

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND,
INC., MARCOS VILAR, BRANDON
NELSON, LISA BARIKA, KISHA
LINEBAUGH, ROCHELLE REBACK,
ELIZABETH WELLS, SUSAN WILSON,
ANDREA DAVNIE HILL, EMMA KURTZ,
LYNNELLE MAYS, STEVEN LICARI,
ANNE BLANFORD, SHARON LASCOLA,
JANET WECHTER, KERRY MARIE,
LINDA ROSENTHAL, DANIELLA
PIERRE, and PHILIP FORTMAN,

Plaintiffs,

v.

CORD BYRD, in his official capacity as
Florida Secretary of State, the FLORIDA
SENATE, and the FLORIDA HOUSE OF
REPRESENTATIVES,

Defendants.

Case No.

COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF

Plaintiffs Equal Ground Education Fund, Inc., and Florida voters Marcos Vilar, Brandon Nelson, Lisa Barika, Kisha Linebaugh, Rochelle Reback, Elizabeth Wells, Susan Wilson, Andrea Davnie Hill, Emma Kurtz, Lynnelle Mays, Steven Licari, Anne Blanford, Sharon Lascola, Janet Wechter, Kerry Marie, Linda Rosenthal, Daniella Pierre, and Philip Fortman file this Complaint for Declaratory and Injunctive Relief against Defendant Cord Byrd, in his official capacity as Florida Secretary of State, the Florida Senate, and the Florida House of Representatives, and allege as follows:

NATURE OF THE ACTION

1. In 2010, the people of Florida voted overwhelmingly to enact the Fair Districts Amendment to the state’s constitution, imposing constraints on the worst abuses of congressional redistricting and entrusting the Florida judiciary to enforce those safeguards. *See* Fla. Const. art. III, § 20 (2010). In 2019, the U.S. Supreme Court cited the Fair Districts Amendment as an exemplar of “[p]rovisions in state statutes and state constitutions [that] can provide standards and guidance for state courts to apply” to ensure that “complaints about districting” are not “condemn[ed] . . . to echo into a void.” *Rucho v. Common Cause*, 586 U.S. 684, 719 (2019).

2. In 2015, the Florida Supreme Court invalidated the Legislature’s congressional redistricting plan under the Fair Districts Amendment after finding that partisan intent tainted the redistricting process. *See League of Women Voters of Fla. v. Detzner* (“*Apportionment VII*”), 172 So. 3d 363 (Fla. 2015). That litigation demonstrated Florida courts’ “important duty to honor and effectuate the intent of the voters in passing Florida’s groundbreaking constitutional amendment,” “not because [courts] seek to dictate a particular result, but because the people of Florida have, through their constitution, entrusted that responsibility to the judiciary.” *Id.* at 416 (citation modified).

3. Despite that constitutional mandate, Florida has become the latest battleground in an unprecedented nationwide effort to redraw congressional maps for partisan gain outside the traditional decennial redistricting cycle. In 2025, the Trump Administration insisted that Texas redraw its congressional map to secure a Republican majority in the U.S. House of Representatives during the 2026 elections. The North Carolina and Missouri legislatures followed Texas’s lead, and voters in California and Virginia responded by amending their state constitutions to allow for mid-decade redraws of their congressional maps. Prior to those amendments, California’s

constitution prohibited unlawful partisan intent in enacting congressional districts and Virginia's constitution did not allow mid-decade redistricting. In contrast, Florida made no efforts to amend its constitution when it sought to join the partisan wars and conduct a mid-decade redistricting for partisan gain. Accordingly, unlike these other states, Florida's constitution continues to expressly prohibit partisan gerrymandering—a constraint the Legislature chose to ignore.

4. Florida's mid-decade redistricting was spearheaded by Governor DeSantis, who announced his desire to redistrict in July 2025. Both the Governor and the Legislature nonetheless left the public in the dark for nearly a year, developing the new map entirely in secret, and releasing it to the public for the first time immediately before its passage. But when the time came to present his proposed map (the "2026 Plan"), the Governor left no room for doubt as to its purpose. On April 27, 2026, his Office released the map exclusively to Fox News before transmitting it to a single Florida lawmaker. The map arrived from the Governor's Office color-coded in red and blue, with 24 districts shaded red and four shaded blue. It was not a redistricting proposal dressed up in the language of neutral principles. It was a partisan declaration, and it was presented as one.

5. The special legislative session that followed confirmed what the color-coded map had already made plain. When the Governor's map drawer, Jason Poreda, appeared before the Legislature, he acknowledged that he had drawn the 2026 Plan using partisan data. When legislators asked the Governor's attorney, Mo Jazil, how the Governor's Office intended to defend the map, Jazil stated that the Governor's Office did not believe the Fair Districts Amendment applied. And when asked directly whether the map's legal justification depended on the Florida Supreme Court striking down the Fair Districts Amendment in its entirety, Jazil confirmed that it did.

6. Both the map drawer and its proponents have thus effectively conceded that the 2026 Plan does not comply with the Florida Constitution. And consistent with that understanding, the 2026 Plan proceeds to carve up the state to advantage the Republican Party. In Tampa Bay—a region of the state with a politically balanced electorate—the 2026 Plan cracks the Democratic-leaning cities of Tampa and St. Petersburg several times over, enough to distribute Democratic voters across multiple districts and eliminate CD 14 as a Democratic district. In Central Florida, the 2026 Plan manages to both pack and crack Democratic voters in the Orlando metropolitan area, packing Democratic voters into CD 10 and siphoning them away from CD 9, eliminating CD 9 as a Democratic district. In South Florida, the 2026 Plan reduces the number of reliably held Democratic seats from five to three by packing Democratic voters (and particularly Black Democratic voters) into CDs 20 and 24, eliminating prior CDs 23 and 25 as reliably held Democratic districts. The 2026 Plan also gerrymanders CD 22 to draw two Democratic representatives out of their existing districts, placing them just on the outer edge of an already bizarrely shaped and noncompact Republican district.

7. The 2026 Plan was not compelled by any legal mandate or neutral justification. It cannot, for example, be explained by a desire to adhere to traditional redistricting principles. Indeed, although the map no longer even attempts to comply with the Fair Districts Amendment's protections for minority voters, which the Governor has argued requires traditional redistricting principles to be compromised, the 2026 Plan is *less compact* and introduces *more county and city splits* than the 2022 Plan. Nor can the partisan results in the map be explained by a desire to draw a race-neutral map, a desire which would have required *no changes* in Tampa Bay and Central Florida, and would not have required the changes that the 2026 Plan makes in South Florida. The

2026 Plan can only be explained by the same purpose that has been openly stated for months: to maximize Republican congressional representation.

8. The changes to Florida’s congressional plan come on the heels of a 2022 redistricting plan that *already* substantially advantaged Republicans. Indeed, shortly after the Legislature enacted the 2022 Plan into law, and well before the 2022 midterm election, Governor DeSantis predicted his plan would send 20 Republicans and just eight Democrats to Congress from Florida—an increase of six Republicans from just four years earlier. It did exactly that in both 2022 and 2024, and today Democrats make up just 28.5% of Florida’s congressional delegation, despite routinely receiving a much higher share of the statewide vote.

9. The 2026 Plan takes the state’s partisan skew to an unprecedented extreme. Under the 2026 Plan, Republicans can be expected to win 24 of the state’s 28 congressional districts. That means even if Republicans win 55% of the statewide vote, as they have in recent elections, Republicans are likely to win 86% of the state’s congressional seats.

10. The 2026 Plan is, by traditional measures of partisan gerrymandering, one of the most extreme gerrymanders in American history. The 2026 Plan has a 21% pro-Republican efficiency gap, which measures the degree to which one party’s votes are systematically “wasted.” This number dwarfs both the Legislature’s 2012 Plan, which the Florida Supreme Court struck down as an unconstitutional partisan gerrymander with a 7% efficiency gap, and the 2002 Plan that inspired Florida voters to pass the Fair Districts Amendment, which had a 9% gap. Among states with 15 or more congressional districts, the 2026 Plan has the *largest pro-Republican efficiency gap ever recorded*. And by the declination measure—which captures asymmetries in district-level vote share distributions—the 2026 Plan has the largest pro-Republican skew of any similarly sized state in history. Statistics like these do not occur by accident. They are the product

of deliberate choices, made by professionals with sophisticated tools and a clear partisan goal: to pack and crack Democratic voters with surgical precision and deprive Florida voters of a fair map guaranteed to them by the Florida Constitution.

11. “It is this Court’s duty, given to it by the citizens of Florida, to enforce adherence to the constitutional requirements and to declare a redistricting plan that does not comply with those standards constitutionally invalid.” *In re Senate Joint Resol. of Legis. Apportionment 1176 (“Apportionment I”)*, 83 So. 3d 597, 607 (Fla. 2012). Florida’s voters ask this Court to uphold that duty here.

JURISDICTION, PARTIES, AND VENUE

12. This Court has jurisdiction over this matter pursuant to Fla. Stat. § 26.012 and Article V, Section 5(b) of the Florida Constitution. Venue is proper pursuant to Fla. Stat. § 47.011. Plaintiffs’ action for declaratory and injunctive relief is authorized by Fla. Stat. § 86.011, as well as Fla. Stat. § 26.012(3).

13. Plaintiff Equal Ground Education Fund, Inc. (“Equal Ground”) is a 501(c)(3) organization with a mission to register, educate, and increase engagement among Black voters in Florida. Equal Ground’s principal office is in Orlando, but the organization engages voters throughout the state. Equal Ground was founded in May 2019 to give the rising American electorate greater influence on issues that affect them. The organization focuses on ensuring equal access to democracy in underserved communities. To achieve its goal, Equal Ground conducts extensive voter education, voter registration, and voter engagement work directly through its staff and in alliance with hundreds of faith partners throughout the state. Unfair and discriminatory redistricting frustrates and impedes Equal Ground’s core mission by diluting the votes of the citizens that Equal Ground works to engage in civic participation, thereby obstructing Equal

Ground’s ability to bring about change in Florida through the democratic process. The 2026 Plan will require Equal Ground to divert scarce resources away from its other policy priorities toward efforts to give voters other avenues to make their voices heard where they no longer have effective representation.

14. The Voter Plaintiffs are citizens of the United States and are qualified, registered Florida voters. They are registered Democratic voters or voters with no party affiliation and intend to vote in upcoming elections for Congress for Democratic candidates. They reside in the following congressional districts:

Plaintiff	County	CD (2022 Plan)	CD (2026 Plan)
Marcos Vilar	Osceola	CD 9	CD 9
Brandon Nelson	Orange	CD 10	CD 10
Lisa Barika	Hillsborough	CD 14	CD 15
Kisha Linebaugh	Hillsborough	CD 14	CD 12
Rochelle Reback	Hillsborough	CD 14	CD 14
Elizabeth Wells	Pinellas	CD 14	CD 13
Susan Wilson	Pinellas	CD 14	CD 16
Andrea Davnie Hill	Hillsborough	CD 15	CD 15
Emma Kurtz	Broward	CD 20	CD 20
Steven Licari	Palm Beach	CD 20	CD 22
Lynelle Mays	Broward	CD 20	CD 20
Anne Blanford	Palm Beach	CD 22	CD 23
Sharon Lascola	Palm Beach	CD 22	CD 22
Janet Wechter	Palm Beach	CD 22	CD 23
Kerry Marie	Broward	CD 23	CD 22
Linda Rosenthal	Palm Beach	CD 23	CD 25
Daniella Pierre	Miami-Dade	CD 24	CD 24
Philip Fortman	Broward	CD 25	CD 22

15. Marcos Vilar is a Florida citizen and qualified registered voter in St. Cloud. Mr. Vilar was previously a voter in CD 9 under the 2022 Plan and resides in CD 9 under the 2026 Plan. Mr. Vilar is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

16. Brandon Nelson is a Florida citizen and qualified registered voter in Orlando. Mr. Nelson was previously a voter in CD 10 under the 2022 Plan and resides in CD 10 under the 2026 Plan. Mr. Nelson is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

17. Lisa Barika is a Florida citizen and qualified registered voter in Tampa. Ms. Barika was previously a voter in CD 14 under the 2022 Plan and resides in CD 15 under the 2026 Plan. Ms. Barika is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

18. Kisha Linebaugh is a Florida citizen and qualified registered voter in Tampa. Ms. Linebaugh was previously a voter in CD 14 under the 2022 Plan and resides in CD 12 under the 2026 Plan. Ms. Linebaugh is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

19. Rochelle Reback is a Florida citizen and qualified registered voter in Tampa. Ms. Linebaugh was previously a voter in CD 14 under the 2022 Plan and resides in CD 14 under the 2026 Plan. Ms. Reback is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

20. Elizabeth Wells is a Florida citizen and qualified registered voter in St. Petersburg. Ms. Wells was previously a voter in CD 14 under the 2022 Plan and resides in CD 13 under the

2026 Plan. Ms. Wells is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

21. Susan Wilson is a Florida citizen and qualified registered voter in St. Petersburg. Ms. Wilson was previously a voter in CD 14 under the 2022 Plan and resides in CD 16 under the 2026 Plan. Ms. Wilson is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future

22. Andrea Davnie Hill is a Florida citizen and qualified registered voter in Thonotosassa. Ms. Hill was previously a voter in CD 15 under the 2022 Plan and resides in CD 15 under the 2026 Plan. Ms. Hill is a registered voter with no party affiliation who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

23. Emma Kurtz is a Florida citizen and qualified registered voter in Fort Lauderdale. Ms. Kurtz was previously a voter in CD 20 under the 2022 Plan and resides in CD 20 under the 2026 Plan. Ms. Kurtz is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

24. Lynnelle Mays is a Florida citizen and qualified registered voter in Tamarac. Ms. Mays was previously a voter in CD 20 under the 2022 Plan and resides in CD 20 under the 2026 Plan. Ms. Mays is a registered Democrat who has primarily voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

25. Steven Licari is a Florida citizen and qualified registered voter in Palm Beach. Mr. Licari was previously a voter in CD 20 under the 2022 Plan and resides in CD 22 under the 2026 Plan. Mr. Licari is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

26. Anne Blanford is a Florida citizen and qualified registered voter in unincorporated Palm Beach County. Ms. Blanford was previously a voter in CD 22 under the 2022 Plan and resides in CD 23 under the 2026 Plan. Ms. Blanford is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

27. Sharon Lascola is a Florida citizen and qualified registered voter in Wellington. Ms. Lascola was previously a voter in CD 22 under the 2022 Plan and resides in CD 22 under the 2026 Plan. Ms. Lascola is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

28. Janet Wechter is a Florida citizen and qualified registered voter in Boynton Beach. Ms. Wechter was previously a voter in CD 22 under the 2022 Plan and resides in CD 23 under the 2026 Plan. Ms. Wechter is a registered voter with no party affiliation who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

29. Kerry Marie is a Florida citizen and qualified registered voter in Coral Springs. Ms. Marie was previously a voter in CD 23 under the 2022 Plan and resides in CD 22 under the 2026 Plan. Ms. Marie is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

30. Linda Rosenthal is a Florida citizen and qualified registered voter in Boca Raton. Ms. Rosenthal was previously a voter in CD 23 under the 2022 Plan and resides in CD 25 under the 2026 Plan. Ms. Rosenthal is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

31. Daniella Pierre is a Florida citizen and qualified registered voter in Miami. Ms. Pierre was previously a voter in CD 24 under the 2022 Plan and resides in CD 24 under the 2026

Plan. Ms. Pierre is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

32. Philip Fortman is a Florida citizen and qualified registered voter in Miramar. Mr. Fortman was previously a voter in CD 25 under the 2022 Plan and resides in CD 22 under the 2026 Plan. Mr. Fortman is a registered Democrat who has consistently voted for Democratic candidates for the U.S. House of Representatives and intends to do so in the future.

33. Defendant Cord Byrd is sued in his official capacity as the Florida Secretary of State. Defendant Byrd is Florida's chief election officer and is charged with administering and overseeing the state's elections, *see* Fla. Stat. § 97.012, and is thus a proper defendant in this action. *County of Volusia v. DeSantis*, 302 So. 3d 1001, 1005 (Fla. 1st DCA 2020).

34. Defendant Florida Senate (the "Senate") is one of two chambers of the Legislature of the State of Florida. The Senate is responsible for drawing apportionment plans and individual districts for the U.S. House of Representatives from the State of Florida that comply with the Florida Constitution, and is thus a proper defendant in this action. *See Bainter v. League of Women Voters of Fla.*, 150 So. 3d 1115, 1119 (Fla. 2014) (describing the Legislature as "the primary defendant" in redistricting challenge).

