

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

DR. DALE G. CALDWELL, in his official
capacity as Lieutenant Governor and
Secretary of State for the State of New
Jersey, et al.

Defendants.

Case Number: 3:26-CV-2025-ZNQ-JTQ

UNITED STATES' NOTICE OF ADDITIONAL BASIS

Plaintiff, UNITED STATES OF AMERICA, submits this Notice of Additional Basis pursuant to the Civil Rights Act of 1960, 52 U.S.C. § 20701, *et. seq.* On July 21, 2026, the Civil Rights Division of the U.S. Department of Justice sent Defendant a letter providing an additional basis for its demand ("Additional Basis Letter"). The Additional Basis Letter is attached to this filing as Exhibit 1. *See* Ex. 1.

The Civil Rights Division of the U.S. Department of Justice sent Defendant the Additional Basis Letter because the Civil Rights Division learned of Governor Mikie Sherrill's announcement on X on July 21, 2026, that "roughly 6,600 people who indicated that they were not U.S. citizens between June 2023 and June 2024" were in fact "registered ... anyway" by New Jersey election processes—and roughly 400 of those people voted.¹ This announcement has received wide media coverage.² While it is currently unknown in which elections those noncitizens voted or whether

¹ <https://x.com/GovSherrillNJ/status/2079602942722662725>.

² *See, e.g.,* David Wildstein, *New Jersey Discloses 6,600 Non-Citizens Were on New Jersey Voter Rolls After Motor Vehicles Software Error in 2023 and 2024*, New Jersey Globe (July 21, 2026,

the ballots those noncitizens cast affected the outcome of any race,³ Governor Sherrill acknowledged in a press conference the seriousness of noncitizens voting in American elections.⁴

Dated this 21st day of July, 2026,

Respectfully submitted,

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/S/ ERIC V. NEFF

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11:55 AM), <https://newjerseyglobe.com/governor/new-jersey-admits-6600-non-citizens-were-on-new-jersey-voter-rolls-after-motor-vehicles-software-error/>.

³ Tracey Tully, *D.M.V. Error Led to 400 Noncitizens Voting in New Jersey, Governor Says*, New York Times (July 21, 2026, 1:08 PM), <https://www.nytimes.com/2026/07/21/nyregion/noncitizen-voting-new-jersey-error.html>.

⁴ *See id.*

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2026, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Eric V. Neff
ERIC V. NEFF

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