

HARMEET K. DHILLON  
Assistant Attorney General  
Civil Rights Division

ROBERT J. KEENAN  
Acting Deputy Assistant Attorney General  
Civil Rights Division

ERIC V. NEFF  
Acting Chief, Voting Section  
Civil Rights Division

JOHN R. CASALI (DC Bar No. 90037584)  
RAYMOND YANG (CA Bar No. 354515)  
Trial Attorneys, Voting Section  
Civil Rights Division  
4 Constitution Square  
150 M Street NE, Room 8.135  
Washington, D.C. 20002  
Email: [john.casali@usdoj.gov](mailto:john.casali@usdoj.gov)  
Tel. (202) 316-8087

*Attorneys for the United States*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILIP MCGRANE, in his Official Capacity  
as IDAHO SECRETARY OF STATE

Defendant.

Case No.: 1:26-cv-00197-BLW

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

**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, PHILIP MCGRANE, Idaho Secretary of State, to show why he should not be compelled to produce the documents requested by the United States. 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 the Help America Vote Act (“HAVA”). *See* 52 U.S.C. § 21111. The statute requires Defendant Secretary of State McGrane (“Secretary McGrane”) to conduct specified maintenance of Idaho’s voter registration list. These requirements are an integral measure to ensure that Secretary McGrane’s statewide voter registration list is accurate. Ensuring the accuracy of the list of eligible voters preserves the integrity of Secretary McGrane’s federal election procedures.

Pursuant to Section 301 of the CRA, 52 U.S.C. § 20701, “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[.]” (emphasis added).

Further, Section 303 of the CRA provides, “Any record or paper required by section 301 to be retained and preserved shall, *upon demand in writing by the Attorney General* or his 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 demanded records from Secretary McGrane pursuant to these federal statutes and Secretary McGrane 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 McGrane to produce the requested records forthwith.

Section 305 of the CRA, 52 U.S.C. § 20705, 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.”

#### **Prayer for Relief**

For the foregoing reasons, Plaintiff requests that this Court enter an Order directing Secretary McGrane to show cause why he has failed to produce the demanded records. Plaintiff further requests this Court:

- A. Declare that Secretary McGrane’s refusal to provide the election records upon a demand by the Attorney General violates Title III of the Civil Rights Act as required by 52 U.S.C. § 20703;
- B. Order Secretary McGrane to provide to the Attorney General the current electronic copy of Idaho’s computerized voter registration list, with all fields, including each registrant’s full name, date of birth, residential address, and either their driver’s license number, the last four digits of their Social Security number, or HAVA unique identifier as required by 52 U.S.C. § 21083 within five (5) days of a Court order.
- C. Order Secretary McGrane to produce such other federal records demanded by the Attorney General to ascertain Idaho’s compliance with HAVA.

D. Order such relief as the interests of justice may require.

DATED: April 1, 2026

Respectfully submitted,

HARMEET K. DHILLON  
Assistant Attorney General  
Civil Rights Division

ROBERT J. KEENAN  
Acting Deputy Assistant Attorney  
General  
Civil Rights Division

ERIC V. NEFF  
Acting Chief, Voting Section  
Civil Rights Division

*/s/ John R. Casali*  
JOHN R. CASALI  
RAYMOND YANG  
Trial Attorneys, Voting Section  
Civil Rights Division  
4 Constitution Square  
150 M Street NE, Room 8.135  
Washington, D.C. 20002  
[john.casali@usdoj.gov](mailto:john.casali@usdoj.gov)  
Tel. (202) 316-8087

**CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 2026, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/John R. Casali

John R. Casali

Trial Attorney, Voting Section

Civil Rights Division

4 Constitution Square

150 M Street NE, Room 8.135

Washington, D.C. 20002

[john.casali@usdoj.gov](mailto:john.casali@usdoj.gov)

Tel. (202) 316-8087

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