35. Defendant Florida House of Representatives (the "House") is one of two chambers of the Legislature of the State of Florida. The House is responsible for drawing apportionment plans and individual districts for the U.S. House of Representatives from the State of Florida that comply with the Florida Constitution, and is thus a proper defendant in this action. *See id.*¹

¹¹ The Attorney General is not a necessary defendant because Florida Statute § 86.091 requires only that the Attorney General be served with the complaint and given the opportunity to participate in hearings, not be named as a party. *See Martin Mem'l Med. Ctr., Inc. v. Tenet Healthsystem Hosps., Inc.*, 875 So. 2d 797 (Fla. 1st DCA 2004).

LEGAL BACKGROUND

I. The people of Florida amended the Florida Constitution to reform the congressional redistricting process.

36. On November 2, 2010, the people of Florida voted by an overwhelming margin of 62.9% to 37.1% to enact the Fair Districts Amendment to the Florida Constitution.² The Fair Districts Amendment established stringent new standards to constrain what is supposed to be the state’s once-in-a-decade exercise of its congressional reapportionment powers.

37. The Fair Districts Amendment “dramatically alter[s] the landscape with respect to redistricting by prohibiting practices that have been acceptable in the past, such as crafting a plan or [a] district with the intent to favor a political party or an incumbent.” *Apportionment I*, 83 So. 3d at 607. The “overall goal” of the Fair Districts Amendment is to require redistricting “in a manner that prohibits favoritism or discrimination, while respecting geographic considerations.” *Advisory Op. to Att’y Gen. re Standards for Legislature to Follow in Cong. Redistricting*, 2 So. 3d 175, 181 (Fla. 2009).

38. The Fair Districts Amendment standards are enumerated within two “tiers” in Article III, Section 20 of the Florida Constitution. The “Tier I” standards provide that (1) no congressional plan “shall be drawn with the intent to favor or disfavor a political party or an incumbent;” (2) “districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to

² See *November 2, 2010 General Election*, Fla. Dep’t of State, <https://results.elections.myflorida.com/Index.asp?ElectionDate=11/2/2010&DATAMODE=> (last visited Apr. 22, 2026). Florida voters adopted a virtually identical constitutional amendment—by a similarly significant margin—to reform Florida’s legislative apportionment process. *See id.*; Fla. Const. art. III, § 21. Unless otherwise noted, the “Fair Districts Amendment” as used in this Complaint refers specifically to the *congressional* amendment. *See* Fla. Const. art. III, § 20.

diminish their ability to elect representatives of their choice;” and (3) “districts shall consist of contiguous territory.” Fla. Const. art. III, § 20(a).

39. The “Tier II” standards provide that (1) “districts shall be as nearly equal in population as is practicable;” (2) “districts shall be compact;” and (3) “districts shall, where feasible, utilize existing political and geographical boundaries.” *Id.* art. III, § 20(b).

40. This Court’s duty to enforce the Fair Districts Amendment “arises from the well settled principle that the state Constitution is not a grant of power but a limitation upon power.” *Apportionment I*, 83 So. 3d at 599 (citation modified). This principle applies with force in the context of reapportionment. “Indeed, the right to elect representatives—and the process by which we do so—is the very bedrock of our democracy. To ensure the protection of this right, the citizens of the state of Florida, through the Florida Constitution, employed the essential concept of checks and balances, granting to the Legislature the ability to apportion . . . in a manner prescribed by the citizens and entrusting [the Florida judiciary] with the responsibility to review the apportionment plans to ensure they are constitutionally valid.” *Id.* at 600.

A. The Florida Constitution prohibits the drawing of congressional districts to favor or disfavor a political party.

41. The Florida Constitution’s prohibition on partisan gerrymandering is a Tier I standard, “meaning that the voters placed this constitutional imperative as a top priority to which the Legislature must conform during the redistricting process.” *Id.* at 615.

42. “The acceptability of partisan political gerrymandering in this state dramatically changed” after the people of Florida amended the Constitution with the Fair Districts Amendment. *Apportionment VII*, 172 So. 3d at 374.

43. Article III, Section 20(a) of the Florida Constitution provides that “[n]o apportionment plan or district shall be drawn with the intent to favor or disfavor a political party

or an incumbent.” This requirement “prohibits what has previously been an acceptable practice, such as favoring incumbents and the political party in power.” *Apportionment I*, 83 So. 3d at 615.

44. Under Article III, Section 20, “there is no acceptable level of improper intent.” *Id.* at 617. The Florida Constitution’s “prohibition on improper partisan intent in redistricting applies, ‘by its express terms,’ to ‘both the apportionment plan as a whole and to each district individually’ and does not ‘require a showing of malevolent or evil purpose.’” *Apportionment VII*, 172 So. 3d at 375 (quoting *Apportionment I*, 83 So. 3d at 617).

45. The focus of a claim alleging a violation of this portion of Article III, Section 20(a) is on “direct and circumstantial evidence of intent.” *Apportionment I*, 83 So. 3d at 617.

46. Direct evidence of improper intent is often found in the statements and communications of those “responsible for drafting districting plans.” *Apportionment VII*, 172 So. 3d at 388–89 (citing *Easley v. Cromartie*, 532 U.S. 234, 254 (2001)); see also *id.* at 388 (“[T]he actions and statements of . . . those directly involved in the map drawing process . . . would be relevant on the issue of intent.”).

47. Circumstantial evidence of intent can include a wide variety of objective indicators: “the effects of the plan, the shape of district lines, and the demographics of an area are all factors that serve as objective indicators of intent.” *Apportionment I*, 83 So. 3d at 618. Similarly, “[a] disregard for [Tier II] principles can serve as indicia of improper intent.” *Id.* For instance, “when the Court analyzes the tier-two standards and determines that specific districts violate those standards without any other permissible justification, impermissible intent may be inferred.” *Id.* at 619. Additionally, “where the shape of a district in relation to the demographics is so highly irregular and without justification that it cannot be rationally understood as anything other than an effort to favor or disfavor a political party, improper intent may be inferred.” *Id.*

48. The Florida Supreme Court has also explained that the “specific sequence of events leading up to the challenged decision also may shed some light on the decisionmaker’s purposes” and that “[d]epartures from the normal procedural sequence also might afford evidence that improper purposes are playing a role.” *Apportionment VII*, 172 So. 3d at 388–89 (quoting *Village of Arlington Heights v. Metro Hous. Dev. Corp.*, 429 U.S. 252, 267 (1977)).

49. Improper intent can also be found where partisan actors outside of the Legislature are “successful in their efforts to influence the redistricting process and the congressional plan under review.” *Id.* at 392. This can include scenarios where outside parties “draw maps favorable to a particular political party or incumbent and facilitate the submission of those maps to the Legislature.” *Id.* at 382.

50. “A finding of partisan intent . . . renders the Legislature’s redistricting plan constitutionally invalid.” *Id.* at 375.

B. The Florida Constitution prohibits the drawing of congressional districts to favor or disfavor an incumbent.

51. Each of the intent-related principles above also apply to the Tier I requirement that “[n]o apportionment plan or individual district shall be drawn with the intent to favor or disfavor . . . an incumbent.”

52. “[T]he inquiry for intent to favor or disfavor an incumbent focuses on the shape of the district in relation to the incumbent’s legal residence, as well as other objective evidence of intent.” *Apportionment I*, 83 So. 3d at 618–19. “Objective indicators of intent may include such factors as the maneuvering of district lines” that appears to be drawn to advantage or disadvantage an incumbent. *Id.* at 619.

53. The Florida Supreme Court has emphasized that when analyzing a claim of intent to favor or disfavor an incumbent, courts cannot “disregard obvious conclusions from the undisputed facts.” *Id.*

54. Applying such factors, the Florida Supreme Court has held this provision has been violated when the Legislature has drawn a particularly noncompact district “that reaches out to clearly encompass an incumbent,” particularly when the district’s shape “cannot be justified based on concerns pertaining to ensuring minority voting strength.” *Id.* at 672.

C. The Florida Constitution protects racial and language minorities in the congressional redistricting process.

55. The protection of racial and language minorities is also a Tier I requirement.

56. Article III, Section 20(a) of the Florida Constitution provides that “districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice.” This portion of Section 20(a) prevents both vote dilution and diminishment of a minority group’s ability to elect candidates of its choice.

57. In *Black Voters Matter*, the Florida Supreme Court emphasized that any Tier I obligation to protect minority voting strength must be pursued in a manner consistent with traditional redistricting criteria—such as compactness and respect for political and geographic boundaries—but it also declined to fundamentally revisit the non-diminishment standard, as the Secretary had requested. *See Black Voters Matter Capacity Bldg. Inst., Inc. v. Sec’y, Fla. Dep’t of State*, 415 So. 3d 180, 193–94 (Fla. 2025).

D. The Florida Constitution mandates compact districts and requires the use of political and geographic boundaries in drawing districts, where feasible.

58. Under the Florida Constitution’s Tier II requirements, “districts shall be compact.” Fla. Const. art. III, § 20(b).

59. The constitutional compactness mandate “ensure[s] that districts are logically drawn and that bizarrely shaped districts are avoided.” *Apportionment I*, 83 So. 3d at 635. “[The] compactness requirement serves to limit partisan redistricting.” *Id.* at 632.

60. “Compactness can be evaluated both visually and by employing standard mathematical measurements.” *Id.* at 636; *see also id.* at 634 (explaining that “[c]ompact districts should not have an unusual shape, a bizarre design, or an unnecessary appendage unless it is necessary to comply with some other requirement”).

61. The Florida Constitution contains an additional Tier II requirement that “districts shall, where feasible, utilize existing political and geographical boundaries.” Fla. Const. art. III, § 20(b). The Florida Supreme Court has explained that it considers “adherence to county and city boundaries as political boundaries, and rivers, railways, interstates and state roads as geographical boundaries.” *Apportionment I*, 83 So.3d at 638. Like the compactness requirement, the requirement to adhere to political and geographical boundaries “is aimed at preventing improper intent.” *Id.*

II. The Fair Districts Amendment is enforceable against Florida’s congressional reapportionment plans.

62. When the U.S. Supreme Court held that partisan gerrymandering claims could not be brought in federal court, it explained that its holding did not “condemn complaints about districting to echo into a void.” *Rucho*, 588 U.S. at 719. The task of reforming the redistricting process is one for the states and their citizens because “[p]rovisions in state statutes and state constitutions can provide standards and guidance for state courts to apply.” *Id.*

63. The U.S. Supreme Court pointed to Florida as a model for the nation. Citing favorably to the Florida Supreme Court’s decision to strike down the Legislature’s 2012 congressional redistricting plan, the U.S. Supreme Court held that federal courts were not similarly

empowered to adjudicate partisan gerrymandering claims because “[t]here is no ‘Fair Districts Amendment’ to the Federal Constitution.” *Id.* (citing *Apportionment VII*, 172 So. 3d at 363).

64. In *Apportionment VII*, the plaintiffs had alleged that Florida’s 2012 congressional plan was drawn to benefit the Republican Party in violation of the Fair Districts Amendment’s prohibition on partisan gerrymandering. The trial court agreed, enforcing the Fair Districts Amendment against the Legislature’s plan. *See Romo v. Detzner*, No. 2012-CA-000412, 2014 WL 3797315, at *3 (Fla. 2d Cir. Ct. July 10, 2014).

65. On appeal, the Florida Supreme Court agreed that the Legislature had made a “mockery” out of the Fair Districts Amendment in drawing its 2012 congressional plan. *Apportionment VII*, 172 So. 3d at 377 (emphasis omitted). The Court gave no deference to the Legislature’s justifications for the challenged district boundaries given its finding that the entire map had been “tainted by unconstitutional intent to favor the Republican Party and incumbent lawmakers.” *Id.* at 369 (citation modified). The Court then ordered the Legislature “to redraw, on an expedited basis,” several tainted congressional districts and “all other districts affected by the redrawing.” *Id.* at 371–72. After the Legislature ultimately failed to come to agreement on new districts, the Florida Supreme Court adopted a new map in December 2015, resulting in the congressional map that would be used in Florida’s next three congressional elections. *League of Women Voters of Fla. v. Detzner* (“*Apportionment VIII*”), 179 So. 3d 258, 261 (Fla. 2015).

66. The Court acknowledged that *Apportionment VII* was “neither the first, nor likely the last, time” that the Florida judiciary would need to “confront a challenge to a redistricting plan enacted by the Legislature.” 172 So. 3d at 415. Future courts, it pressed, must continue to “endeavor[] to give meaning to the intent of the framers and voters who passed the Fair Districts Amendment.” *Id.*

67. The next time the Florida Supreme Court interpreted the Fair Districts Amendment in the context of congressional redistricting was *Black Voters Matter*, 415 So. 3d 180. At issue before the Court was whether the 2022 Plan had been redrawn in a manner that diminished Black voters' ability to elect their candidates of choice in the prior CD 5 in violation of the Fair Districts Amendment's non-diminishment standard. The Court held that the specific benchmark district plaintiffs relied upon could not support a non-diminishment claim because it had itself been drawn with race as the predominant factor in violation of the U.S. Constitution's Equal Protection Clause. *Id.* at 196.

68. Critically, *Black Voters Matter* did not hold any provision of the Fair Districts Amendment unconstitutional or invalid. The Court did not strike down the non-diminishment standard, did not hold that the Legislature is relieved of its obligation to comply with any other provision of the Fair Districts Amendment, and did not address—let alone invalidate—the Amendment's prohibition on partisan gerrymandering.

FACTUAL BACKGROUND

III. Florida's 2026 Plan is the culmination of a mid-decade redistricting blitz for partisan advantage.

69. The 2026 Plan resulted from a process that began, not with any neutral legal or demographic justification, but with a national Republican campaign to redraw congressional maps for partisan gain, and ended with the map drawer himself admitting on the record that he drew Florida's congressional map using partisan data in deliberate disregard of the Florida Constitution.

A. Shortly after the Trump Administration and Texas began mid-decade partisan warfare over congressional redistricting, Governor DeSantis expressed interest in mid-decade redistricting in Florida.

70. Last year, the Trump Administration began a push for mid-decade congressional redistricting that triggered a cascade of states attempting to change their maps for partisan gain.

71. On June 9, 2025, the *New York Times* reported that President Donald Trump was pressuring Texas Republicans to redraw the state’s congressional map to more heavily favor Republicans.³

72. On July 9, 2025, Governor Abbot called a special session of the Texas Legislature to consider mid-decade redistricting,⁴ and the Legislature ultimately passed a new redistricting map on August 21, 2025. Texas declared in filings submitted to the U.S. Supreme Court that the purpose of its self-proclaimed “partisan gerrymander” was “to secure five additional Republican seats in the U.S. House of Representatives.”⁵

73. After Texas announced its special session, several other states followed suit and moved to adopt new congressional plans in an effort to gain partisan advantage, including California, Missouri, North Carolina, and, most recently, Virginia.⁶ California and Virginia voters voted specifically to amend their state constitutions in order to overcome existing bans on partisan intent and mid-decade redistricting, respectively, and approve those maps.

³ J. David Goodman & Shane Goldmacher, *White House Pushes Texas to Redistrict, Hoping to Blunt Democratic Gains*, N.Y. Times (June 9, 2025), <https://www.nytimes.com/2025/06/09/us/politics/trump-texas-redistricting.html>.

⁴ Press Release, *Governor Abbott Announces Special Session Agenda*, Off. of Tex. Governor (July 9, 2025), <https://perma.cc/QE6J-DK7E>.

⁵ Emergency Appl. for Stay & Admin. Stay Pending Appeal, *Abbott v. League of United Latin Am. Citizens*, No. 25A608 (U.S. Nov. 21, 2025), <https://perma.cc/N3KL-9PGP>.

⁶ David A. Lieb, *A State-by-State Look at the Narrowing Redistricting Battle for the U.S. House*, PBS News (Apr. 22, 2026), <https://perma.cc/C9HD-Q25X>.

74. Six weeks after President Trump expressed interest in mid-decade redistricting, and shortly after Texas Governor Abbott called for a special session, Florida Governor Ron DeSantis floated the idea of mid-decade redistricting for the first time.⁷

75. The Governor's stated rationale for mid-decade redistricting shifted several times over the following weeks and months.

76. The Governor's first stated rationale for redistricting, offered in July 2025, was to address what the Governor described as Florida's "malapportionment" as a result of recent population surges and its (alleged) failure to receive more than 28 congressional seats as a result of the 2020 Census. As Governor DeSantis complained, "Florida, you know, we got a raw deal on the census." "We only got one seat when some of these other states were getting seats, when we've obviously had more growth. We should have gotten at least two."⁸

77. That rationale, however, would not explain the need to do mid-decade redistricting. The Governor's complaint was about *reapportionment*—how many congressional seats Florida is entitled to, something that does not change during *redistricting*. In other words, whether or not Florida should have been awarded more than 28 seats in the 2020 Census, mid-decade redistricting would not change that Florida would still only be entitled to 28 seats.

78. By August 2025, the Governor stated unequivocally: "We are going to have to do a mid-decade redistricting" even without "a new census."⁹

⁷ WKMG News 6 ClickOrlando, *Gov. Ron DeSantis to Hold News Conference in Bradenton*, at 36:10 (YouTube, July 24, 2025), <https://www.youtube.com/watch?v=tiHbwF2bVU0&t=2180s>.

