

CASE #: C106517

No.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA, EX REL. ROB
BONTA, ATTORNEY GENERAL OF THE STATE OF CALIFORNIA;
SHIRLEY N. WEBER, PH.D., IN HER OFFICIAL CAPACITY AS
CALIFORNIA SECRETARY OF STATE

Petitioners,

v.

COUNTY OF SHASTA; CLINT CURTIS IN HIS OFFICIAL CAPACITY
AS SHASTA COUNTY CLERK AND REGISTRAR OF VOTERS,

Respondents,

LAURA HOBBS, DEIDRE HOLLIDAY, KARI CHILSON, JIM
BURNETT, AND RICHARD GALLARDO,

Real Parties in Interest.

**PETITION FOR WRIT OF MANDATE AND/OR OTHER
EXTRAORDINARY RELIEF AND REQUEST FOR EXPEDITED
REVIEW; MEMORANDUM OF POINTS AND AUTHORITIES**

IMMEDIATE RELIEF REQUESTED BY AUGUST 24, 2026

ROB BONTA (SBN 202668)
Attorney General of California

THOMAS S. PATTERSON (SBN
202890)

Senior Assistant Attorney General
SETH E. GOLDSTEIN (SBN 238228)
*Supervising Deputy Attorney
General*

JAY C. RUSSELL (SBN 122626)
S. CLINTON WOODS (SBN 246054)
HARALD H. KIRN (SBN 336448)
*LIAM E. O'CONNOR (SBN 330050)
Deputy Attorneys General

455 Golden Gate Avenue, Suite
11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3915
Fax: (415) 703-5480
Liam.OConnor@doj.ca.gov

Attorneys for Petitioners

CERTIFICATE OF INTERESTED ENTITIES

Pursuant to California Rules of Court 8.208 and 8.488(b), the Attorney General of the State of California and the California Secretary of State certify that they know of no entity or person, other than the parties themselves, that has a financial or other interest in the outcome of the proceeding that they reasonably believe the justices should consider in determining whether to disqualify themselves under canon 3E of the Code of Judicial Ethics.

June 12, 2026

Respectfully submitted,

ROB BONTA

Attorney General of California

/s/ Liam E. O'Connor

LIAM E. O'CONNOR

Deputy Attorney General

Attorneys for Petitioners the People of the State of California, ex rel. Rob Bonta, Attorney General of the State of California, and California Secretary of State Shirley N. Weber, Ph.D.

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**PETITION FOR WRIT OF MANDATE AND/OR OTHER
EXTRAORDINARY RELIEF AND REQUEST FOR
EXPEDITED REVIEW AND IMMEDIATE RELIEF**

There can be no serious dispute that Measure B—a voter initiative to establish a county-specific elections system in Shasta County—is unlawful. All its provisions—requiring voters to present government-issued photo IDs to register to vote and to vote, prohibiting voting by mail and early voting in almost all circumstances, mandating that all ballots be counted by hand, and creating a separate county voter registration system disconnected from the State’s—are directly contrary to state law. Indeed, the measure’s defects are so extreme that the County previously filed a lawsuit seeking to be relieved of its obligation to prepare a title and summary for the initiative, and the initiative’s lead proponent has openly acknowledged that “there are sections that are illegal.” Nevertheless, the measure made its way onto the ballot and passed in the recent primary election. It now threatens to upend the entire elections system in a county with more than 116,000 registered voters just months before the November general election.

Given the stakes, Petitioners Attorney General Bonta and Secretary of State Weber urge the Court to take up this petition and strike down Measure B. First, although Shasta County is a charter county, the measure plainly exceeds its constitutional authority, because charter counties are not granted any degree of home rule over voter registrations or elections. Second, even if the measure could otherwise fall within the County’s constitutional authority, it is clearly preempted by state election

laws that ban photo ID requirements, that guarantee the rights to vote-by-mail and to vote in person before Election Day, that prohibit full manual tallies, and that require the County to use the statewide voter registration system and procedures. In short, even if the County disagrees with state election laws, it may not enact or enforce its own laws “that are inconsistent with or impede statewide regulation of the integrity of the political or electoral process.” (*Johnson v. Bradley* (1992) 4 Cal.4th 389, 403, fn. 14.)

Under state law, elections officials need to begin mailing voter information guides and ballots to all active registered voters in September and early October, well in advance of November’s election. But until this Court or the Supreme Court rules on the legality of Measure B, it is unknown which voters in Shasta County will be considered to have active registrations, how they can register or re-register to vote, if necessary, and how they will be permitted to cast their ballot. The Court should therefore grant the petition—and it should do so in an expedited manner to restore voters’ rights and ensure the uniform application of the State’s election laws in all 58 counties in the upcoming November election.

I. JURISDICTION AND NEED FOR IMMEDIATE RELIEF

1. This Court has original jurisdiction under article VI, section 10 of the California Constitution and Code of Civil Procedure sections 1085, subdivision (a), and 1086.

2. Mandamus relief is appropriate because Petitioners “challenge the constitutionality or validity of” an “official act[]”—

Measure B—and seek to compel Shasta County officials “to conduct [elections] according to law.” (*Jolicoeur v. Mihaly* (1971) 5 Cal.3d 565, 570 fn. 2, citations and quotation marks omitted; see also *People ex rel. Bonta v. City of Huntington Beach* (2025) 115 Cal.App.5th 962 [directing superior court to issue a writ of mandate invalidating charter amendment preempted by state law and directing local officials to cease implementation or enforcement], review den. Jan. 28, 2026, S294368.)

3. Petitioners seek relief in this Court in the first instance because “the issues presented are of great public importance and must be resolved promptly.” (*Vandermost v. Bowen* (2012) 53 Cal.4th 421, 453, citations omitted.) The Supreme Court and Court of Appeal routinely exercise jurisdiction over original writs when, as in this case, the petition “involve[es] significant legal issues affecting the electoral process” and “a speedy resolution of the underlying controversy is necessary to avoid a disruption of an upcoming election.” (*Id.* at p. 453, citations omitted.)

