

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

LINDSAY GARCIA, a qualified voter
and a candidate in the Democratic Party
for the 5th congressional district, and on
behalf of all others similarly situated; and
EUGENE COLLINS, a qualified voter,
Plaintiffs,

v.

JEFF LANDRY, in his official capacity
as Governor of the State of Louisiana;
ELIZABETH B. MURRILL, in her
official capacity as Attorney General
of the State of Louisiana; and
NANCY LANDRY, in her official
capacity as Secretary of State of the
State of Louisiana,
Defendants.

CIVIL ACTION

NO. 3:24-cv-00122-DCJ-CES-RRS
(Transferred from M.D. La.
No. 3:26-cv-00471-SDD-RLB)

Related to:
Callais v. Landry,
No. 3:24-cv-00122-DCJ-CES-RRS

NOTICE OF SUPPLEMENTAL AUTHORITY

*(Public Statement of Governor Jeff Landry, Defendant,
Broadcast on 60 Minutes, May 10, 2026)*

The Garcia parties respectfully submit this Notice of Supplemental Authority to bring to this Court's attention a recent public statement by Defendant Governor Jeff Landry that bears directly on the pending Motion for Emergency Injunctive Relief, the operative facts at issue, and the constitutional and statutory claims presented. The statement was broadcast on the CBS News program 60 Minutes on Sunday, May 10, 2026.

I. THE SUPPLEMENTAL AUTHORITY

1. On Sunday, May 10, 2026, the CBS News program 60 Minutes broadcast a segment in which Defendant Governor Jeff Landry, in his official capacity as Governor of the State of Louisiana, was interviewed by correspondent Cecilia Vega regarding Executive Order JML 26-038 (the Executive Order at issue in this litigation) and its operative effect on the May 16, 2026 federal U.S. House of Representatives primary elections. A true and accurate transcript of the relevant portion of the interview is published by CBS News and available

at <https://www.cbsnews.com/news/louisiana-gov-on-supreme-court-decision-and-suspending-house-primary-elections-60-minutes-transcript/>.

2. The relevant exchange, as recorded in the published transcript, is as follows:

Cecilia Vega: But voting was already happening. As we sit here right now, more than 45,000 ballots have been returned. What happens to those?

Gov. Jeff Landry: Oh, those ballots are discarded and, and those voters will vote again in November.

Cecilia Vega: You say that like it's not a big deal.

Gov. Jeff Landry: Well, it's, it's not a big, it's not my fault. If, if anybody has a grievance, take it to the United States Supreme Court.

CBS News, Louisiana's Governor on the Supreme Court Decision and His Suspending of House Primary Elections (60 Minutes transcript, May 10, 2026).

II. RELEVANCE TO PENDING MOTION

3. The Governor's public statement is directly relevant to the pending Motion for Emergency Injunctive Relief and to the Supplemental Memorandum in Support thereof filed contemporaneously in this Court. Plaintiffs respectfully submit that the statement bears on at least three matters before this Court.
4. First, the statement confirms a central operative fact at issue in this litigation. Plaintiffs' Amended Verified Complaint, the Reply Brief filed May 7, 2026, and the Supplemental Memorandum filed contemporaneously with this Notice all allege that the Executive Order operates to discard cast absentee ballots in the federal U.S. House contest while preserving the same ballots' votes in non-congressional contests. The Governor has now confirmed that fact in unequivocal terms. His statement, on national television, in his official capacity, is that the cast ballots 'are discarded.' That is the State's operative characterization of its own conduct.
5. Second, the statement confirms the State's intent to proceed with this discarding notwithstanding the constitutional and statutory concerns Plaintiffs have raised. The Governor's response that, 'if anybody has a grievance, take it to the United States Supreme Court,' is a public acknowledgment that the State recognizes the discarding is subject to

legal challenge and has chosen to proceed anyway. This statement is relevant to the irreparable-injury analysis under the preliminary-injunction standard, to the intent inquiry under *Village of Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252, 266-68 (1977), as applied in this Court's adjudication of Counts IV (Section 2 of the Voting Rights Act) and V (Fifteenth Amendment) of the Amended Verified Complaint, and to the balance of equities inquiry this Court must conduct.

6. Third, the statement constitutes evidentiary support for Plaintiffs' procedural-due-process claim under the Fourteenth Amendment as construed in *Logan v. Zimmerman Brush Co.*, 455 U.S. 422 (1982). The Governor's specific word, 'discarded,' describes a retroactive voiding of a vested procedural interest, which is the precise constitutional injury Logan addresses. The State's chief executive officer has now publicly characterized the State's conduct in language that directly tracks the Logan framework, removing any factual ambiguity regarding the operative treatment of the cast ballots.

III. PROCEDURAL POSTURE AND REQUEST

7. Plaintiffs submit this Notice solely to provide this Court with the supplemental authority. Plaintiffs do not, by this Notice, seek to expand the relief requested in the pending Motion for Emergency Injunctive Relief or in the Supplemental Memorandum filed contemporaneously herewith. Plaintiffs respectfully request that this Court take notice of the Governor's public statement as bearing upon the matters currently before the Court.
8. Plaintiffs further note that the Governor's statement was broadcast on Sunday, May 10, 2026, two days after the May 8, 2026, transfer of this action from the Middle District of Louisiana to this Court (M.D. La. Doc. 26). The statement is therefore a development subsequent to the procedural posture previously briefed by the parties.

Respectfully submitted,

/s/ Donald C. Hodge, Jr.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of May, 2026, a copy of the foregoing Plaintiffs' Notice of Supplemental Authority was served upon all counsel of record by the Court's CM/ECF system, which will provide notice of service to all counsel enrolled in this matter.

/s/ Donald C. Hodge, Jr.
DONALD C. HODGE, JR. (LSB #29251)

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