⁸ Andrew Atterbury, *DeSantis Floats Mid-decade Redistricting for Florida Congressional Seats*, Politico (July 24, 2025), <https://www.politico.com/news/2025/07/24/desantis-floats-mid-decade-redistricting-for-florida-congressional-seats-00474675>.

⁹ Fox 35 Orlando, *LIVE: Gov. DeSantis Speaks in Melbourne*, at 18:23, 21:14 (YouTube, Aug. 11, 2025), <https://www.youtube.com/watch?v=ZzPIU7zQaNQ&t=1s>.

79. The Governor’s second rationale for redistricting, also in July 2025, was to respond to the *Black Voters Matter* decision from the Florida Supreme Court, suggesting the decision had revealed “defects” in the 2022 Plan requiring a remedy—even though the Florida Supreme Court considered only a single district in that decision.¹⁰ The Governor was candid that he hoped the decision would provide a springboard to redistrict: “My guys are going through the court’s opinion, to look at different avenues [for redistricting].”¹¹

80. The Governor’s third stated rationale for redistricting was to respond to the U.S. Supreme Court’s anticipated but then unreleased decision in *Louisiana v. Callais*, concerning Section 2 of the Voting Rights Act.¹² But as the Florida House of Representatives’ counsel Andy Bardos explained to the Florida House in late 2025, no issue in *Callais* would itself require Florida to conduct mid-decade redistricting.¹³ That remains true now that *Callais* has been released.

81. By November 2025, the Governor had dropped any pretense of deliberation, boasting at a speech at Yale University that “I’m going to make the Legislature do redistricting.”¹⁴

82. By January 2026, the Governor issued a proclamation to “convene[]” the Legislature “in Special Session for the sole and exclusive purpose of considering legislation relating to the drawing of congressional districts” beginning April 20, 2026.¹⁵ The Governor’s

¹⁰ *Id.* at 35:59; *see also Black Voters Matter*, 415 So. 3d 180.

¹¹ Jim Saunders, *DeSantis Raises Idea of Mid-decade Redistricting as Group Warns of ‘Domino Effect’ Across the Nation*, WUSF (July 30, 2025, 2:51 PM), <https://perma.cc/8684-FZ4C>.

¹² Michael Costeines, *DeSantis Will Call for Special Legislative Session on Congressional Redistricting*, *The Floridian* (Dec. 1, 2025), <https://perma.cc/8PFH-2PQP>.

¹³ *Meeting of H. Select Comm. on Cong. Redistricting*, 2026 Leg., Reg. Sess. (Fla. Dec. 10, 2025), <https://www.flhouse.gov/VideoPlayer.aspx?eventID=10752>.

¹⁴ John Kennedy, *Texas Ruling Heightens Focus on Florida in Trump’s Redistricting Push*, *Tallahassee Democrat* (Nov. 21, 2025, 5:07 AM), <https://perma.cc/B39T-K5QM>.

¹⁵ Ron DeSantis, Exec. Off. of the Governor of Fla., *Proclamation* (Jan. 7, 2026), https://www.flsenate.gov/PublishedContent/Home/CalendarLinks/Links/AprilSpecialSessionProclamationAmendment_Filed_4_15_26.pdf.

Proclamation stated that “the Legislature should redraw Florida’s congressional district boundaries . . . in the interest of making further improvements” to the 2022 Plan.

83. The Governor’s announced intention to redistrict was met with enthusiasm from Republican legislative leaders.

84. House Speaker Daniel Perez made clear the House was committed to moving forward: “The House is going to address it now, and eventually—sooner, rather than later—put forth a product for the membership to vote on.”¹⁶

B. Throughout 2025 and 2026, Florida officials have been candid about their partisan redistricting goals.

85. Over the past year, Florida’s Republican State House and Senate members, Florida’s Republican Party leaders, and Florida’s Republican congressional delegation have abandoned any pretense that Florida’s redistricting is about anything other than pure partisan advantage.

86. In December 2025, Florida State Senator and RNC Chair Joe Gruters reposted a prediction that Florida would add five Republican congressional seats during mid-decade redistricting.¹⁷

87. In January 2026, Senator Gruters also argued at the Florida GOP’s annual meeting that mid-decade redistricting in Florida would help Republicans “increase the majorities of both the House and Senate” and deliver President Trump “a full four years.”¹⁸

¹⁶ Dara Kam, *Florida House Speaker Daniel Perez talks redistricting, property taxes and more*, WUSF (Dec. 20, 2025), <https://perma.cc/V2NX-P3EG>.

¹⁷ Joe Gruters (@JoeGruters), X (Dec. 10, 2025), <https://perma.cc/NP9V-BG8S> (reposted from Matt Morse, @MattMorseTV).

¹⁸ Kimberly Leonard & Gary Fineout, *Redistricting and Governor’s Race Talk at RPOF*, Politico (Jan. 12, 2026), <https://www.politico.com/newsletters/florida-playbook/2026/01/12/key-takeaways-from-florida-republicans-annual-meeting-00721796>.

88. Similarly, in January 2026, and directly in response to Governor DeSantis's announcement of a special session for mid-decade redistricting, Florida State Representative Tom Fabricio posted publicly that Florida's mid-decade redistricting, "[d]one correctly, . . . will strengthen Republican seats, help keep a GOP majority in Congress to advance solid policies and stand up to the woke left."¹⁹

89. Republican Party operatives outside the Legislature were equally candid.

90. Florida GOP Executive Director Bill Helmich told the Capital Tiger Bay Club in October 2025 that if called upon to help with redistricting, he could "sit down over a weekend and draw a map where there's not a single Democratic member of Congress from Florida."²⁰

91. At the Florida GOP's annual meeting in January 2026, at which redistricting was a major topic, Florida GOP Chairman Evan Power declared that Democratic incumbents Jared Moskowitz and Darren Soto "should be on an endangered species list."²¹

92. And Adam Kincaid, president of the National Republican Redistricting Trust, was explicit that a redrawn map in Florida "would be probably a better map for Republicans" and expressed confidence that President Trump himself would weigh in on the process.²²

93. The Republican members of Florida's congressional delegation also discussed the potential redistricting as an exercise for partisan gain.

94. Representative Kat Cammack, a Republican member of Congress representing Florida's third congressional district, was candid about the purpose of mid-decade redistricting.

¹⁹ Tom Fabricio (@TPFabricio), X (Jan. 7, 2026, 7:06 PM), <https://perma.cc/BP9Y-HVUF>.

²⁰ James Call, *Florida GOP Eyes Total Control of State's 28 U.S. House Seats*, Tallahassee Democrat (Oct. 29, 2025, 6:40 PM), <https://perma.cc/7RZ8-QNBK>.

²¹ Gary Fineout (@fineout), X (Jan. 10, 2026, 12:53 PM), <https://perma.cc/C47E-KN53>; Leonard & Fineout, *supra* note 18.

²² Elizabeth Troutman Mitchell, *Current Florida Congressional Map Violates Constitution, Republican Says*, Daily Signal (Dec. 8, 2025), <https://perma.cc/3NHZ-8H7C>.

She warned that an overly aggressive redraw could backfire by putting existing safe Republican seats “in danger,” and she estimated that, “[o]n our best day,” the state could see three new Republican seats, and thought two was more realistic.²³

95. Representative Mario Diaz-Balart, a Republican member of Congress representing Florida’s twenty-sixth congressional district, speculated that “[y]ou could potentially do two” new Republican seats by redistricting.²⁴

96. Representative Byron Donalds, the Florida Republican Party’s leading gubernatorial candidate and Republican member of Congress representing Florida’s nineteenth congressional district, announced that Florida’s 2026 redistricting was intended to help Republicans retain control of Congress. Donalds argued that because of “California and Virginia responding to Texas,” and particularly because of “what now has been done in Virginia, now Florida needs to respond.”²⁵

97. And, indeed, after Virginia voters approved a new congressional map on April 21,²⁶ Governor DeSantis’s own team echoed Representative Donalds’ call to redistrict in response to Virginia’s referendum.

98. One day after Virginia’s referendum passed, and just days before Florida’s special session was set to begin, “Team DeSantis”—the “Official TEAM account of @RonDeSantis” reposted a celebratory tweet remarking that “Florida can add up to +5 REPUBLICAN seats to

²³ Kadia Goba & Hannah Knowles, *Can Florida Save Trump’s Plan to Keep GOP in Power?*, Wash. Post (Mar. 13, 2026), <https://www.washingtonpost.com/politics/2026/03/13/florida-trump-redistricting-midterms-congress/>.

²⁴ Ally Mutnick, Jake Sherman & John Bresnahan, *Florida Upset Sparks GOP Redistricting Concerns*, PunchBowl News (Mar. 26, 2026), <https://perma.cc/N3MG-SPQT>.

²⁵ Claire Heddles, *Donalds Says FL Should Counter Democrats by Redistricting. That’s Illegal Here*, Mia. Herald (Apr. 14, 2026, 9:22 AM), <https://www.miamiherald.com/news/politics-government/article315392027.html>.

²⁶ *Virginia Passes Gerrymandered House Map, Lifting Democrats’ Midterm Chances*, N.Y. Times (Apr. 23, 2026), <https://www.nytimes.com/live/2026/04/21/us/virginia-redistricting-election>.

more than cancel out Virginia’s 10-D-1R gerrymandering map that passed.” The post argued that “Republicans’ plan should be to go for BROKE in Florida.”

99. Team DeSantis deleted its post shortly after sharing the message, but not before the post was captured by Washington Post reporter Hannah Knowles, as shown below:²⁷



100. Republican members of Florida’s congressional delegation similarly acknowledged the Virginia referendum as a reason for Florida’s redistricting. U.S. Representative John Rutherford, who represents Florida’s fifth congressional district, said “I don’t like this redistricting in the middle of the census, but in light of what Virginia is doing, we may need to respond to that.”²⁸

²⁷ Hannah Knowles (@KnowlesHannah), X (Apr. 22, 2026, 6:23 PM), <https://perma.cc/C33S-CV5Q>.

²⁸ Gary Fineout & Erin Doherty, ‘All Eyes Are on Ron DeSantis’: Florida Could Make or Break the GOP’s Redistricting Edge, Politico (Apr. 23, 2026), <https://www.politico.com/news/2026/04/23/florida-redistricting-desantis-republicans-maps-trump-00887120?nname=florida-playbook&nid=0000014f-1646-d88f-a1cf-5f46b4500000&nrid=0000014f-88fb-d780-a9ef-9dfb14fe0000>.

C. The 2026 Plan was developed entirely in secret, with no public input or awareness of its development.

101. The 2026 redistricting process stands in stark contrast to every modern-day Florida redistricting effort that preceded it.

102. In prior redistricting cycles, the Florida Legislature engaged in a significantly more transparent process that included regular committee and subcommittee meetings that were open to the public and livestreamed.

103. During the 2021-2022 cycle, for example, the Legislature held more than a dozen such meetings, which allowed members of the public to ask legislators questions about the maps and to share feedback. Additionally, the Legislature created an official website, <https://www.floridaredistricting.gov/>, to facilitate public review and submission of plans, thereby enhancing transparency and participation.

104. The 2026 redistricting process, however, was conducted entirely behind closed doors.

105. The official redistricting website created during prior cycles—once a hub for public participation—sat dormant, with no mechanism for Floridians to engage with or respond to the process.

106. Neither the Legislature nor the Governor's team held any public hearings dedicated to congressional map development, released any draft maps for public review, or provided any venue for the public to submit proposed plans or comments before the special session.

107. Over the spring and even in the days immediately preceding the special session, Florida House and Senate leaders admitted that they were planning to redistrict Florida's congressional districts in collaboration with the Governor. But they conceded they would not be attempting to draw a new map themselves.

108. Instead, Senate President Ben Albritton announced in an April 15, 2026 memorandum that “a proposal [would] be transmitted from the Governor’s Office to the Senate.”²⁹ A few days later, House Speaker Daniel Perez stated that “the Governor is the one that asked for [the special session] in order to do redistricting and we expect him to produce a map.”³⁰

109. On April 24, 2026, Senate President Ben Albritton confirmed that his office was “awaiting a communication from the Governor’s Office regarding congressional redistricting” and that State Senator Donald Gaetz would “file the Governor’s map as Senate Bill 8D.”³¹

110. All told, the Legislature seemed determined to lend its imprimatur to whatever map the Governor and his team drew. As one state legislator put it, “If we get a map from the governor, we will vote it out and go home. . . . It’s his map. We’re not getting deposed. His people are.”³²

IV. The Governor and Legislature openly flouted the Fair Districts Amendment in releasing, considering, and enacting the 2026 Plan.

111. At every stage in the process, from its release to its final enactment, both the Governor and the Legislature made a mockery of the Fair District Amendment.

A. Governor DeSantis released a map drawn in deliberate disregard of the Florida Constitution.

112. On April 27, 2026—the day before the special session was set to convene—Governor DeSantis’s Office publicly released a proposed congressional map for the Legislature’s consideration. The map was first released to Fox News, which published it before Florida lawmakers had a chance to see it.

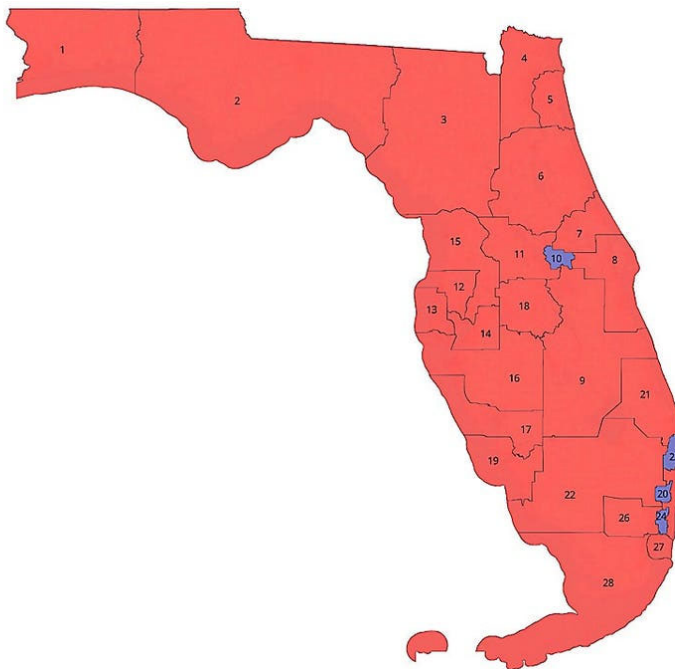
²⁹ Memorandum from Senate President Ben Albritton to All Senators (Apr. 15, 2026), <https://perma.cc/E2TA-9YPX>.

³⁰ WPLG Local 10, *This Week In South Florida: Florida House Speaker Daniel Perez*, at 01:45 (YouTube, Apr. 19, 2026), <https://www.youtube.com/watch?v=r4GpbRH-omk>.

³¹ Memorandum from Senate President Ben Albritton to All Senators (Apr. 24, 2026), <https://perma.cc/YYQ4-WUCG>.

³² Marc Caputo, *DeSantis Plots End Run of Florida Law to Create More GOP House Seats*, Axios (Apr. 24, 2026), <https://www.axios.com/2026/04/24/desantis-florida-redistricting-gop-house>.

113. The Governor made no effort to conceal the plan’s partisan purpose. His office released a map color-coded by party, showing four blue districts for Democrats and 24 red districts for Republicans as shown below:



114. As one Florida Republican consultant who has been involved in past redistricting cycles stated, “I don’t know how you can argue a red and blue map released from the governor’s office doesn’t show some form of partisan intent.”³³

115. In a statement to Fox News, Governor DeSantis explained that the map was drawn to reflect population changes that affect the partisan makeup of the state: “Our population has . . . grown dramatically, and we have moved from a Democrat majority to a 1.5 million Republican advantage.”³⁴

³³ Matt Dixon, *Ron DeSantis Releases New Congressional Map Creating Four More GOP-Leaning Seats in Florida*, NBC News (Apr. 27, 2026, 12:56 PM), <https://perma.cc/P2ZK-PT8M>.

³⁴ Preston Mizell, *Ron DeSantis Unveils New Florida Congressional Map that Would Give the GOP an Extra Four Seats*, Fox News (Apr. 27, 2026, 10:00 AM), <https://perma.cc/5ZBL-4R85>.

116. Accompanying the map was a memorandum from the Governor's General Counsel, David Axelman, that confirmed the 2026 Plan was drawn in deliberate disregard of the Fair Districts Amendment.

117. The memo advanced four arguments, none of which has any basis in law.

118. First, Axelman argued that the Fair Districts Amendment requires the Legislature to draw districts where race predominates over traditional redistricting principles—a reading of the Amendment that no Florida court has ever adopted and for which the memo cites no supporting authority.