4. Petitioners request expedited review and immediate relief by August 24, 2026, because deadlines for the November general election are rapidly approaching, including a September 14 deadline for county election officials to report active voter registrations to the Secretary of State (Elec. Code, § 2187, subd. (c)(5)), a September 24 deadline for elections officials to begin mailing voter information guides (*id.*, § 9094, subd. (a)), and an October 5 deadline for county election officials to begin mailing

ballots to voters (*id.*, § 3000.5, subd. (a)).¹ Relief is needed by this date to ensure that (1) state and county election officials know which voter registration system—the statewide system or the new Measure B system—will be used in Shasta County for the November general election; (2) voters may timely confirm their registration status and address any issues, such as the presentation of photo ID to county election officials, if required by Measure B; (3) county election officials can then timely mail ballots to all active registered voters, as required by state law; and (4) county election officials can timely prepare a system for a never-before conducted full manual tally, if required by Measure B.

II. PARTIES

5. Petitioner Rob Bonta is the Attorney General of California. The Attorney General is the State’s chief law enforcement officer (Cal. Const., art. 5, § 13), responsible for enforcing the State’s election laws in consultation with the Secretary of State (Gov. Code, § 12172.5, subd. (b)).

6. Petitioner Shirley N. Weber, Ph.D., is the Secretary of State of California. The Secretary is the State’s chief elections officer, charged with ensuring “that elections are efficiently

¹ See *Key Dates and Deadlines: General Election – November 3, 2026*, Cal. Secretary of State <<https://www.sos.ca.gov/elections/upcoming-elections/general-election-november-3-2026/key-dates-deadlines>>; *November 3, 2026, General Election Calendar*, Cal. Secretary of State <<https://elections.cdn.sos.ca.gov/statewide-elections/2026-primary/election-guide/section-07-general-election-calendar.pdf>>.

conducted and that state election laws are enforced.” (Gov. Code, § 12172.5, subd. (a); accord Elec. Code, § 10, subd. (a).)

7. Respondent Shasta County is a legal subdivision of the State of California, existing under the laws of the State. (Cal. Const., art. XI, § 1, subd. (a).)

8. Respondent Clint Curtis is the Shasta County Clerk and Registrar of Voters (ROV), responsible for “register[ing] as voters any electors who apply for registration” and “perform[ing] any other duties required of [him] by the Elections Code.” (Gov. Code, § 26802.)

9. Real Parties in Interest Laura Hobbs, Deidre Holliday, Kari Chilson, Jim Burnett, and Richard Gallardo were the proponents of Measure B.

III. FACTUAL BACKGROUND

10. In the spring of 2025, a group known as “Save Shasta Elections” submitted a notice of intent to circulate a petition to amend the Shasta County Charter. (Exhibits to Petition, p. 4.) The charter amendment—now known as “Measure B”—purports to require (1) “government-issued photo ID” to register to vote and to vote; (2) “in-person voting” on Election Day (with limited exceptions for “the infirm, military, and US citizens living overseas”); (3) hand-counting of ballots; and (4) the creation and maintenance of a new voter registration system for Shasta County, pursuant to which “[v]oter rolls shall be maintained on a computer not connected to the State of California,” “[v]oter rolls shall be kept clean by permanently removing individuals who are deceased, moved out of county lines, or have addresses that are

undeliverable,” and “[t]hird party and DMV voter registrations shall not be added to Shasta County voter rolls until verified for eligibility.” (Exhibits to Petition, p. 52.)

11. Upon receiving the notice of intent to circulate the petition, Shasta County filed a writ petition and a motion for a temporary restraining order, seeking to be relieved of its obligation to prepare a title and summary on the ground that Measure B “is beyond the power of the electorate of the County of Shasta to adopt” and “is unconstitutional and violate[s] State & Federal law,” including “Elections Codes 3020 (b), Elections Code 15270.1, Elections Code 10005, Helping America Vote Act Section 303 (2) (a), National Voter Registration Act 1993, Section 42 USC 1973 gg-3, United States Constitution Article I, Section 4, Clause I, and California Constitution, XI, Section 4&5.” (Exhibits to Petition, p. 8.) In expedited proceedings before the County’s deadline to prepare the title and summary for the petition, the Shasta County Superior Court denied the County’s motion on procedural grounds without addressing the merits of the County’s claims. (Exhibits to Petition, p. 12.)

12. In the fall of 2025, the County ROV determined that the petition had obtained sufficient signatures to qualify for the ballot, and the Board of Supervisors voted to place the measure on the June 2, 2026, primary ballot.

13. In the spring of 2026, a Shasta County voter filed a separate writ petition and a motion for a temporary restraining order, seeking to prohibit the County from placing the measure on the ballot on the grounds that Measure B “is preempted in its

entirety by the California Elections Code and Article II of the California Constitution.” (Exhibits to Petition, p. 5.) After the County declined to defend the initiative, the Superior Court permitted the proponents to intervene and granted their demurrer, concluding that preelection review was inappropriate and the voter’s challenge to “the validity of the Initiative’s provisions” was “appropriately left for after the election.” (Exhibits to Petition, p. 43.)

14. At the June 2, 2026, primary election, Measure B passed with a majority vote. The measure will take effect once the County files the charter amendment with the Secretary of State. (Cal. Const., art. XI, § 3, subd. (a); accord Gov. Code, §§ 23723-23724.)

IV. LEGAL BACKGROUND

15. The California Constitution vests the Legislature with supreme authority over the electoral process. After providing the qualifications to vote (one must be “[a] United States citizen 18 years of age and resident in this State” (Cal. Const., art. II, § 2)) and guaranteeing the right to vote (*id.*, §§ 2, 2.5), the Constitution provides that the Legislature “shall define residence and provide for registration and free elections” (*id.*, § 3) and “shall prohibit improper practices that affect elections” (*id.*, § 4).

