike have an urgent need to understand their operative district boundaries. The public interest thus weighs heavily in favor of expedited resolution of this matter, including appeal.

Without an order shortening time, the appeal process might be delayed to the point where it would not be completed before implementation of the new district boundaries drawn by House Bill 1 (“HB1”). Such a result—which would potentially require Missourians to cast ballots under an unlawfully effective congressional map—would prejudice Plaintiffs and the public.

In support of their motion, Plaintiffs state as follows:

1. On September 12, 2025, the General Assembly truly agreed and finally passed HB1, an act “to enact ... twelve new sections relating to the composition of congressional districts.”

2. On September 29, 2025, the Secretary of State’s office received a petition for referendum asking to refer HB1 to voters for approval or rejection, which was denominated 2026-R004.

3. On December 9, 2025, 2026-R004’s organizers submitted 691 boxes containing 49,773 pages of referendum petitions to the Secretary of State’s office.

4. HB1 was codified as Sections 128.345, 128.346, 128.348, 128.471, 128.472, 128.473, 128.474, 128.475, 128.476, 128.477, 128.478, and 128.479, RSMo, with a purported effective date of December 11, 2025.

5. On December 23, 2025, Plaintiffs filed this lawsuit, asking the Court to declare that HB1 is currently suspended and enjoin use of its new congressional map until completion of the constitutional referendum process.

6. On February 10, 2026, the Court held a bench trial on joint stipulated facts and exhibits, during which Plaintiffs; Defendants State of Missouri and Denny Hoskins, in his official capacity as Missouri Secretary of State; and Intervenor Put Missouri First presented legal arguments.

7. On March 27, 2026, the Court issued its findings of fact, conclusions of law, and final judgment, dismissing Plaintiffs’ petition on standing and (alternatively) ripeness, political-question, and procedural grounds and further concluding on the merits that HB1 is not suspended.

8. On March 30, 2026, Plaintiffs filed a notice of appeal with the Missouri Supreme Court.

9. In the normal course, “the trial court retains control over judgments during the 30-day period after entry of judgment.” Rule 75.01.

10. Once a judgment becomes final, a party has ten days to file a notice of appeal. Rule 81.04(a).

11. Prior to the judgment becoming final, any notice of appeal filed is premature and the appellate court may not expedite the briefing or argument schedule.

12. Here, judgment will not become final until April 27, 2026. Thereafter, the Supreme Court’s regular briefing scheduling would be activated unless and until Plaintiffs successfully request (or the Supreme Court on its own motion orders) expedition of such schedule.

13. Plaintiffs have good cause to request an order shortening the time for this Court’s judgment to be made final and will be prejudiced absent such order. *See* Rule 81.045.

14. The final outcome of this litigation might determine which congressional map is used in the 2026 midterm elections.

15. Without finality to this litigation, Plaintiffs and other Missouri voters might be forced to cast ballots under an unlawfully effective congressional map, depending on whether HB1 is deemed suspended until completion of the constitutional referendum process.

16. Plaintiffs and other Missouri voters have a right to cast ballots under a lawful congressional map and, even before the primary and general elections, understand which congressional districts they live in and which candidates will be running to represent them.

17. There is a strong public interest in bringing certainty to the operative congressional map as quickly as possible.

18. Waiting until this Court's judgment is final on April 27, 2026, might make it difficult for this litigation to be fully and finally resolved on appeal before implementation of HB1's new congressional map—a result that would prejudice Plaintiffs and other Missouri voters.

19. No other party will be prejudiced by granting Plaintiffs' motion, and it is instead in the best interest of all parties involved to resolve this litigation expeditiously.

WHEREFORE, Plaintiffs respectfully request that the Court issue an order shortening the time its judgment in this case becomes final, deeming the judgment final as of the day this motion is granted, and for any such other relief the Court deems just and proper.

Respectfully submitted,

**AMERICAN CIVIL LIBERTIES UNION
OF MISSOURI FOUNDATION**

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CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2026, a true and correct copy of the above was filed with the Court's electronic filing system to be served by electronic methods on counsel for all parties entered in the case.

s/ Tori Schafer
Attorney for Plaintiffs

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