119. Second, having constructed that novel premise, Axelman next speculated about the outcome of *Louisiana v. Callais*, which had then not yet been released. Building on these two premises, Axelman concluded that the Fair Districts Amendment's race-related provisions violate the Equal Protection Clause of the Fourteenth Amendment and that the Governor's map drawers were therefore free to ignore them.

120. Third, and most remarkably, having argued that the Fair Districts Amendment's race-related protections are unconstitutional, Axelman argued that the entire Fair Districts Amendment must fall with them, including the Amendment's prohibition on partisan gerrymandering and Tier II requirements to draw compact districts and to use political and geographic boundaries where feasible. That conclusion is not only legally baseless; it is transparently convenient, as it would free the Legislature to engage in precisely the kind of partisan gamesmanship that Florida voters amended their Constitution to prohibit.

121. Fourth, the memo invoked Florida's alleged undercounting in the 2020 Census as a purported justification for redistricting, even as the 2026 Plan itself continues to use that same 2020 Census data as its population baseline, requiring 769,221 people in every district, just as in

the 2022 Plan. The census grievance, like the memo's other justifications, cannot be squared with the map the Governor's Office proposed and the Legislature blessed.

B. The Special Session confirmed that the 2026 Plan was drawn with partisan intent.

122. The special session convened on April 28, 2026, just one day after Governor DeSantis's Office released the proposed map.

123. The House Redistricting Committee and the Senate Rules Committee both held hearings on the proposed map on April 28.

124. The Governor's proposed map was presented to both chambers by Jason Poreda, a member of the Governor's staff who claimed to have drawn the map himself but would not share any other information about who he consulted with in developing the map, claiming such an inquiry was protected by legal privileges.

125. The House Redistricting Committee voted against placing Poreda under oath before receiving questions from Committee members. The committee also voted against extending the session to allow adequate time for public comment.

126. Poreda's testimony before the Senate Rules Committee removed any remaining ambiguity about whether the map was drawn with partisan intent. For example, Poreda stated explicitly that he drew that map "not using race, and not having to adhere to the Fair Districts Amendment," but instead used "the entire suite of redistricting criteria that are available to other states . . . including partisan data."

127. When pressed on precisely how he used partisan data, and for which districts, Poreda acknowledged that partisan metrics were not limited to any particular district. Instead, they were "mixed in" with other traditional redistricting principles and applied across the entire map, including in particular in the "final balancing" of a district.

128. That admission—that partisan data was used to draw the 2026 Plan—is direct evidence of the unconstitutional intent that the Fair Districts Amendment prohibits.

129. Although Poreda later claimed that he nonetheless drew the map without partisan intent, that claim is simply irreconcilable with his own testimony, and it also appeared premised on the notion that partisan intent would need to “predominate” his map-drawing to be unlawful. But as the Florida Supreme Court has explained, under the Fair Districts Amendment, “there is no acceptable level of improper intent.” *Apportionment I*, 83 So. 3d at 617. In any event, as set forth below, the 2026 Plan and individual districts plainly subordinate traditional redistricting principles and all other mandatory and permissible factors to partisanship.

130. Mo Jazil, an attorney for the Governor, also made a legal presentation to both chambers regarding the Governor’s Office’s legal assumptions underlying the map.

131. During Jazil’s presentation, Senator Jason Pizzo, who has no party affiliation, asked the Governor’s representatives to square giving 86% of the congressional seats to Republicans when Republicans receive far fewer votes in Florida. Jazil dismissed those concerns, responding that whether Democrats are underrepresented in Congress is “a normative question.”

132. But Jazil was candid about the legal premises on which the 2026 Plan rests, and just how thin those premises are. When asked how the Governor’s Office intended to defend the map, Jazil stated plainly that the Governor’s Office believed it was not bound by the Fair Districts Amendment, confirming that the 2026 Plan was drawn in deliberate disregard of binding Florida constitutional law.

133. Jazil further acknowledged that the Governor’s non-severability argument—that the entire Fair Districts Amendment would be unenforceable, including its prohibition on partisan gerrymandering, if its race-related provisions were unconstitutional—is the Governor’s own legal

theory, not a conclusion any court has reached. Nor is it a conclusion that the Florida Supreme Court is likely to reach. *See, e.g., Ray v. Mortham*, 742 So. 2d 1276, 1281 (Fla. 1999) (recognizing that “we must afford [] deference to constitutional amendments initiated by our citizens and uphold the amendment if, after striking the invalid provisions, the purpose of the amendment can still be accomplished”).

134. When pressed, Jazil further conceded that the legal justification of the 2026 Plan depended on the Florida Supreme Court’s adoption of the Governor’s non-severability argument. Asked directly whether the map was premised on that question, Jazil confirmed that it was.

135. Jazil also explained the reasons for redistricting were “twofold: population changes and to ensure the state has a race-neutral congressional map.” But neither justification holds up, nor do they actually explain the decisions made in the 2026 Plan.

136. On population, Poreda confirmed that the 2026 Plan was drawn using the same 2020 Census data as the existing map, meaning there is no possible way the 2026 Plan actually accounts for population changes post-2020.

137. On race neutrality, no court has held that the Fair Districts Amendment’s race provisions are unconstitutional, particularly if they can be implemented alongside traditional redistricting criteria, as the Legislature has long acknowledged they can be.

138. Nor has any court held that the current congressional map should be redrawn. When asked directly whether the 2022 Plan is unconstitutional, Jazil answered “not yet.” That answer confirms what the Governor’s months of public statements already made plain: the 2026 Plan was not drawn in response to any legal obligation, but in anticipation of a legal landscape that does not yet exist, in deliberate disregard of the one that does.

139. Republican Senators were not united on advancing the 2026 Plan, with several voting against the Plan from proceeding to the Floor. Republican Senator Bradley, for example, said she was a “no” on a plan that assumes the Fair Districts Amendments are unconstitutional.

140. Despite the fact that the 2026 Plan was drawn on the basis of legal arguments that are entirely speculative and advanced by a map drawer who admitted to using partisan data, both committees ultimately voted to advance the proposed map to the House and Senate Floor.

141. The evening after the Governor’s staff presented the map to the Legislature, Defendant Byrd posted the following ode to Elbridge Gerry, the “namesake of gerrymandering,” which was quickly retweeted by Governor DeSantis’s Communications Director with a laughing emoji, as shown below:³⁵



³⁵ Alex Lanfranconi (@AlexLanfran), X (Apr. 28, 2026, 8:03 PM), <https://perma.cc/9WAW-4TUE>.

142. The floor debate on April 29, 2026 confirmed what the committee hearings had already established. The bill’s sponsor in the House acknowledged that the map drawer considered partisan data and was unable to provide any substantive justification for the 2026 Plan’s departure from traditional redistricting principles—namely, its reduction in compactness and increase in county and city splits as compared to the 2022 Plan.

143. The sponsor did acknowledge, when asked directly, that no Florida court has held the 2022 Plan to be unconstitutional, and that *Black Voters Matter* “was very specific to the questions and analysis asked in that case and looked only at CD 5,” not the map as a whole.

144. When pressed on whether the House was simply deferring to the Governor’s Office, the sponsor pushed back: “We are the ones considering the map, voting on the map, we have not deferred our duties.” In other words, the Legislature affirmatively adopted the map as its own, with full knowledge that the map was drawn using partisan data, without regard for the Fair Districts Amendment. Whatever role the Governor and his office played in drawing the 2026 Plan, the Legislature owns it.

145. During the debate, a Democratic member moved for a recess to allow the House to digest the U.S. Supreme Court’s decision in *Louisiana v. Callais*—which was issued during the special session and which the Governor has repeatedly cited as the legal predicate for redistricting—and the motion was voted down on a party-line basis. That vote speaks volumes: when the decision the Governor had spent months waiting for finally arrived, the House declined to pause for even a moment to consider what it said.

146. The Senate floor debate that same day was equally revealing. The bill’s Senate sponsor, Senator Gaetz, advanced a drastic narrowing of the Fair Districts Amendment that is not grounded in the Florida Constitution’s text. When asked, for example, whether passing a map

drawn using partisan data violated the oath Senators took to uphold the Florida Constitution, Senator Gaetz responded that it would only be illegal if it were proven in court that partisan intent was the “controlling factor” for line drawing decisions—an interpretation that neither the Fair Districts Amendment’s plain text nor Florida Supreme Court precedent supports.

147. On the Governor’s non-severability argument, however, Senator Gaetz parted ways with the Governor’s Office. As he explained, “I believe that the rest of the Fair Districts Amendment could and should and ought to stand. I don’t think we should do gerrymandering on the basis of political partisanship. . . I believe that we should be required to follow all of the other demands of the Fair Districts Amendment.” He continued, “[i]f it turns out that [drawing districts] on the basis of race is wrong and is unconstitutional on the basis of the federal Constitution, I still believe everything else in the Fair Districts Amendment ought to stand and should stand and does stand.”

148. When asked whether this was the Governor’s bill, rather than the Legislature’s, Senator Gaetz emphasized the Legislature’s role in the process: the Governor had used his prerogative to propose the map, but “we have the authority to accept, amend, or reject [it].”

149. Although several Republican Senators (including Senators Bradley, Calatayud, Garcia, and Grall) voted against the 2026 Plan, the Legislature enacted the plan just two days after the Governor released it, after a single committee hearing in each chamber and minimal floor debate. No prior redistricting process has proceeded this way. That departure from established practice, combined with the unusual speed and lack of deliberation, suggests the Legislature was determined to sanction the Governor’s partisan efforts no matter what.

150. The Legislature was under no compulsion to adopt a new congressional plan. By choosing to pass a new map drawn by an avowedly partisan actor known to be drawn with partisan data, the Legislature acted with impermissible partisan intent.

V. The 2026 Plan radically reshapes Florida’s congressional district lines, carving up the State to the benefit of the Republican Party.

151. In region after region, the 2026 Plan carves up the state to create districts with the intent to benefit the Republican Party.

A. Tampa Bay

152. Tampa Bay is Florida’s quintessential politically balanced region: both Pinellas and Hillsborough Counties, which anchor the region, are bellwether counties that historically track national political trends. For example, in 2020, both counties voted for Joe Biden by a slim majority; in 2024, both counties voted for Donald Trump by a slim majority.

153. Until 2022, Tampa Bay consistently elected two Democrats to Congress.

154. Specifically, after the Florida Supreme Court struck down the Florida Legislature’s 2012 Plan for intentionally packing Democrats in Tampa Bay, the Florida Supreme Court ordered the region to be redrawn. Under the court-ordered 2015 Plan to remedy partisan gerrymandering in this region, which was in place from 2016 to 2022, Tampa Bay consistently elected two Democrats to Congress. The region had one safe Democratic seat anchored in Hillsborough County (CD 14), represented by Rep. Kathy Castor, and one competitive but Democratic-leaning district anchored in Pinellas County (CD 13), represented by then-Rep. Charlie Crist.

155. Under the stated explanation of attempting to comply with Tier II criteria, the 2022 Plan redrew Tampa Bay substantially, again creating only one district from Tampa Bay (CD 14) that could reliably elect a Democrat to Congress.

156. At the time of its drawing and enactment, the Governor's map drawer, Alex Kelly, praised the 2022 Plan's Tier II compliance in the Tampa Bay region, pointing to the compactness of the districts, and praising the 2022 Plan's ability to keep many counties whole.

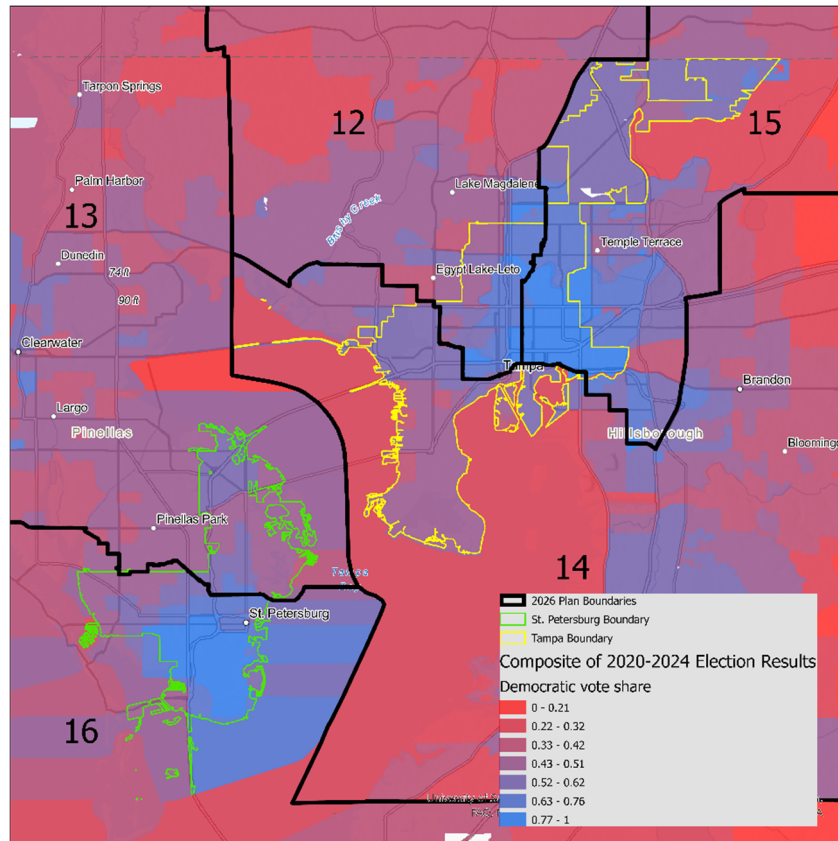
157. The 2026 Plan, however, dispels all notions of Tier II compliance in Tampa Bay, redrawing the region in a manner that decreases compactness, increases county and city splits, and eliminates any potential Democratic seats by cracking Democratic voters across Tampa Bay.

158. In particular, the 2026 Plan splits the Democratic-leaning city of Tampa three ways into new CD 12, CD 15, and CD 14 such that no district contains a majority of Tampa's population, then pairing Tampa residents with faraway, rural voters. In the 2026 Plan, residents of downtown Tampa are paired with residents much further north in Citrus County, including Crystal River and Homosassa Springs.

159. The 2026 Plan also splits Hillsborough County four ways, even though the County only has the population for two congressional districts, and splits Pasco County three ways, even though it only has the population for one congressional district.

160. The 2026 Plan also splits the Democratic-leaning city of St. Petersburg almost perfectly in half, giving part to CD 13 and part to CD 16, even though the city's population is approximately 250,000—only enough for a third of a single congressional district. In the 2026 Plan, residents of downtown St. Petersburg are paired with residents much further away in Polk, Hardee, and DeSoto Counties.

161. The 2026 Plan's cracking of Tampa (in yellow) and St. Petersburg (in green) is shown below:



162. The 2026 Plan’s excessive county and city splits are not justified by any attempt to create more compact districts. Indeed, the 2026 Plan decreases the compactness of both CD 13 and CD 14 as compared to the 2022 Plan, as well as the compactness of the Tampa Bay region as a whole (including CDs 12, 13, 14, 15, and 16). Although the average total compactness score of those five districts (using the sum of the Reock, Convex Hull, and Polsby-Popper scores) was 1.81 in the 2022 Plan, the average total compactness of those same five districts is 1.62 in the 2026 Plan.³⁶

163. CD 15 in the 2026 Plan, which pairs downtown Tampa with Citrus County, is particularly visually and mathematically noncompact, with a total compactness score of 1.25, less

³⁶ This complaint analyzes compactness using the Reock ratio, Convex Hull, and Polsby-Popper scores, the three scores Florida has traditionally relied upon to measure compactness. When Plaintiffs report a “total” compactness score, it is the sum of each of those measures for that district.

than the compactness of CD 20 in the 2022 Plan that the Governor demeaned as egregiously noncompact (with a total compactness score of 1.55).

B. Orlando Metro

164. Central Florida, including the Orlando metropolitan area, is home to a rapidly growing and highly diverse population. In particular, Central Florida's Puerto Rican population has grown rapidly over the past decade.