16. Exercising its constitutional authority, the Legislature has enacted the Elections Code, which governs every step of the electoral process, including how voters may register to vote, how voters may cast their ballots, how local officials must count ballots, and how state and local officials must maintain voter

registrations. The Secretary of State is the chief elections officer charged with “administer[ing] the provisions of the Elections Code” and ensuring “that elections are efficiently conducted and that state election laws are enforced” and granted authority to “adopt regulations to ensure the uniform application and administration of state election laws.” (Gov. Code, § 12172.5, subd. (a); see Elec. Code, § 10.) Meanwhile, when performing elections-related duties, a county board of supervisors may only act “[s]ubject to the provisions of the Elections Code” (Gov. Code, § 25201), and county clerks and ROVs must perform “duties required of [them] by the Elections Code” (*id.*, § 26802).

17. The Legislature has determined that Californians may register to vote by submitting an affidavit of registration online, through the Department of Motor Vehicles (DMV), by mail, or with a county elections official. (Elec. Code, § 2102, subd. (a).) To register, an individual generally must submit an affidavit that includes their name, address, date of birth, and driver’s license number/state identification number or the last four digits of their Social Security number. (See *id.*, §§ 2150, subds. (a)-(b), 2196; see also *id.*, § 2111.) The applicant’s identification number is then verified against state records. (*Id.*, § 2196, subd. (a)(8); Cal. Code Regs, tit. 2, §§ 19073-19075.) When voting, the individual must confirm their identity and registered status by providing their name and address and by signing the voting roster (when voting in-person (Elec. Code, § 14216)) or by signing their ballot envelope (when voting by mail (*id.*, § 3019; Cal. Code Regs, tit. 2, § 20960)).

18. Under state law, every person who is qualified to vote and who has registered to vote under the Elections Code “may vote at any election held within the territory within which he or she resides and the election is held.” (Elec. Code, § 2000, subd. (a); see also *id.*, §§ 2300 [“valid registered voters” have “the right to cast a ballot”], 10000 [“every person” who is “registered” is “entitled to vote” in “local” elections].) All active registered voters may vote by mail. (*Id.*, §§ 3000.5, subd. (a), 3003, 3016.7, 3017, subds. (a)-(b).) And in statewide elections, all counties must provide at least one early voting location on the Saturday before the election. (*Id.*, § 3016.3, subd. (b); see also *id.*, § 4005, subd. (a)(4)(A).) Further, local governments are expressly prohibited from “requiring a person to present identification for the purpose of voting or submitting a ballot,” “unless required by state or federal law.” (*Id.*, § 10005.)

19. County elections officials may only count votes using a voting system that has been certified by the Secretary of State. (Elec. Code, § 19207.5; see *id.*, §§ 19101-19402.) They may not hand-count ballots except with the Secretary’s approval in specified elections with less than 5,000 voters. (*Id.*, §§ 15270.1, 19207.5.)

20. Federal and state law also dictate how state and local officials maintain voter registrations. The federal Help America Vote Act (HAVA) requires “each State, acting through the chief State election official” to implement “a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level.”

(52 U.S.C. § 21083, subd. (a)(1).) Accordingly, the Legislature has required the Secretary to “establish and maintain a statewide system to facilitate the reporting of election results and voter and candidate information, and to otherwise administer and enhance election administration.” (Elec. Code, § 2168.) And the Secretary has promulgated regulations that require counties’ election management systems to “synchronize” records with and to “use the official statewide voter registration system to determine eligibility to vote.” (Cal. Code Regs, tit. 2, § 19060, subd. (c); see also, e.g., *id.*, §§ 19063, 19083, 19087.) Using the statewide voter registration system, the Secretary processes applications received online and through the DMV. (*Id.*, §§ 2196, subd. (a)(8), 2265, 2267, subd. (a).)

21. In addition to governing how online and motor voter registrations are processed (Elec. Code, §§ 2196, 2260-2277; Cal. Code Regs., tit. 2, §§ 20060-20067), state law governs how voter registrations may be cancelled based on a move, undeliverable mailings, a death, mental incapacitation, or imprisonment (Elec. Code, §§ 2157, 2201, 2205, 2208-2212, 2220-2227; Cal. Code Regs., tit. 2, §§ 19079, 19081). County officials may not cancel voter registrations on these grounds without providing notice and an opportunity to respond. (Elec. Code, § 2201, subd. (c).) And, in particular, registrations may not be cancelled on the ground that a voter has changed residence unless the voter (1) has confirmed in writing a change of residence outside the registrar’s jurisdiction, or (2) has failed to respond to an address confirmation notice and has not offered or appeared to vote in any

election within the two federal general election cycles following the date of the address confirmation notice. (52 U.S.C. § 20507, subd. (d); accord Elec. Code, § 2226; Cal. Code Regs., tit. 2, § 19081, subd. (d).)

V. BASIS FOR RELIEF

A. Measure B Exceeds the County’s Authority Because Charter Counties Lack “Home Rule” Over the Electoral Process

22. Under the California Constitution, a county may adopt a charter “[f]or its own government” (Cal. Const., art. XI, § 3, subd. (a))—also known as “home rule” or “the authority of the people to create and operate their own local government and define the powers of that government, within the limits set out by the Constitution” (*Dibb v. County of San Diego* (1992) 8 Cal.4th 1200, 1206, citing *Younger v. Board of Supervisors* (1979) 93 Cal.App.3d 864, 869).

23. But a county charter provision “in excess of a charter county’s authority conferred . . . by both the Constitution and general state laws” is unconstitutional. (*Younger v. Board of Supervisors, supra*, 93 Cal.App.3d at p. 873, citation omitted.) And under article XI, section 4, “charter county ‘home rule’ authority is limited to matters concerning the structure and operation of local government.” (*Dibb v. County of San Diego, supra*, 8 Cal.4th at p. 1207.) This is “substantially” less expansive than charter *city* home rule under article XI, section 5. (*Ibid.*) In particular, whereas section 5 grants charter cities “broad authority to ‘make and enforce all ordinances and regulations in respect to *municipal affairs*’” (*ibid.*, quoting Cal.