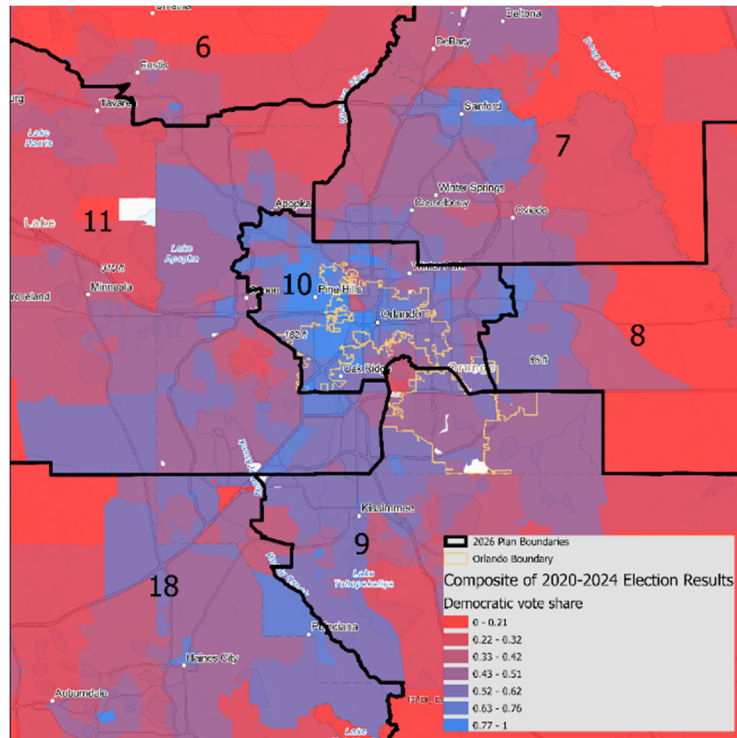
165. Until 2022, Central Florida elected three Democrats to Congress, from CDs 9, 10, and 7. Of these districts, CD 7 was the most competitive for Republicans, though it still elected a Democrat by more than 10 percentage points in 2020.

166. Under the stated explanation of attempting to comply with Tier II criteria, the 2022 Plan redrew the Orlando metropolitan area substantially, creating only two districts that could reliably elect a Democrat to Congress: CD 10, anchored in Orange County (and represented by Rep. Maxwell Frost), and CD 9 anchored in Orange and Osceola Counties (and represented by Rep. Darren Soto).

167. At the time of its drawing and enactment, the Governor's map drawer of the 2022 Plan, Alex Kelly, praised the compactness and Tier II compliance of both of these districts. And in litigation subsequent to the 2022 Plan's enactment, the Legislature has specifically pointed to CD 9 in the 2022 Plan as an example of a particularly compact district.

168. The 2026 Plan, however, dispels all notions of Tier II compliance in the Orlando metropolitan area, redrawing the region in a manner that decreases compactness of key districts (including CD 9), introduces unnecessary county and city splits, and eliminates CD 9 as a district likely to elect a Democratic member of Congress, leaving only one Democratic district (CD 10) in Central Florida.

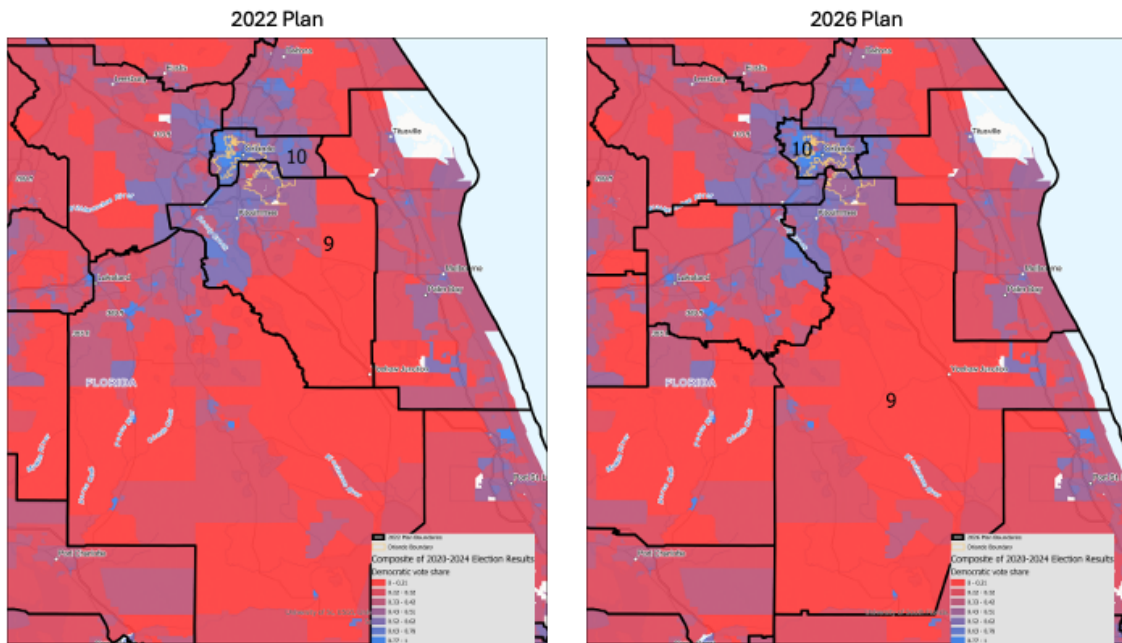
169. The 2026 Plan accomplishes this by packing and cracking Democratic voters in the Orlando metropolitan area, packing Democrats into CD 10, and siphoning them away from CD 9. The figure below shows just how efficiently Democrats have been packed into CD 10 and cracked among the remaining districts.



170. Although CD 10 is visually compact, its boundaries are not easily explainable. Indeed, a full third of CD 10's boundaries do not follow any recognized political or geographic boundary, such as a county line, city line, road, water, or rail boundary, making it the worst-performing district in the 2026 Plan on this measure.

171. Overall, the 2026 Plan splits Orange County five ways, even though it only has the population for two congressional districts. And it does so quite strategically—dividing Orange County's Democratic-leaning population across multiple districts in such a manner such that Democrats can only be expected to reliably win one district in Central Florida.

172. In the 2026 Plan, CD 9 is substantially redrawn from its predecessor district in the 2022 Plan, which previously contained a substantial number of Hispanic voters in Orange, Osceola, and Polk Counties. The 2026 Plan, however, moves the district south to include a substantially new population of white, rural voters. In the 2026 Plan’s CD 9, voters in Orange County are paired with voters a hundred miles south in Glades County, bordering Lake Okeechobee. In remaking CD 9, the 2026 Plan substantially decreases the district’s compactness as compared to the 2022 Plan, decreasing its total compactness score from 1.82 to 1.61. The figure below shows the changes to CD 9 from the 2022 Plan to the 2026 Plan.



C. South Florida

173. South Florida is home to the State’s largest population of Democratic voters, as well as significant Black and Hispanic populations.

174. Until 2022, and under the 2015 court-ordered plan, South Florida elected anywhere from five to seven Democrats to Congress, with then CDs 20, 21, 22, 23, and 24 reliably electing

Democrats, and then CDs 26 and 27 performing as fiercely competitive seats that switched hands between Republicans and Democrats.

175. Under the stated explanation of attempting to comply with Tier II criteria, the 2022 Plan redrew the South Florida region and established five districts that could reliably elect a Democrat to Congress: CD 20 (currently vacant), CD 22 (represented by Rep. Lois Frankel), CD 23 (represented by Rep. Jared Moskowitz), CD 24 (represented by Rep. Frederica Wilson), and CD 25 (represented by Rep. Debbie Wasserman Schultz). Under the 2022 Plan, however, the two competitive districts in which Democrats could regularly compete for additional seats (redrawn as CDs 27 and 28) were drawn in ways that made it more difficult for a Democrat to be elected, and in both the 2022 and 2024 congressional elections, Democrats did not win either of those districts.

176. Although several districts in South Florida were considered to be minority-protected districts under the Fair Districts Amendment, the districts in the 2022 Plan were drawn with Tier II criteria in mind, as map drawer Alex Kelly explained to the Legislature when he presented the 2022 Plan to it. And in litigation subsequent to the 2022 Plan's enactment, the Legislature has specifically pointed to some of these districts in the 2022 Plan, such as CDs 24 and 27, as examples of particularly compact districts. At no point in the 2022 redistricting cycle did anyone from the Legislature or the Governor's Office ever suggest that they had prioritized race to draw any of these districts at the expense of traditional redistricting criteria.

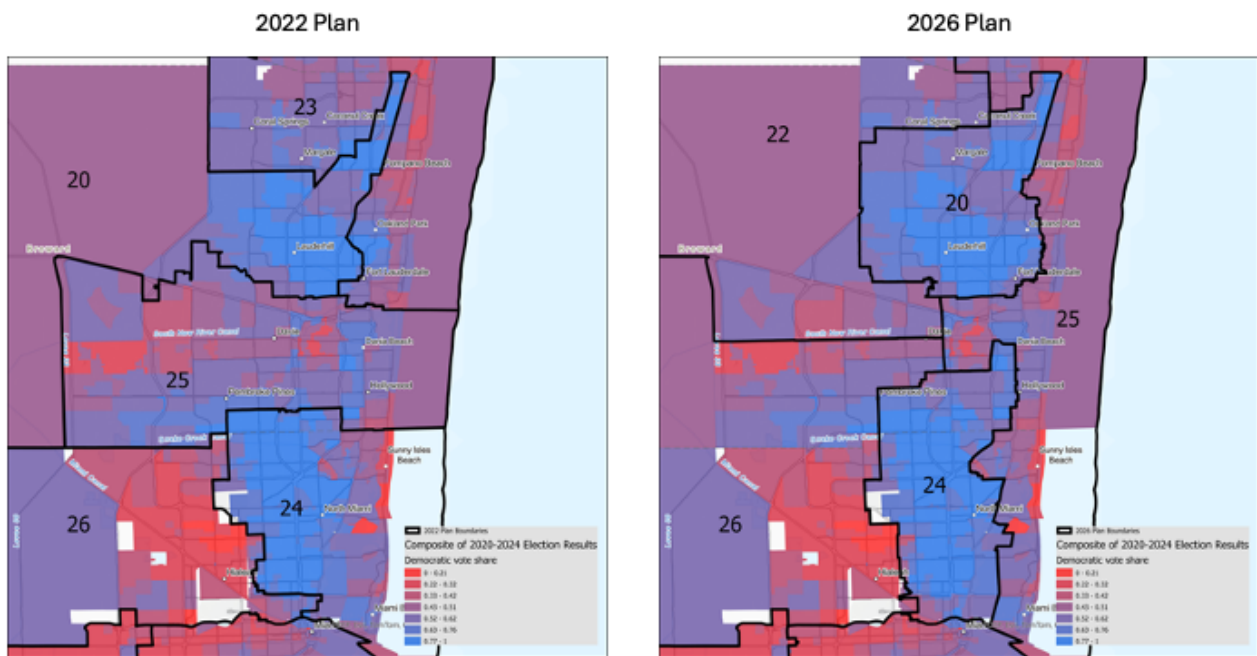
177. Under the guise of drawing "race-neutral" districts, the 2026 Plan substantially redraws some—but not all—of South Florida, keeping the previously race-protected CDs 27 and 28 (which performed for Latino Republican candidates) "almost identical" to the 2022 Plan, but otherwise substantially redrawing South Florida in ways that harm the Democratic Party and its candidates, as well as voters unaffiliated with either party who are similarly entitled to a fair map.

181. CD 24 in the 2026 Plan, however, despite being drawn “race-neutrally,” both *increases* the BVAP to 47.72% and *decreases* the total compactness score to 1.5, a substantial decrease.

182. CD 24 in the 2026 Plan also splits eight cities (more cities than it keeps whole), whereas CD 24 in the 2022 Plan splits only two cities.

183. To the extent that new CD 24 was in fact drawn race-neutrally, the only other reasonable explanation for this district is a desire to pack Democrats into a single district in Miami.

184. A comparison of CD 24 from the 2022 Plan to the 2026 Plan is shown below:



185. Similarly, although CD 20 in the 2026 Plan was allegedly drawn “race-neutrally,” CD 20 in the 2026 Plan packs Black Democratic voters into one district, such that they comprise 42% of the voters of the district, with no stated racial reason for doing so at all.

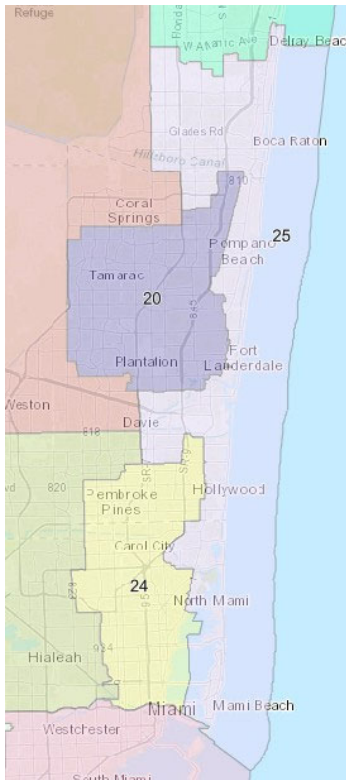
186. CD 20 in the 2026 Plan also splits seven cities, a comparable number to the cities split by CD 20 in the 2022 Plan, but now with no Tier I race justification for doing so at all.

187. To the extent this district was in fact drawn race-neutrally, the only other reasonable explanation for this district is a desire to pack Democrats into a single district in Broward County.

188. Indeed, 32% of the boundaries of CD 20 do not follow a recognized political or geographic boundary, making it one of the worst performing districts on this measure in the 2026 Plan.

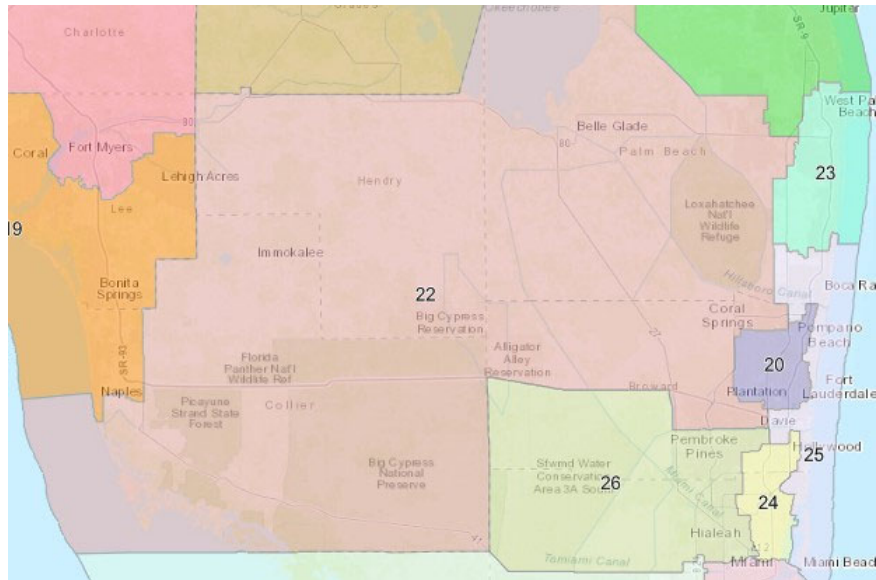
189. Although the 2026 Plan does increase the compactness of CD 20—the district the Governor specifically criticized for being non-compact—it does so at the expense of new CD 25, which stretches down Florida’s coast all the way from Boca Raton to Miami Beach. In so doing, new CD 25’s total compactness score is a measly 1.02, which is *substantially* less compact than the 2022 Plan’s CD 20 that the Governor has repeatedly criticized for being non-compact (and which had a total compactness score of 1.55). Indeed, the new CD 25 is nearly as non-compact as the pre-2022 Plan CD 5 that stretched from Tallahassee to Jacksonville that the Florida Supreme Court held was inconsistent with traditional redistricting principles in *Black Voters Matter*, and which had a total compactness score of 0.88. A visual depiction of the new CD 25 is shown below:

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190. CD 25's noncompactness cannot be explained by any desire to keep cities together. CD 25 alone in the 2026 Plan splits 11 cities, none of which are required to be split because of their population. By contrast, the pre-2022 Plan CD 5, which the Florida Supreme Court held was inconsistent with traditional redistricting principles, split only two cities, one of which (Jacksonville) was required to be split due to its size.

191. The 2026 Plan also creates a substantially noncompact CD 22, shown below, which stretches all the way from Marco Island on southwest Florida's coast to Parkland, Wellington, and Weston on Florida's east coast. In so doing, it also splits six cities in the process, and it also draws in two Democratic incumbents, U.S. Representative Wasserman Schultz and U.S. Representative Moskowitz, just into the edge of the district, drawing them out of formerly reliable Democratic seats and into a new Republican one.



192. Overall, the city and county splits in the new map in South Florida, all made in service of eliminating Democratic seats in South Florida, is nothing less than shocking. Although *none* of these cities are required to be split to fit in a congressional district, the 2026 Plan splits: Coconut Creek, Coral Springs, Dania Beach, Davie (three ways), Deerfield Beach, Delray Beach, Fort Lauderdale, Hallandale Beach, Hollywood (three ways), Miami, Miramar, North Miami, North Miami Beach, Pembroke Pines, Plantation (three ways), Pompano Beach, Riviera Beach, Royal Palm Beach, Sunrise, and West Palm Beach.

193. The same is true for county splits. Although Broward, Miami-Dade, and Palm Beach each need to be split given their substantial populations, the 2026 Plan splits them far more than necessary, splitting Broward five ways, Miami-Dade five ways, and Palm Beach four ways, in each case splitting the county in such a way to advantage Republicans and disadvantage Democrats.

194. There is, of course, no Tier I race justification for any of these splits given that the 2026 Plan was allegedly drawn with no racial considerations whatsoever.