Const., art. XI, § 5, subd. (a)), including the “conduct of city elections” (Cal. Const., art. XI, § 5, subd. (b)), section 4 includes “no corresponding grant of authority and autonomy over the ‘county affairs’ of charter counties” and instead “requires charter counties to provide for ‘[t]he performance of functions required by statute.’” (*Dibb, supra*, 8 Cal.4th at p. 1207, quoting Cal. Const., art. XI, § 4, subd. (d), other citation omitted.)

24. Because charter counties lack home rule over voter registrations and elections, Measure B exceeds Shasta County’s authority and is unconstitutional. (See *Younger v. Board of Supervisors, supra*, 93 Cal.App.3d at p. 873.)

B. Measure B is Also Preempted by State Law

25. Moreover, even if Measure B could otherwise fall within the scope of Shasta County’s authority, it is preempted by state law because charter cities and counties “may not enforce laws that are inconsistent with or impede statewide regulation of the integrity of the political or electoral process.” (*Johnson v. Bradley, supra*, 4 Cal.4th at p. 403, fn. 14.)

26. Specifically, even if a local charter amendment is otherwise within the local government’s authority, it is preempted if it conflicts with state laws that are reasonably related to and narrowly tailored to address statewide concerns, such as the integrity of the electoral process. (*People ex rel. Bonta v. Huntington Beach, supra*, 115 Cal.App.5th 962; *County of Sacramento v. Fair Political Practices Com.* (1990) 222 Cal.App.3d 687, 691, overruled in part on other grounds by *Johnson v. Bradley, supra*, 4 Cal.4th at p. 406.)

27. Measure B is preempted because its provisions conflict with state laws that are reasonably related to and narrowly tailored to address statewide concerns, such as ensuring the integrity of the electoral process—including access to the ballot, the accuracy and timeliness of election results, and the accuracy of voter registration records—as well as ensuring compliance with federal laws governing voter registrations.

28. First, the photo ID provisions are preempted by state laws governing how Californians may establish their eligibility to vote, including Elections Code section 10005, which prohibits requiring voters to present identification for the purpose of voting, and section 2000, subdivision (a), which guarantees voters the right to vote if they have satisfied the requirements for registration under the Elections Code.

29. Second, the provision requiring in-person voting on Election Day is preempted by Elections Code sections 3003, 3000.5, subdivision (a), 3016.7, and 3017, subdivisions (a) and (b), which guarantee the right to vote by mail to all active registered voters, and section 3016.3, subdivision (b), which guarantees the opportunity to vote early and in person in all statewide elections.

30. Third, the hand-counting provisions are preempted by Elections Code section 19207.5, which requires elections officials to tabulate votes using a voting system that has been certified by the Secretary of State, and section 15270.1, which prohibits elections officials from hand-counting ballots except with the approval of the Secretary of State in specified elections with less

than 5,000 registered voters. These sections ensure that ballots will be counted in an accurate and timely manner.

31. Fourth, the provisions for a new voter registration system are preempted by state laws that govern voter registrations, including Elections Code section 2168 and Code of Regulations, title 2, section 19060, subdivision (c), which require counties to “synchronize” their records with and to “use the official statewide voter registration system to determine eligibility to vote,” as well as state laws governing processing of online and motor voter registrations and cancellation of voter registrations. (See, e.g., Elec. Code, §§ 2196, subd. (a)(8), 2201, 2226, 2267; Cal. Code Regs., tit. 2, § 19081, subd. (d).)

VI. RELIEF REQUESTED

Wherefore, Petitioners request that this Court, as soon as possible and no later than August 24, 2026:

1. Issue a writ of mandate, invalidating Measure B, directing Respondents to cease implementation or enforcement of Measure B, and directing Respondents to undo any steps taken to implement or enforce Measure B;
2. Issue a permanent injunction barring Respondents from implementing or enforcing Measure B and requiring Respondents to undo any steps taken to implement or enforce Measure B;
3. Issue a declaration that Measure B violates and is preempted by California law;
4. Award Petitioners’ costs and attorneys’ fees; and
5. Order such other relief as may be just and proper.

June 12, 2026

Respectfully submitted,

ROB BONTA

Attorney General of California

THOMAS S. PATTERSON

Senior Assistant Attorney General

SETH E. GOLDSTEIN

Supervising Deputy Attorney General

JAY C. RUSSELL

S. CLINTON WOODS

HARALD H. KIRN

Deputy Attorneys General

/s/ Liam E. O'Connor

LIAM E. O'CONNOR

Deputy Attorney General

*Attorneys for Petitioners the People of
the State of California, ex rel. Rob
Bonta, Attorney General of the State of
California, and California Secretary of
State Shirley N. Weber, Ph.D.*

VERIFICATION

I, Liam E. O'Connor, declare:

I am counsel for the Petitioners in this action. I have read the foregoing Petition for Writ of Mandate and am familiar with the contents thereof. The facts alleged in the petition are within my own knowledge and I know those facts to be true, and on that ground allege that the contents contained therein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: June 12, 2026

/s/ Liam E. O'Connor

Liam E. O'Connor

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MEMORANDUM OF POINTS AND AUTHORITIES

As the Court of Appeal reaffirmed just last year, even if a local government disagrees with the State’s election laws, it cannot “make its own rules” that “upset” the State’s interests and “impugn the integrity of [local] elections.” (*People ex rel. Bonta v. City of Huntington Beach* (2025) 115 Cal.App.5th 962, 971, review den. Jan. 28, 2026, S294368.) Nevertheless, Shasta County has passed a charter amendment—“Measure B”—that purports to create the county’s own elections system, in clear violation of the State’s constitution and election laws.

As a threshold matter, the County lacked the authority to enact Measure B, because “charter county ‘home rule’ authority is limited to matters concerning the structure and operation of local government.” (*Dibb v. County of San Diego* (1992) 8 Cal.4th 1200, 1207.) It does not extend to the regulation of voter registrations and elections, which are the province of the Legislature. (Cal. Const., art. II, §§ 3-4.) Thus, Measure B must be invalidated as “an enactment in excess of the [C]ounty’s authority” under the California Constitution. (*Younger v. Board of Supervisors* (1979) 93 Cal.App.3d 864, 867.)

Moreover, even setting aside the County’s fundamental lack of authority to regulate the electoral process, Measure B is preempted by state election laws. The measure would require voters to present government-issued photo IDs to register to vote and to vote in-person on Election Day—in direct violation of state laws that increase voter participation by guaranteeing the right to vote-by-mail and to vote in person before Election Day. The measure would also require all ballots to be counted by hand—in

contravention of state laws requiring machine tabulation, which is more reliable and faster than full manual tallies. Finally, the measure would create the County's own voter registration system and rules for accepting and cancelling voter registrations. But state laws require all counties to use the statewide registration system in determining voter eligibility and to follow uniform rules for voter registrations. That system ensures compliance with federal law, keeps voter registration records accurate and up-to-date, and protects equal access to the ballot box.

In short, with the November general election just a few months away, Measure B threatens the rights of more than one hundred thousand registered voters, the accuracy and timeliness of election results, and California's compliance with federal law. Petitioners therefore urgently seek a writ of mandate to invalidate Measure B and enjoin its implementation.

I. THE COURT SHOULD EXERCISE JURISDICTION AND EXPEDITE REVIEW

Because this case presents important questions of law that must be resolved promptly to avoid disruption to election processes in advance of the upcoming general election, this Court should exercise jurisdiction and expedite its review.

A. The Court Should Exercise Jurisdiction

The Supreme Court and Court of Appeal exercise jurisdiction over original writ petitions "when 'the issues presented are of great public importance and must be resolved promptly.'" (*Vandermost v. Bowen* (2012) 53 Cal.4th 421, 453, citations omitted.) In particular, appellate courts routinely exercise jurisdiction when, as in this case, the petition

“involve[es] significant legal issues affecting the electoral process” and “a speedy resolution of the underlying controversy is necessary to avoid a disruption of an upcoming election.” (*Id.* at p. 453, citations omitted.)

For example, in *Jolicoeur v. Mihaly* (1971) 5 Cal.3d 565, unmarried 18- to 20-year-olds (who had recently been franchised by the Twenty-Sixth Amendment) filed an original writ petition in the Supreme Court, challenging election officials’ policy of prohibiting them from registering to vote using addresses different than their parents’. The court exercised jurisdiction in the first instance, explaining that “[c]ases affecting the right to vote and the method of conducting elections are obviously of great public importance,” and the petitioners had no “adequate” remedy in the ordinary course,” given that it was “highly unlikely that [they] could secure a superior court decision *and* complete the inevitable appeals by either side from that decision in time to register for” the next two elections, which were less than three months and ten months away, respectively, at the time of the court’s decision. (*Id.* at p. 570, fn. 1.)

Similarly, in *Faulder v. Mendocino County Board of Supervisors* (2006) 144 Cal.App.4th 1362, a petitioner filed an original writ petition in the Supreme Court, seeking a writ of mandate to postpone an election for district attorney after a candidate died in the months leading up to the election. After the Supreme Court transferred the writ petition to the Court of Appeal, that court exercised jurisdiction in the first instance because the petition presented a question of great public

importance—the “interpretation of election laws” affecting “the method of conducting elections.” (*Id.* at p. 1368, quoting *Jolicoeur v. Mihaly, supra*, 5 Cal. 3d at p. 570, fn. 1.) Also, because the legal issues “would [have been] hear[d] de novo in any case,” “[r]emanding [the] dispute to the trial court would [have] only create[d] uncertainty and delay, leaving unresolved the question of who [would] be the next [district attorney].” (*Id.* at pp. 1368, 1369.)²

So too the Court should exercise jurisdiction here. First, Petitioners present issues that are “obviously of great public importance”: those that affect “right to vote and the method of

² There are numerous additional examples of appellate courts exercising jurisdiction over original writ petitions in similar cases concerning the electoral process. (See, e.g., *Attorney General of the State of California v. Bianco* (Apr. 8, 2026, S295901) [granting petition for review and transferring original writ petition to Supreme Court to resolve whether a county sheriff unconstitutionally disobeyed the Attorney General’s supervisory directives to cease his “investigation” into election results]; *Ramirez v. Brown* (1973) 9 Cal.3d 199, 202-203 [exercising jurisdiction in the first instance to resolve whether individuals who had been convicted of specified offenses could register to vote and vote], *revd.* on other grounds *sub nom. Richardson v. Ramirez* (1974) 418 U.S. 24; *Young v. Gness* (1972) 7 Cal.3d 18, 21 [exercising jurisdiction in the first instance to resolve whether individuals who met certain residence requirements could register to vote and vote]; *Miller v. Greiner* (1964) 60 Cal.2d 827, 830 [exercising jurisdiction in the first instance to resolve whether a city charter amendment required elections of the city manager to be held in odd- or even-numbered years]; *League of Women Voters of California v. McPherson* (2006) 145 Cal.App.4th 1469, 1473 [exercising jurisdiction in the first instance to resolve whether specified groups of individuals confined in jails may register to vote and vote].)

conducting elections.” (*Jolicoeur v. Mihaly, supra*, 5 Cal.3d at p. 570, fn. 1.) Measure B purports to overhaul the entire elections system—from the registration of voters, to voting, to counting votes—in a county with more than 116,000 registered voters,³ on the eve of another statewide election. And everyone—including the County, its ROV, and the proponents themselves—recognizes that Measure B violates state law.⁴ As charter jurisdictions throughout the state continue to attempt to subvert state election law through charter amendments like Measure B,⁵ this Court should affirm that charter counties lack any degree of

³ *Voter Registration Statistics*, Shasta County Elections (Apr. 16, 2026) <<https://elections.shastacounty.gov/resources/voter-registration-information/voter-registration-statistics/>>.