D. North Florida

195. The 2026 Plan made no changes to North Florida whatsoever, including specifically CDs 1, 2, 3, 4, 5, 6, and 7—all of which have reliably elected Republicans.

196. The 2026 Plan makes no changes to these districts, even though they have some of the fastest growing populations in Florida, including in St. Johns County (CDs 5 and 6) and Flagler County (CD 6), both of which the Florida Legislature’s Office of Economic and Demographic Research reports have grown in population by more than 20% since 2020,³⁷ which is, of course, one of Governor DeSantis’s main purported justifications for the need to redraw districts.

VI. The 2026 Plan violates both Tier I and Tier II of Article III, Section 20(a) of the Florida Constitution.

197. The 2026 Plan’s unprecedented line-drawing decisions blatantly violate the core provisions of the Fair Districts Amendment.

A. The 2026 Plan violates the Florida Constitution by intentionally favoring the Republican Party and disfavoring the Democratic Party.

198. The 2026 Plan unequivocally violates the Florida Constitution’s requirement that “[n]o apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party.” Fla. Const. art. III, § 20(a).

199. The 2026 Plan’s impermissible partisan intent is apparent on the face of the map as a whole and in the districts encompassing the Tampa Bay, Central Florida, and South Florida regions. With nearly every line-drawing decision, the 2026 Plan advantages the Republican Party.

200. Under the 2022 Plan—which had already made significant gains for the Republican Party compared to prior maps—Democrats were expected to consistently win eight of the state’s 28 congressional districts: two in Central Florida, one in Tampa Bay, and five in South Florida.

³⁷ Fla. Leg. Off. of Econ. & Demographic Rsch., *Florida Legislature Econographic News* (2025), <https://perma.cc/UM7W-7BD5>.

201. The 2026 Plan, however, is expected to consistently elect 24 Republicans and only four Democrats to Congress: zero in Tampa Bay, one in Central Florida, and three in South Florida.

202. In other words, in a state in which Democrats have recently received approximately 45% of the statewide vote, Democrats are only expected to carry only 14% of the state's congressional seats under the 2026 Plan.

203. Based on traditional metrics of partisan gerrymandering, including measures like the efficiency gap, which measure the extent to which Democratic votes are “wasted” compared to Republican votes, the 2026 Plan is a clear partisan gerrymander, and an extreme one at that.

204. Using the most recent general election results, for example, the 2026 Plan has an approximately 20% pro-Republican efficiency gap—a *significantly* larger efficiency gap than the Legislature's 2012 Congressional Plan that the Florida Supreme deemed an unconstitutional partisan gerrymander in 2015, which had a pro-Republican efficiency gap of 7%.

205. Using the same measure, the 2026 Plan is even a more egregious gerrymander than the Legislature's 2002 Congressional Plan that the Florida Legislature itself has claimed was a partisan gerrymander and that inspired the Fair Districts Amendments, which had a pro-Republican efficiency gap of approximately 9%.

206. Even outside Florida, the 2026 Plan is a statistical outlier—even using known partisan gerrymanders as the baseline. Among states with 15 or more congressional districts, the 2026 Plan has the second largest absolute efficiency gap in history (after Illinois's 2020s plan) and *the largest pro-Republican efficiency gap in history*. Among all states, the 2026 Plan has the 5th largest pro-Republican bias in history.

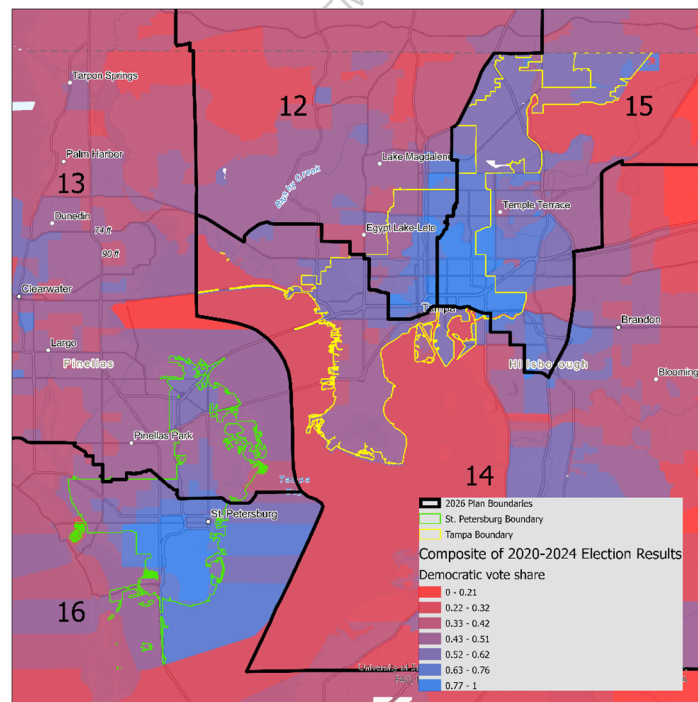
207. Using other traditional measures of partisan gerrymandering, the 2026 Plan shows similar results. Considering the declination measure, which captures asymmetries in the

distribution of district-level vote shares between the parties, the 2026 Plan has the largest pro-Republican skew of any state with 15 or more congressional districts in history.

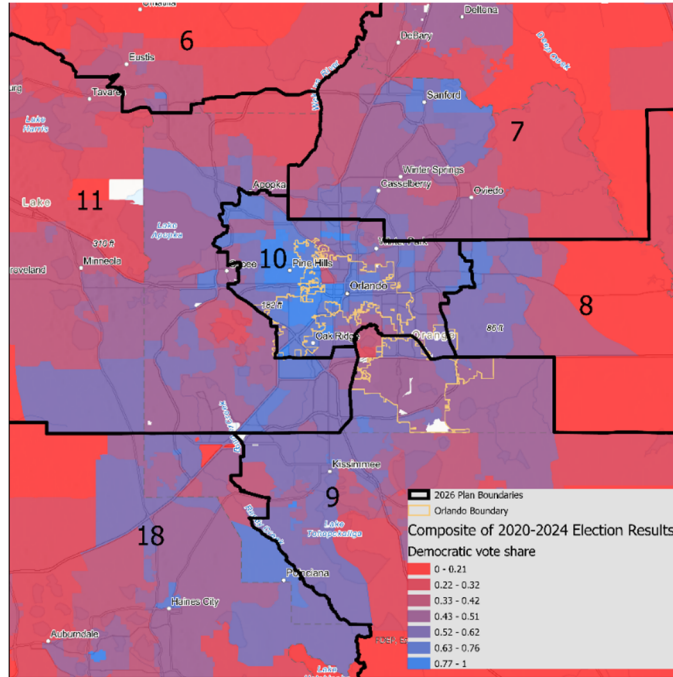
208. The loss of Democratic seats is no accident. As the map drawer himself admitted, partisan data was used to draw the map. And even if partisanship was not his predominant motivation, which it almost assuredly was, the map would be unlawful anyway; under the Fair Districts Amendments, *any* partisan intent renders the map unlawful. *See Apportionment I*, 83 So.3d at 617.

209. Even if the map maker had not admitted that he had considered partisan data in drawing the plan, it would have been obvious from the plan's design, which packs and cracks Democrats at every turn for Republican advantage.

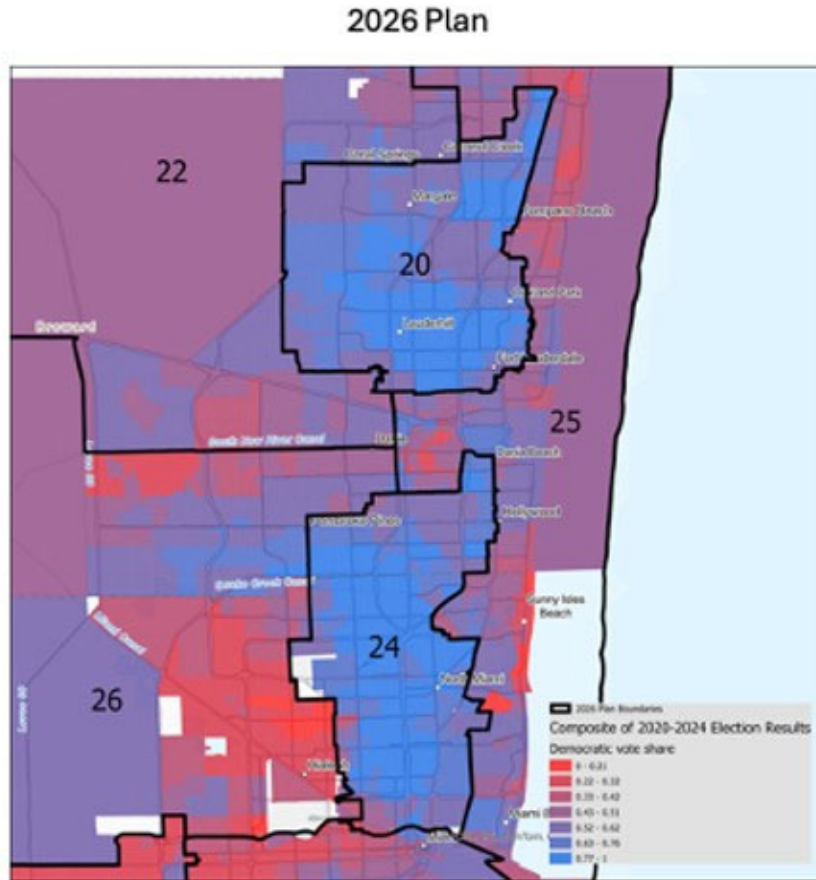
210. In Tampa Bay, the 2026 Plan cracks Democrats across new CD 12, 14, and 15, eliminating CD 14 (Rep. Castor) as a district which will reliably elect a Democrat, as shown below:



211. In Orlando, the 2026 Plan packs Democrats into CD 10, and siphons them away from CD 9, eliminating CD 9 (Rep. Soto) as a district which will reliably elect a Democrat, as shown below:



212. In South Florida, the 2026 Plan packs CDs 20 and 24 with Democratic voters and substantially reconfigures the entire region, eliminating prior CD 23 (Rep. Moskowitz) and CD 25 (Rep. Wasserman Schultz) as districts that will reliably elect a Democrat, as shown below:



213. Those four Democratic representatives who see their districts decimated in the 2026 Plan—Rep. Castor, Rep. Soto, Rep. Moskowitz, and Rep. Wasserman Schultz—are conveniently the same representatives who political commentators identified that Republicans would be itching to eliminate as soon as Governor DeSantis raised the prospect of mid-decade redistricting in 2025.³⁸

214. The 2026 Plan’s impermissible partisan intent is also evidenced by its disregard for Tier II principles across the state.

215. As the Florida Supreme Court has explained, “the extent to which the Legislature complies with the sum of Florida’s traditional redistricting principles [under Tier II] serves as an

³⁸ Julia Manchester, *Florida GOP, DeSantis may follow Texas’s lead*, The Hill (Aug. 2, 2025), <https://thehill.com/homenews/campaign/5432996-florida-republicans-redrawing-congressional-lines/>.

objective indicator of the impermissible legislative purpose proscribed under tier one (i.e., intent to favor or disfavor a political party or an incumbent).” *Apportionment I*, 83 So.3d at 639.

216. As described both above and below, in every region, the 2026 Plan decreases compactness and increases splits of the existing districts for political gain. The 2026 Plan’s decrease on Tier II compliance (even just as compared to the 2022 Plan) is particularly notable because it cannot be explained by any need to protect minority districts, having been allegedly drawn without any consideration of race at all.

217. Finally, the 2026 Plan’s impermissible intent is apparent from the process used to enact the plan.

218. The Florida Supreme Court has explained that, “if evidence exists to demonstrate that there was an entirely different, separate process that was undertaken contrary to [a] transparent effort in an attempt to favor a political party or an incumbent in violation of the Florida Constitution, clearly that would be important evidence in support of the claim that the Legislature thwarted the constitutional mandate.” *League of Women Voters of Fla. v. Fla. H.R.*, 132 So.3d 135, 149 (Fla. 2013); *see also Apportionment VII*, 172 So.3d at 376 (explaining that finding of partisan intent was supported by “communicat[ion] and collaborat[ion] with partisan political operatives, in the shadow of the Legislature’s purportedly open and transparent redistricting process, to produce a map favoring Republicans and incumbents”).

219. Here, the 2026 Plan was drawn in a process so secretive and cloistered that the public did not even see the plan until two days before it was handed to and approved by the Legislature. Nor would the map drawer reveal who he consulted with in designing the plan.

220. Both legislative chambers passed the plan submitted by the Governor without any modifications, demonstrating that the Governor and his team “obtain[ed] the necessary

cooperation and collaboration to . . . taint the redistricting process and the resulting map with improper partisan intent.” *Id.* at 377.

221. In *Apportionment VII*, the Florida Supreme Court found that Florida’s 2012 congressional plan was drawn with partisan intent based on circumstantial evidence—namely the destruction of the Legislature’s emails, meetings between legislative staff and political consultants, and the continued involvement of political consultants. *See id.* The evidence of improper partisan intent here is far more direct. Rather than working through intermediaries or concealing outside involvement, the Legislature publicly adopted the work of a partisan official whose team sought to “add up to +5 REPUBLICAN seats to more than cancel out Virginia’s” redistricting efforts.³⁹ This “cooperation and collaboration,” *see Apportionment VII*, 172 So.3d at 377, is direct evidence of partisan intent.

222. Finally, the 2026 Plan cannot be explained on the basis that a race-neutral plan requires such a result.

223. The professed aim of race-neutrality would not require changes to any congressional districts in Tampa Bay. Specifically, although Pinellas and Hillsborough Counties contain sizable minority populations, there was no district in Tampa Bay in the 2022 Plan that the Legislature and the Governor considered to be a minority-protected district under the Fair Districts Amendments in 2022 Plan. Consequently, there would have been no reason to consider race in the drawing of the Tampa Bay region in 2022. Indeed, the Governor’s map drawer, Alex Kelly, disclaimed the use of race in drawing this region in 2022. For all of these reasons, a desire to draw a race-neutral map does not explain the elimination of CD 14 in Tampa Bay as a Democratic-performing district.

³⁹ Knowles, *supra* note 27.

224. The same is true in Central Florida. Even though Central Florida contains sizable minority populations, there was no district in Central Florida in the 2022 Plan that the Legislature and the Governor collectively considered to be a minority-protected district under the Fair Districts Amendments. In particular, the Governor’s Office concluded in 2022 that CD 10 was *not* a minority-protected district because Black voters were not substantial enough to elect their candidate of choice, and the Governor’s Office declined to consider CD 9 a minority-protected district in the 2022 Plan as well, even though it ultimately contained a sizeable number (indeed, a majority) of Hispanic voters. But as the House Redistricting Chair described at the time, CD 9 was a “compact tier two compliant district [that] *happens to be* a new majority minority Hispanic district reflective of the Hispanic growth in this region.”⁴⁰ As House Redistricting staff confirmed, CD 9’s prior majority Hispanic status was a result of the “natural population” in this area, not the result of an attempt to specifically keep the Hispanic population together to draw a majority Hispanic district.⁴¹

225. Because the Governor’s Office did not consider any districts in Central Florida to be minority-protected districts, the Governor’s map drawer, Alex Kelly, disclaimed the use of race in drawing this region in 2022. And for all of these reasons, a desire to draw a race-neutral map does not explain the elimination of CD 9 in Central Florida as a Democratic-performing district.

226. The same is also true in South Florida, even though the Fair Districts Amendment currently requires the protection of several districts in this region from diminishment, including CD 20 and CD 24. In particular, both can be drawn pursuant to traditional redistricting principles in ways that preserve their status as districts where Black voters can elect their candidates of choice

⁴⁰ Meeting of H. Cong. Redistricting Subcomm., at 16:56–17:05 (Fla. Feb. 18, 2022), <https://www.flhouse.gov/VideoPlayer.aspx?eventID=7944> (statement of Rep. Tyler Sirois).

⁴¹ Meeting of H. Redistricting Comm., at 44:58 (Fla. Jan. 13, 2022), <https://www.flhouse.gov/VideoPlayer.aspx?eventID=7654> (statement of Leda Kelly).

without fundamentally changing the partisan makeup of the region. For that reason, a desire to draw a race-neutral map does not explain the elimination of CD 23 and 25 in South Florida as Democratic-performing districts.

227. Of course, even though the Governor's map drawer claimed to have drawn the 2026 Plan race-neutrally, he made virtually no changes to CDs 27 and 28, both of which were drawn to protect Latino voters in the 2022 Plan, and both of which elect Republican candidates. To the extent there was no reason to re-draw CDs 27 and 28 because they were already compact, as Poreda implied, there was no reason to redraw CD 24, which was significantly more compact than the average district in the 2022 Plan (indeed, more compact than CD 28, and more compact than several districts in North Florida that the map maker left untouched). In fact, in recent litigation, the Legislature specifically highlighted CD 24 in the 2022 Plan as a highly compact district.