⁴ See, e.g., Exhibits to Petition, p. 7 [Shasta County’s complaint seeking declaration that Measure B is unlawful]; Battaglia, *Measure B could reshape Shasta County elections, if courts allow it* (May 4, 2026) Jefferson Public Radio <https://www.ijpr.org/politics-government/2026-05-01/measure-b-could-reshape-shasta-county-elections-if-courts-allow-it?_amp=true> [Shasta County ROV acknowledging that “[w]e can’t institute a voter ID”]; Battaglia, *Judge allows Shasta County election reform measure on ballot* (Mar. 26, 2026) Jefferson Public Radio <<https://www.ijpr.org/politics-government/2026-03-26/shasta-county-election-measure-june-ballot-ruling>> [proponent acknowledging that “[t]here are sections that are illegal”].

⁵ See *People ex rel. Bonta v. City of Huntington Beach, supra*, 115 Cal.App.5th 962; *Attorney General Bonta, Secretary of State Weber Secure Court Ruling Invalidating Fresno County’s Unlawful Voter Law, Measure A* (June 2, 2025) Cal. Attorney General <<https://oag.ca.gov/news/press-releases/attorney-general-bonta-secretary-state-weber-secure-court-ruling-invalidating>>.

home rule over the electoral process and that they certainly lack any authority to “enforce laws that are inconsistent with or impede statewide regulation of the integrity of the political or electoral process.” (*Johnson v. Bradley* (1992) 4 Cal.4th 389, 403, fn. 14.)

Second, the issues “must be resolved promptly” and well in advance of the November general election. (*Vandermost v. Bowen, supra*, 53 Cal.4th at p. 453, citations omitted.) As explained below, until Petitioners’ claims are finally resolved, the integrity of the electoral process hangs in the balance. Petitioners lack an “adequate” remedy in the normal course in the superior court, because it is “highly unlikely” that there would be sufficient time to complete both superior court proceedings and the “inevitable appeals” in advance of the rapidly approaching general election deadlines. (*Jolicoeur v. Mihaly, supra*, 5 Cal.3d at p. 570, fn. 1.) Moreover, because the purely legal issues “would [be] hear[d] de novo in any case,” superior court proceedings “would only create uncertainty and delay, leaving unresolved” who will be able to vote in the November election, how, and how their votes will be counted. (*Faulder v. Mendocino County Bd. of Supervisors, supra*, 144 Cal.App.4th at pp. 1368, 1369.)

B. The Court Should Expedite Review and Grant Relief as Soon as Possible to Prevent Measure B from Disrupting the Upcoming Election

This Court should also expedite its review and grant the writ petition as soon as possible and no later than August 24. (See, e.g., *Vandermost v. Bowen, supra*, 53 Cal.4th at pp. 435, 441 & fn.

15 [granting expedited review “to avoid potential disruption” of upcoming elections]; accord *Faulder v. Mendocino County Bd. of Supervisors*, *supra*, 144 Cal.App.4th at pp. 1367-68.)

Measure B has now passed with a majority of the vote, and it will take effect as soon as it is filed with the Secretary of State. (See Cal. Const., art. XI, § 3, subd. (a); accord Gov. Code, §§ 23723-23724.) Unless and until the measure is enjoined, it threatens to cause immediate, significant harm to the electoral process. For example, Measure B threatens to disenfranchise voters by providing for the cancellation or denial of valid voter registrations as well as by prohibiting voting by mail, voting in person prior to Election Day, and even voting in-person on Election Day if a voter does not present a government-issued photo ID. (See *post* Parts II(B)(1), (2), (4).) Additionally, the initiative jeopardizes the State’s compliance with federal election laws and the accuracy of voter registration records by creating a new, disconnected county-specific voter registration system. (See *post* Part II(B)(4).) Finally, Measure B endangers the accuracy and timeliness of election results by requiring all ballots cast in the November general election to be hand-counted—a practice the Legislature specifically outlawed in 2023, the last time the County tried to scrap machine tabulation in favor of hand-counting, against the advice of its own Elections Department. (See *post* Part II(B)(3).)

For all these reasons, Petitioners respectfully request that the Court resolve the petition no later than August 24, which is three weeks before the deadline for county election officials to

report active voter registrations to the Secretary of State for the November general election (Elec. Code, § 2187, subd. (c)(5)), a month before elections officials must begin mailing voter information guides (*id.*, § 9094, subd. (a)), and six weeks before county officials must begin mailing ballots (*id.*, § 3000.5, subd. (a)).⁶ A decision is needed by that date to ensure that (1) elections officials know which voter registration system will be used to determine voter eligibility for the November general election; (2) voters have a chance to confirm their registration status and address any issues, such as the presentation of photo ID to county election officials, if Measure B prevails; (3) election officials can then timely mail voter information guides and ballots to all active registered voters, as required by state law; and (4) county election officials can timely prepare a system for a never-before conducted full manual tally, if mandated by Measure B.

II. THE COURT SHOULD INVALIDATE AND PERMANENTLY ENJOIN MEASURE B

Measure B is unlawful for two independent reasons. First, because charter counties fundamentally lack any degree of home rule over the electoral process, Measure B exceeds Shasta County's authority under the California Constitution. Second,

⁶ See *Key Dates and Deadlines: General Election – November 3, 2026*, Cal. Secretary of State <<https://www.sos.ca.gov/elections/upcoming-elections/general-election-november-3-2026/key-dates-deadlines>>; *November 3, 2026, General Election Calendar*, Cal. Secretary of State <<https://elections.cdn.sos.ca.gov/statewide-elections/2026-primary/election-guide/section-07-general-election-calendar.pdf>>.

even assuming that Measure B could otherwise fall within Shasta County's authority, it conflicts with and is preempted by state law.

A. Measure B Exceeds the County's Authority

Under article XI of the California Constitution, a county may adopt a charter “[f]or its own government.” (Cal. Const., art. XI, § 3, subd. (a).) This is known as “home rule” or “the authority of the people to create and operate their own local government and define the powers of that government, within the limits set out by the Constitution.” (*Dibb v. County of San Diego, supra*, 8 Cal.4th at p. 1206, citing *Younger v. Bd. of Supervisors* (1979) 93 Cal.App.3d 864, 869.) Pursuant to the home rule doctrine, when a charter provision falls within “its proper sphere,” it may “supersede[] state law.” (*San Bernardino County Bd. of Supervisors v. Monell* (2023) 91 Cal.App.5th 1248, 1275.) But “[s]ince counties constitute merely political subdivisions of the state, they have independently only such legislative authority that has been expressly conferred by the Constitution and laws of the state.” (*Younger, supra*, at p. 870, citations omitted.) Accordingly, a county charter provision “in excess of a charter county’s authority conferred upon the governmental entity by both the Constitution and general state laws” is unconstitutional. (*Id.* at p. 873, citation omitted.)

As is relevant here, “the version of home rule afforded to a *charter city*” by article XI, section 5 “is substantially more expansive” than that afforded to a *charter county* by article XI, section 4. (*Dibb v. County of San Diego, supra*, 8 Cal.4th at p.

1207, quotation marks omitted.) Section 5, subdivision (a), grants charter cities “broad authority to ‘make and enforce all ordinances and regulations in respect to *municipal affairs*’” (*id.* at p. 1207, quoting Cal. Const., art. XI, § 5, subd. (a)), and then subdivision (b) identifies “areas that are at least presumptively deemed to be municipal affairs” (*City of Huntington Beach v. Becerra* (2020) 44 Cal.App.5th 243, 256). Notably, those areas include the “conduct of city elections.” (Cal. Const., art. XI, § 5, subd. (b).)

By contrast, Article XI, section 4 includes “no corresponding grant of authority and autonomy over the ‘county affairs’ of charter counties.” (*Dibb v. County of San Diego, supra*, 8 Cal.4th at p. 1207.) Instead, it merely grants a charter county the ability to provide for its governing body, officers, and employees (Cal. Const., art. XI, § 4, subds. (a)-(c), (f)), and to provide for their powers and duties (*id.*, subd. (e)). Thus, “charter county ‘home rule’ authority is limited to matters concerning the structure and operation of local government.” (*Dibb, supra*, 8 Cal.4th at p. 1207.) And, even within that scope, charter counties must still “provide for [t]he performance of functions required by statute.” (*Ibid.*, quoting Cal. Const., art. XI, § 4, subd. (d).)

Measure B plainly exceeds the scope of the County’s authority. Rather than regulating “matters concerning the structure and operation of local government” (*Dibb v. County of San Diego, supra*, 8 Cal.4th at p. 1207), the measure purports to overhaul the electoral process in Shasta County. Indeed, the measure is not even limited to apply to elections of county

officials. (Exhibits to Petition, p. 52.) And, even if it could be interpreted in this manner, it would still interfere with all statewide elections because elections of county officers generally must be consolidated with statewide elections.⁷

The Constitution is clear: article II vests the Legislature—not counties—with control over voter registrations and elections. (Cal. Const., art. II, §§ 3-4.) And while article XI, section 5 grants charter cities some authority over municipal elections, section 4—in “significant contrast” to section 5—“does not expressly authorize a county charter to provide for the conduct of elections.” (*County of Sacramento v. Fair Political Practices Com.*, *supra*, 222 Cal.App.3d at p. 690.) Accordingly, unlike charter cities, charter counties do not possess *any* degree of home rule over the electoral process. (See *Younger v. Board of Supervisors*, *supra*, 93 Cal.App.3d at p. 872 [emphasizing the importance of the text of article XI, section 4 and holding that because article XI, section 4 “inclu[des]” “the powers to set ‘qualifications’ and ‘tenure’” of county employees but “exlcu[des]” the words “‘qualifications’ and ‘tenure’” with respect to county officers, a charter amendment

⁷ State law requires elections of county officers to be held with either the presidential or the gubernatorial primary. (See Elec. Code, § 1300, subd. (a)(1) [election of district attorney and sheriff must be “held with the presidential primary”; *id.*, subds. (b)(1)-(2) [election of other “county officers” must be “held with the statewide primary at which candidates for Governor are nominated” (absent an ordinance to elect a county officer “with the presidential primary”).] And county elections held on presidential or gubernatorial primary dates must be “consolidated with the statewide election,” except in limited circumstances not relevant here. (*Id.*, § 10402.5.)

that purported to impose consecutive term limits on county officers was unconstitutional]; see also *County of Sacramento, supra*, 222 Cal.App.3d at p. 690 [expressing “serious doubt that authority over financing of election campaigns for county officers is within the scope of the powers conferred upon charter counties”].)

In short, when it comes to the electoral process, charter counties are required to follow state election laws; they cannot make their own. (See Cal. Const., art. XI, § 4, subd. (g); Gov. Code, §§ 25201 [board of supervisors’ authority is “[s]ubject to the provisions of the Elections Code”], 26802 [clerk “shall perform any other duties required of him or her by the Elections Code”].) Therefore, Measure B is unconstitutional as “an enactment in excess of the [C]ounty’s authority.” (*Younger v. Board of Supervisors, supra*, 93 Cal.App.3d at p. 867.)

B. Measure B Is Also Preempted by State Law

Moreover, even if the County possessed the same degree of home rule over elections as charter cities—which it does not—Measure B is preempted by state election laws.