228. For all of these reasons, there is no question that partisan intent infected the map-drawing process. The partisan result was not required by any constitutional criteria, and Florida's existing constitutional Tier II requirements were compromised in the process.

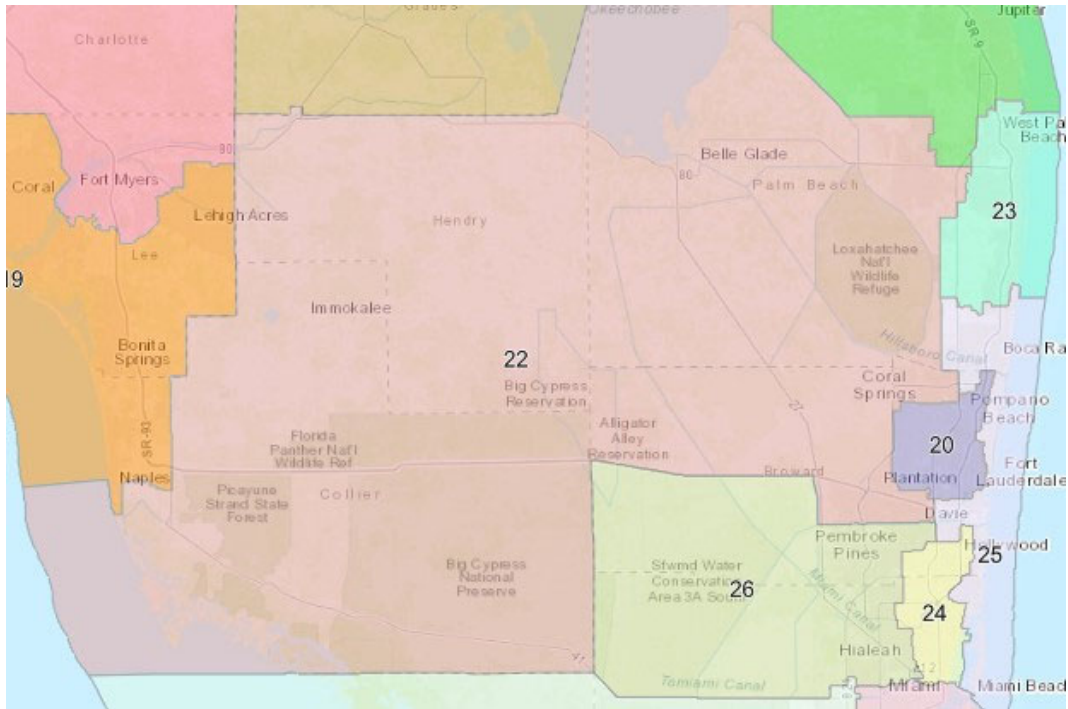
B. The 2026 Plan violates the Florida Constitution by intentionally disfavoring Democratic incumbents.

229. The 2026 Plan also violates a Tier I criteria of the Fair Districts Amendment because it intentionally disfavors Democratic incumbents.

230. In particular, the 2026 Plan disfavors Democratic incumbents U.S. Representative Wasserman Schultz, who currently represents CD 25 in the 2022 Plan, and U.S. Representative Moskowitz, who represents CD 23 in the 2022 Plan, by drawing them just inside the edge of the new, sprawling CD 22, which is expected to elect a Republican.

231. CD 22's configuration, shown below, makes little logical sense. The district stretches all the way from Marco Island on southwest Florida's coast to Parkland, Wellington, and

Weston on Florida's east coast. The district's shape cannot be explained by any Tier I race requirement, as the district was allegedly drawn race-neutrally.

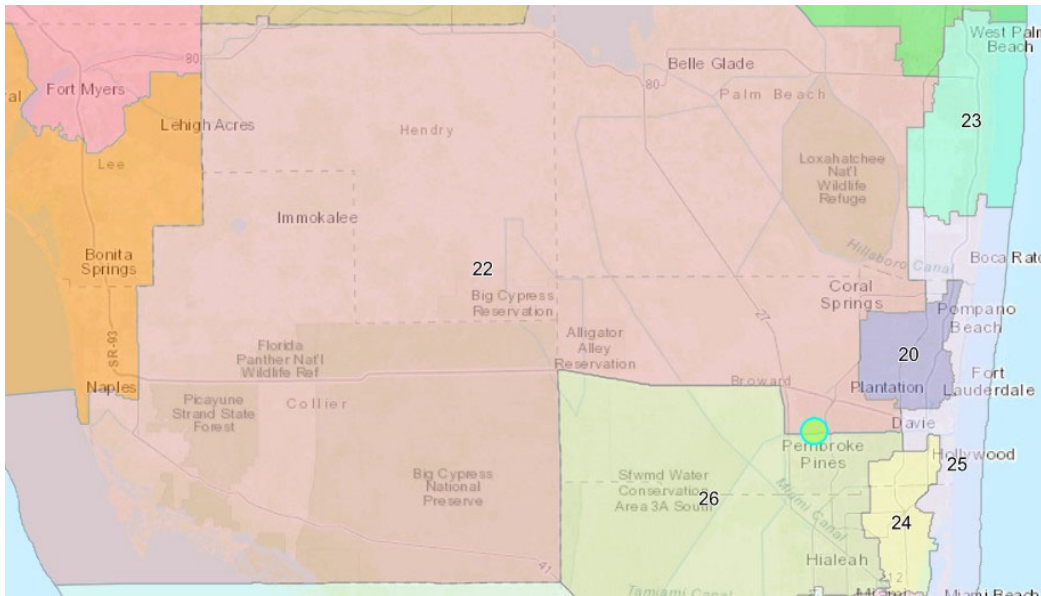


232. Unlike most districts in the 2026 Plan, which can be traced to a recognizable antecedent in the 2022 Plan, CD 22 was assembled from scratch by carving territory out of no fewer than six existing districts—CDs 18, 19, 20, 23, 25, and 26—to create an entirely new district.

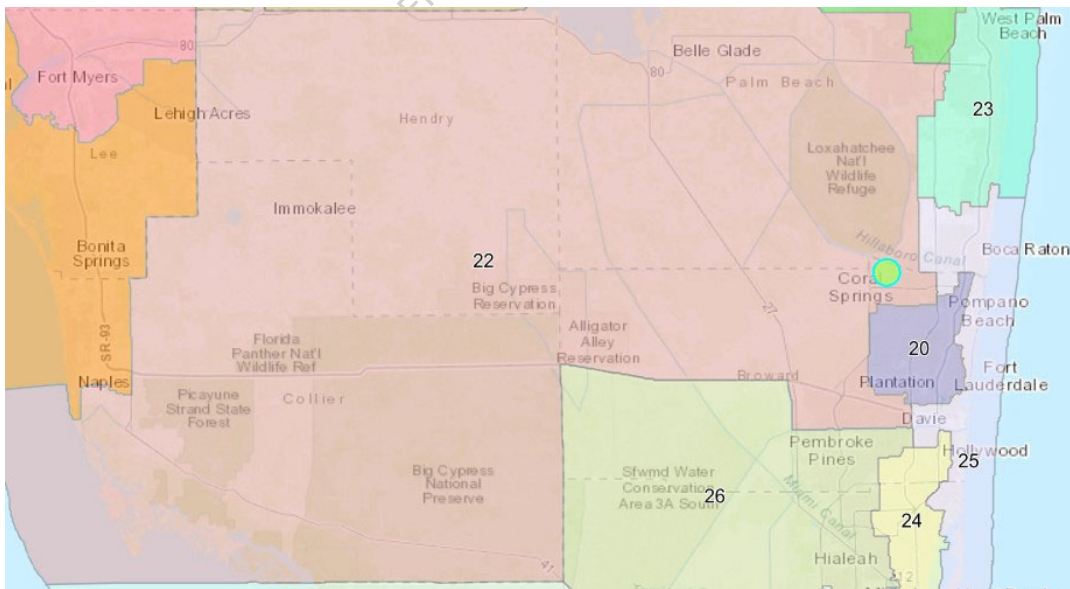
233. The district's odd shape is more comprehensible upon consideration of the location of certain incumbents. At the southeastern edge of the district, CD 22 dips into the Democratic-leaning city of Weston and draws in Rep. Wasserman Schultz's home address by what is likely no more than a few hundred feet.

234. Indeed, Representative Wasserman Schultz's district is so close to the district boundary that it difficult to tell whether her home is included inside the district until one zooms in at a much closer distance. The green dot below shows Representative Wasserman Schultz's

residence just on the edge of CD 22, the precise location of which can be provided to the Court under seal.



235. CD 22 makes a similar maneuver for Representative Moskowitz, who resides in the city of Parkland. The green dot below shows Rep. Moskowitz's residence on the eastern edge of CD 22, the precise location of which can be provided to the Court under seal.



236. These incumbents' inclusion at the edges of a district (and their double bunking) might be more explainable if the district were otherwise regular in shape. But the district all but

connects two coasts of Florida, splits six cities in the process, and cannot be explained by any neutral criteria.

237. Because the map maker has drawn a particularly noncompact district “that reaches out to clearly encompass an incumbent,” and because the district’s shape “cannot be justified based on concerns pertaining to ensuring minority voting strength,” or any other neutral criteria for that matter, the map violates the Florida Constitution’s ban on intentionally disfavoring political incumbents. *Apportionment I*, 83 So. 3d. at 672.

C. The 2026 Plan violates the Florida Constitution’s compactness mandate.

238. The 2026 Plan also violates the Florida Constitution’s requirement that “districts shall be compact” “unless compliance with [that standard] conflicts with” the Fair Districts Amendment’s Tier I criteria. Fla. Const. art. III, § 20(b). Several districts in the 2026 Plan—specifically, CDs 9, 15, 16, 22, and 25—are egregiously and unlawfully noncompact.

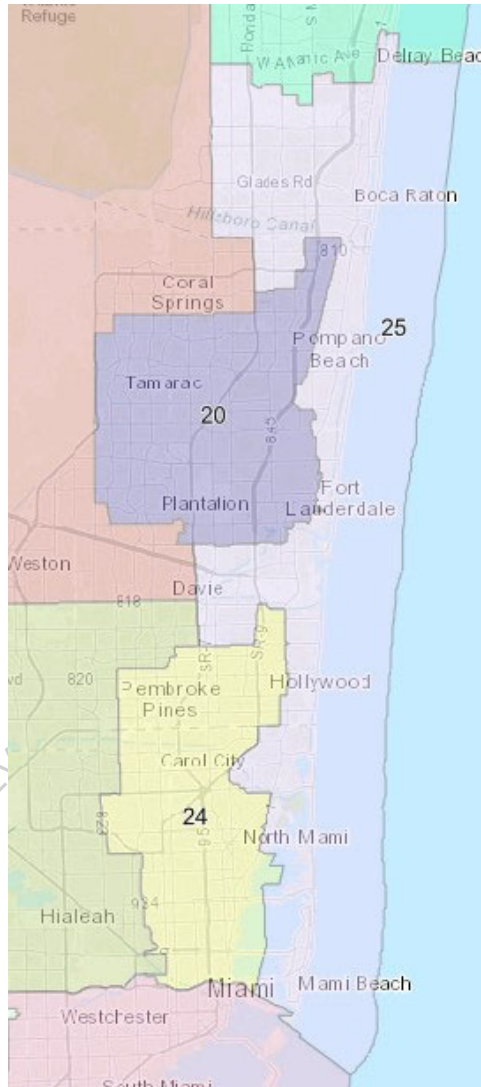
239. The constitutional compactness mandate “ensure[s] that districts are logically drawn and that bizarrely shaped districts are avoided.” *Apportionment I*, 83 So.3d at 636. “[The] compactness requirement serves to limit partisan redistricting.” *Id.* at 632.

240. “Compactness can be evaluated both visually and by employing standard mathematical measurements.” *Id.* at 636; *see also id.* at 634 (explaining that “[c]ompact districts should not have an unusual shape, a bizarre design, or an unnecessary appendage unless it is necessary to comply with some other requirement”).

241. The 2026 Plan’s CDs 9, 15, 16, 22, and 25 are noncompact, as demonstrated by their visual appearance as well as compactness metrics.

242. The 2026 Plan’s CD 25, as shown below, is remarkably noncompact in both its visual appearance and its performance on compactness metrics. The district begins north of Boca Raton and snakes down Florida’s southeastern coast, occasionally meandering inland, until

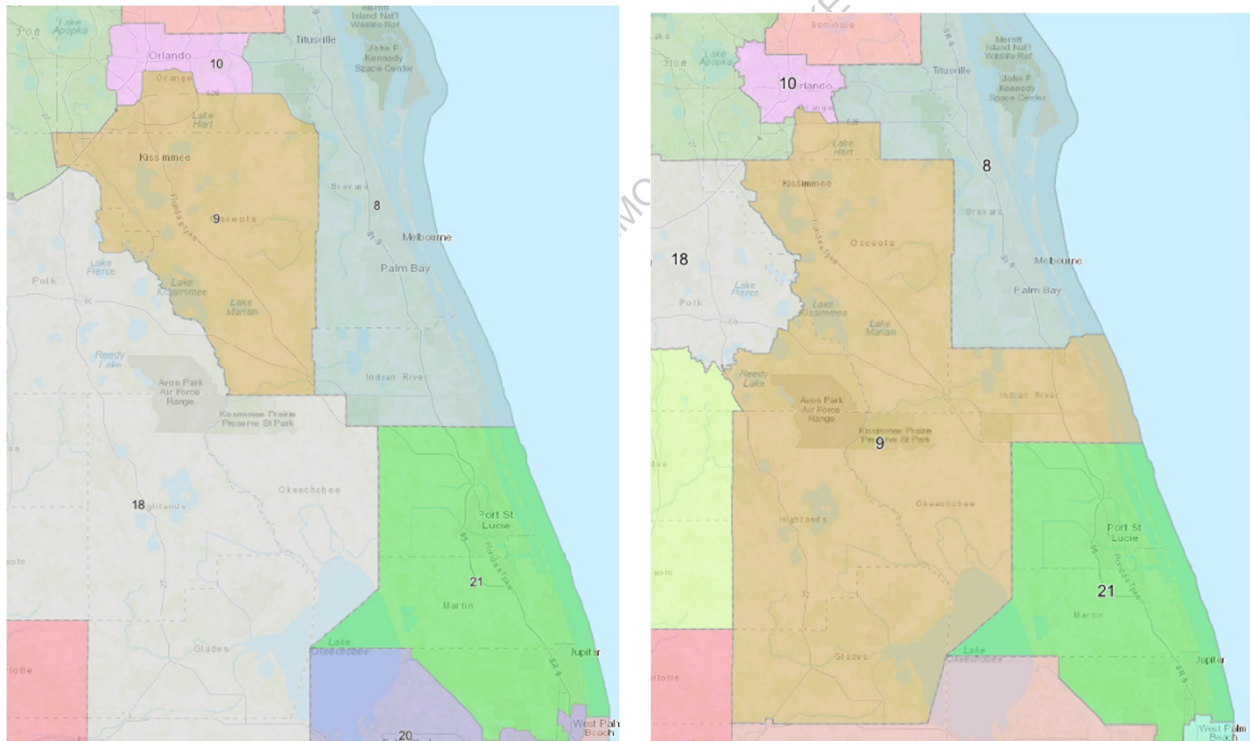
reaching Miami Beach. This elongated, uneven district unsurprisingly has a total compactness score of 1.02, making it nearly as noncompact as the pre-2022 Plan's CD 5 that stretched from Tallahassee to Jacksonville that the Florida Supreme Court held was inconsistent with traditional redistricting principles in *Black Voters Matter*.



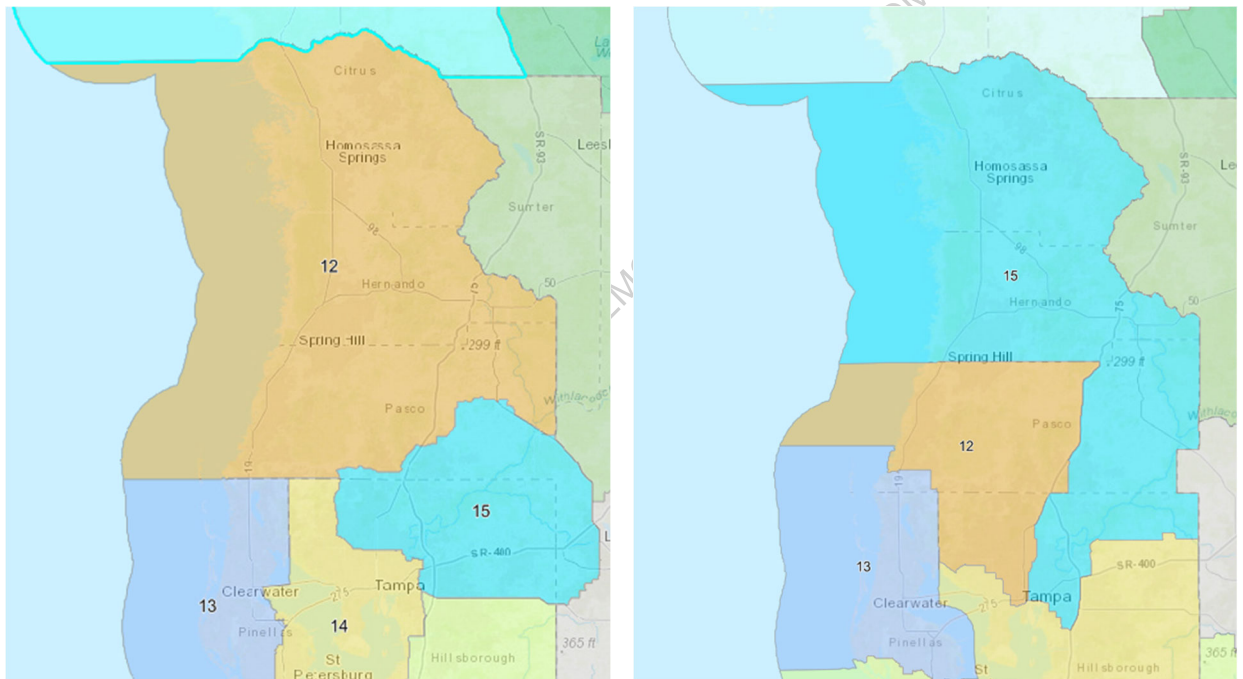
243. The district has no predecessor in the 2022 Plan. Instead, the 2026 Plan's CD 25 bears a striking resemblance to prior decades' districts that the Florida Supreme Court has already held to violate the constitutional compactness requirement. *See, e.g., Apportionment I*, 83 So. 3d

at 672–73 (invalidating a district that resembles an “upside-down alligator”); *id.* at 674 (invalidating “a long and narrow coastal district”).

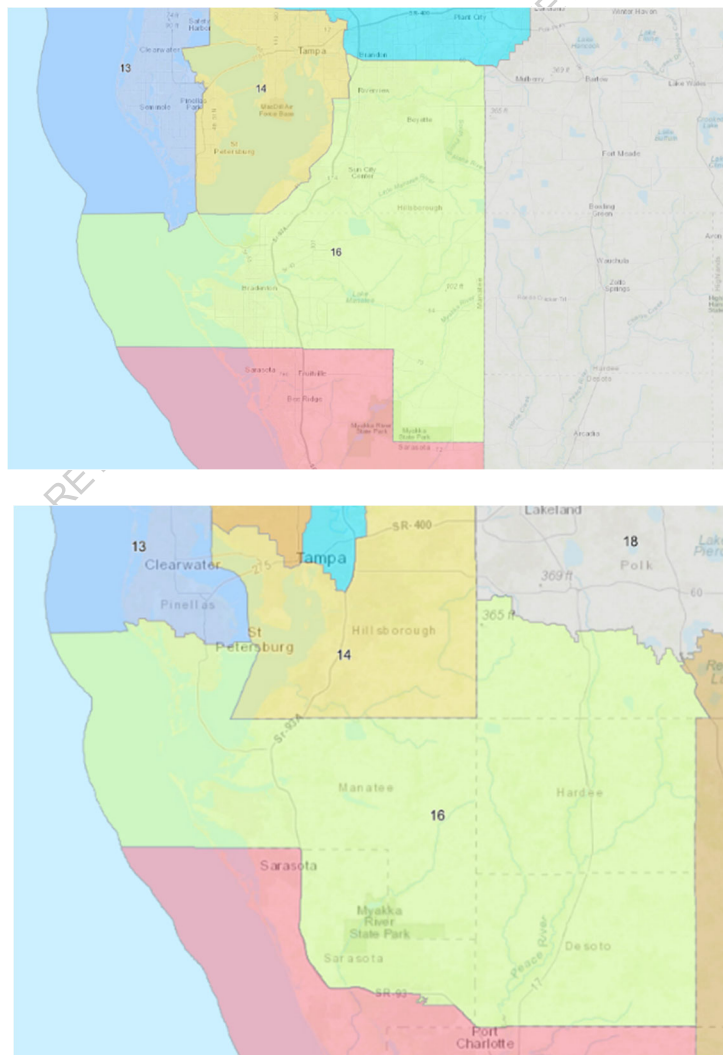
244. Next, the 2026 Plan’s CD 9 winds approximately 140 miles across central Florida, starting in Orange County and moving south to combine three entire counties and portions of four additional counties before reaching Glades County. The 2026 Plan’s CD 9 is visually less compact than the 2022 Plan’s CD 9, as shown by the below comparison of CD 9 (shaded orange) in the 2022 Plan on the left and the 2026 Plan on the right. The district’s total compactness score also fell from 1.82 in the 2022 Plan to 1.61 in the 2026 Plan.



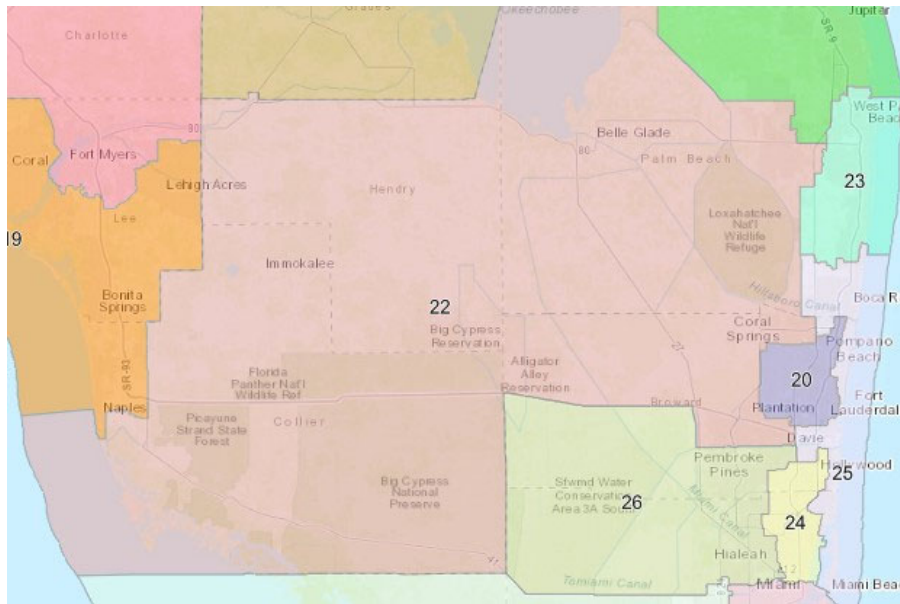
245. The 2026 Plan's CD 15 combines downtown Tampa and an eastern chunk of Pasco County before hooking dramatically northwest to Hernando and Citrus County. The 2026 Plan's CD 15 is visually less compact than the 2022 Plan's CD 15, as shown by the below comparison of CD 15 (shaded light blue) in the 2022 Plan on the left and the 2026 Plan on the right. The district's total compactness score of 1.25 is significantly lower than 2022 Plan's CD 15's score of 2.04. It is also lower than Plan 2022's CD 20's score of 1.55, which the Governor had demeaned as egregiously noncompact.



246. The 2026 Plan's CD 16 takes the southernmost portions of Pinellas County and drags the district across Tampa Bay all the way east to take the entirety of Manatee and Hardee Counties, as well as a portion of Polk County. The district is less visually compact than the 2022 Plan's CD 16, which made no incursion into Pinellas County and stopped eastward at the Manatee County line. The 2026 Plan's CD 16 is far less visually compact than the 2022 Plan's CD 16, which made no incursion into Pinellas County and stopped eastward at the Manatee County line, as shown by the below comparison of CD 16 (shaded light yellow) in the 2022 Plan on the top and the 2026 Plan on the bottom below. Reflecting its unusual shape, CD 16's total mathematical compactness scores also dropped moving from the 2022 Plan to the 2026 Plan.



247. Finally, as noted, the 2026 Plan’s CD 22 is a creature with no real predecessor in Florida’s congressional map, created by bridging together former CDs 18, 19, 20, 23, 25, and 26 to create an entirely new district stretching across southern Florida, from Marco Island in the west to Weston and Wellington in the east, as shown below:



248. These districts’ lack of compactness cannot be explained as the product of an attempt to comply with the Fair Districts Amendment’s Tier I race-related criteria, as the 2026 Plan’s map drawer was explicit that he did not consider himself bound by that criteria. *Compare supra* ¶ 135, with *Apportionment I*, 83 So.3d at 648 (rejecting plaintiffs’ Tier II compactness challenge because districts’ shape was “necessary to comply with federal law”). The districts consequently violate the Florida Constitution’s compactness requirement.

D. The 2026 Plan violates the Florida Constitution’s requirement that districts, where feasible, utilize existing political and geographic boundaries.

249. Finally, the 2026 Plan violates the Florida Constitution’s requirement that “districts shall, where feasible, utilize existing political and geographical boundaries.” Fla. Const. art. III, § 20(b). The Florida Supreme Court has explained that it considers “adherence to county and city

boundaries as political boundaries, and rivers, railways, interstates and state roads as geographical boundaries[.]” *Apportionment I*, 83 So.3d at 638.

250. In past redistricting cycles, the Court has invalidated multiple districts for failure to comply with this provision. *See, e.g., Apportionment I*, 83 So.3d at 662–79; *Apportionment IV*, 172 So.3d at 402. In doing so, the Court has considered the extent to which a district follows the types of boundaries described above and whether the district “splits counties, municipalities, and geographical features.” *Apportionment I*, 83 So.3d at 656, 673.

251. The 2026 Plan’s CDs 9, 10, 12, 14, 15, 16, 20, 22, 23, 24, and 25 violate the constitutional requirement that districts utilize existing political and geographical boundaries where feasible.

252. In the Tampa Bay region, CDs 12, 14, and 15 trisect the city of Tampa, strategically carving up the core of the city and combining the fragments with faraway areas. In addition, a substantial portion of each of those districts’ boundaries does not correspond to existing political or geographic boundaries.

253. In Central Florida, the 2026 Plan excessively and strategically splits the city of Orlando as well as Orange, Osceola, and Polk Counties. Approximately one-third of CD 10’s boundaries do not correspond to existing political or geographic boundaries.

254. And finally, in South Florida, CDs 20, 22, 23, 24, and 25 excessively split numerous cities, including Coconut Creek, Coral Springs, Dania Beach, Davie, Deerfield Beach, Delray Beach, Fort Lauderdale, Hallandale Beach, Hollywood, Miramar, North Miami, North Miami Beach, Pembroke Pines, Plantation, Pompano Beach, Riviera Beach, Royal Palm Beach, Sunrise, and West Palm Beach. The districts also split Broward County into five districts, Miami-Dade County into five districts, and Palm Beach County into four districts. A substantial portion of each

district's boundaries does not correspond to existing political or geographic boundaries, with nearly one-third of CD 20's boundaries failing to correspond to existing political or geographic boundaries.

255. These districts' failures to utilize existing political and geographic boundaries cannot be explained by the need to comply with Tier I criteria or even with the Tier II compactness criteria, because the map drawer avowedly did not consider himself bound by those constitutional requirements.

256. Likewise, the 2026 Plan's general failure to adhere to political and geographic boundaries cannot be explained as the result of an effort to comply with other portions of the Fair Districts Amendment. The Legislature had no legal obligation to redistrict mid-decade, and in doing so chose to enact a plan with two more county splits and 14 more city splits than the 2022 Plan, and that adheres less closely to existing political and geographic boundaries than the 2022 Plan.

CLAIMS FOR RELIEF

COUNT I

Violation of Article III, Section 20 of the Florida Constitution Intent to Favor or Disfavor a Political Party (Tier I Violation)

257. Plaintiffs reallege and reincorporate by reference paragraphs 1 through 256 of this Complaint as though fully set forth herein.

258. The 2026 Plan and individual districts in the plan, including but not limited to CDs 9, 10, 12, 13, 14, 15, 16, 20, 22, 23, 24, and 25 were drawn with the intent to favor the Republican Party and to disfavor the Democratic Party in violation of Article III, Section 20 of the Florida Constitution.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment:

a. Declaring that the 2026 Plan and/or individual districts in the 2026 Plan violate Article III, Section 20 of the Florida Constitution;

b. Enjoining Defendants, their respective agents, officers, employees, and successors, and all persons acting in concert with each or any of them, from implementing enforcing, or giving any effect to the 2026 Plan, including enjoining Defendants from conducting any elections for the U.S. House of Representatives under the 2026 Plan;

c. Reinstating the 2022 Plan or otherwise ordering or adopting a new congressional districting plan that complies with Article III, Section 20 of the Florida Constitution;

d. Issuing an order requiring Defendants to pay Plaintiffs' costs and expenses incurred in the prosecution of this action, as authorized by Fla. Stat. § 86.081; and

e. Granting such other and further relief as the Court deems just and proper.

COUNT II

Violation of Article III, Section 20 of the Florida Constitution Intent to Favor or Disfavor an Incumbent (Tier I Violation)

259. Plaintiffs reallege and reincorporate by reference paragraphs 1 through 256 of this Complaint as though fully set forth herein.

260. The 2026 Plan and individual districts in the plan, including but not limited to CD 22, were drawn with the intent to disfavor incumbents from the Democratic Party in violation of Article III, Section 20 of the Florida Constitution.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment:

a. Declaring that the 2026 Plan and/or individual districts in the 2026 Plan violate Article III, Section 20 of the Florida Constitution;

b. Enjoining Defendants, their respective agents, officers, employees, and successors, and all persons acting in concert with each or any of them, from implementing

enforcing, or giving any effect to the 2026 Plan, including enjoining Defendants from conducting any elections for the U.S. House of Representatives under the 2026 Plan;

c. Reinstating the 2022 Plan or otherwise ordering or adopting a new congressional districting plan that complies with Article III, Section 20 of the Florida Constitution;

d. Issuing an order requiring Defendants to pay Plaintiffs' costs and expenses incurred in the prosecution of this action, as authorized by Fla. Stat. § 86.081; and

e. Granting such other and further relief as the Court deems just and proper.

COUNT III

Violation of Article III, Section 20 of the Florida Constitution Non-Compactness (Tier II Violation)

261. Plaintiffs reallege and reincorporate by reference paragraphs 1 through 256 of this Complaint as though fully set forth herein.

262. The 2026 Plan and individual districts in the plan, including but not limited to CDs 9, 15, 16, 22, and 25, are not compact in violation of Article III, Section 20 of the Florida Constitution. These violations were not in service of any Tier I criteria; on the contrary, these violations were made in service of the Tier I violations set forth in the previous claims.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment:

a. Declaring that the 2026 Plan and/or individual districts in the 2026 Plan violate Article III, Section 20 of the Florida Constitution;

b. Enjoining Defendants, their respective agents, officers, employees, and successors, and all persons acting in concert with each or any of them, from implementing enforcing, or giving any effect to the 2026 Plan, including enjoining Defendants from conducting any elections for the U.S. House of Representatives under the 2026 Plan;

c. Reinstating the 2022 Plan or otherwise ordering or adopting a new congressional districting plan that complies with Article III, Section 20 of the Florida Constitution;

d. Issuing an order requiring Defendants to pay Plaintiffs' costs and expenses incurred in the prosecution of this action, as authorized by Fla. Stat. § 86.081; and

e. Granting such other and further relief as the Court deems just and proper.

COUNT IV

**Violation of Article III, Section 20 of the Florida Constitution
Political and Geographic Boundary Splits (Tier II Violation)**

263. Plaintiffs reallege and reincorporate by reference paragraphs 1 through 256 of this Complaint as though fully set forth herein.

264. The 2026 Plan and individual districts in the plan, including but not limited to CDs 9, 10, 12, 14, 15, 16, 20, 22, 23, 24, and 25 do not use political and geographic boundaries where feasible in violation of Article III, Section 20 of the Florida Constitution. These violations were not in service of any Tier I criteria; on the contrary, these violations were made in service of the Tier I violations set forth in the previous claims.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment:

a. Declaring that the 2026 Plan and/or individual districts in the 2026 Plan violate Article III, Section 20 of the Florida Constitution;

b. Enjoining Defendants, their respective agents, officers, employees, and successors, and all persons acting in concert with each or any of them, from implementing enforcing, or giving any effect to the 2026 Plan, including enjoining Defendants from conducting any elections for the U.S. House of Representatives under the 2026 Plan;

- c. Reinstating the 2022 Plan or otherwise ordering or adopting a new congressional districting plan that complies with Article III, Section 20 of the Florida Constitution;
- d. Issuing an order requiring Defendants to pay Plaintiffs' costs and expenses incurred in the prosecution of this action, as authorized by Fla. Stat. § 86.081; and
- e. Granting such other and further relief as the Court deems just and proper.

Dated: May 4, 2026

Respectfully submitted,

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** Pro hac vice application forthcoming*