When considering whether a *city* charter provision is preempted by state law, California courts apply a four-step test, articulated in *California Federal Savings & Loan Association v. City of Los Angeles* (1991) 54 Cal.3d 1: (1) whether the city charter provision “regulates an activity that can be characterized as a ‘municipal affair’”; (2) whether there is “an actual conflict

between [local and state law]”⁸; (3) “whether the state law addresses a matter of ‘statewide concern’”; and (4) “whether the [state] law is ‘reasonably related to . . . resolution’ of that concern” and “‘narrowly tailored’ to avoid unnecessary interference in local governance.”⁹ (*State Bldg. & Construction Trades Council of Cal. v. City of Vista* (2012) 54 Cal.4th 547, 556, citations omitted.) Even when a court concludes at the first step that the city charter provision regulates activity that is otherwise a municipal affair—and, therefore, is otherwise within the scope of a charter city’s authority under article XI, section 5—the charter provision is nevertheless preempted by state law “pro

⁸ “A conflict exists if the local legislation duplicates, contradicts, or enters an area fully occupied by general law, either expressly or by legislative implication.” (*Sherwin-Williams Co. v. City of L.A.* (1993) 4 Cal.4th 893, 897, citation omitted and quotation marks omitted.) As the Supreme Court has explained, local legislation is “duplicative” of state law “when it is coextensive therewith.” (*Chevron U.S.A. Inc. v. County of Monterey* (2023) 15 Cal.5th 135, 142, citation and quotation marks omitted.) Local legislation is “contradictory” to state law when it is “inimical” to or “cannot be reconciled with [it].” (*Id.* at p. 145, citation and quotation marks omitted.) And local legislation “enters an area that is ‘fully occupied’ by [state] law when the Legislature has expressly manifested its intent to ‘fully occupy’ the area or when it has impliedly done so.” (*Id.* at p. 142, citation omitted.)

⁹ A state law is “reasonably related” to a statewide concern when there is “a direct, substantial connection” between the former and the latter. (*City of Huntington Beach v. Becerra*, *supra*, 44 Cal.App.5th at p. 260, citation omitted.) A law is “narrowly tailored” when it “only prohibits” local activity “to the extent necessary to resolve the statewide concerns identified by the Legislature.” (*Id.* at p. 279.)

tanto” when “the court is persuaded” at the remaining three steps “that the subject of the state statute is one of statewide concern and that the statute is reasonably related to its resolution and not unduly broad in its sweep.” (*Ibid.*, brackets, citation, and quotation marks omitted.)

Just as state laws tailored to address statewide concerns preempt *city* charter provisions that are otherwise within the scope of a charter city’s authority, so too they preempt *county* charter provisions that are otherwise within the scope of a charter county’s authority. (See *San Bernardino County Bd. of Supervisors v. Monell, supra*, 91 Cal.App.5th at 1275, fn.6 [“Subject to [the] caveat” that “the ‘version of “home rule” afforded to a *charter city* is substantially more expansive’ than that granted to charter counties,” “case law dealing with charter cities also applies to charter counties.”], citation omitted.)¹⁰ Accordingly, even assuming (1) that a county charter provision would otherwise fall within a charter government’s authority under article XI, section 4, the charter provision is nevertheless

¹⁰ See also *County of Riverside v. Superior Court* (2003) 30 Cal.4th 278, 287 [“the Legislature may regulate as to matters of statewide concern even if the regulation impinges ‘to a limited extent’ on powers the Constitution specifically reserves to counties or charter cities”], citations omitted; *Younger v. Board of Supervisors, supra*, 93 Cal.App.3d at p. 870 [“local rules or regulations relating to matters which a county is constitutionally empowered to regulate by charter” are preempted by state laws on the subject “where ‘(a) the local legislation attempts to impose additional requirements, or (b) the subject matter is one of state concern, and the general law occupies the entire field, or (c) the subject matter is of such statewide concern that it can no longer be deemed a municipal affair”], citations omitted.)

preempted by state law when (2) it conflicts with a state law, (3) the state law addresses a matter of statewide concern, and (4) the state law is reasonably related to and narrowly tailored to address that concern. (See *County of Sacramento v. Fair Political Practices Com.*, *supra*, 222 Cal.App.3d at p. 690 [holding that, even assuming a county charter amendment regulating campaign financing for county officers would otherwise fall within the charter county's authority, it was preempted by conflicting state law regulating campaign financing "because it is self-evident that campaign financing of election contests, both state and local, is a matter of statewide concern"].)

Also, "the integrity of the electoral process, at both the state and local level, is undoubtedly a statewide concern." (*Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781, 801, quoting *Johnson v. Bradley*, *supra*, 4 Cal.4th at p. 409.) Accordingly, charter governments "may not enforce laws that are inconsistent with or impede statewide regulation of the integrity of the political or electoral process." (*Johnson*, *supra*, 4 Cal.4th at p. 403, fn. 14.) And courts have consistently held that state laws preempt local laws that do so. Indeed, the Court of Appeal recently struck down a charter amendment that purported to permit the city to require voters to present photo IDs to vote in municipal elections. (*People ex rel. Bonta v. City of Huntington Beach*, *supra*, 115 Cal.App.5th 962.) As the court explained, Elections Code section 10005, which prohibits local governments from requiring voters to present identification except as "required by state or federal law," preempts any conflicting local laws

because the state law is reasonably related to and narrowly tailored to address the statewide concern of “electoral integrity at the municipal level,” and, specifically, “regulating (and, where possible, eliminating) barriers to voting.” (*Id.* at pp. 969-971; see also *Jauregui, supra*, 226 Cal.App.4th at pp. 799-801; *Yumori-Kaku v. City of Santa Clara* (2020) 59 Cal.App.5th 385, 429-431.)

Under this precedent, Measure B is clearly preempted because all of its provisions conflict with state laws that are reasonably related to and narrowly tailored to address statewide concerns: ensuring the integrity of elections—including access to the ballot, the accuracy and timeliness of election results, and the accuracy of voter registration records—as well as ensuring compliance with federal election laws.

1. The Photo ID Provisions Are Preempted

First, state law preempts Measure B’s photo ID provisions, which purport to require that individuals “us[e] a government-issued photo ID” to “register to vote” and to vote “on election day.” (Exhibits to Petition, p. 52.)

The Legislature, exercising its authority to “define residence and provide for registration and free elections” (Cal. Const., art. II, § 3) and to “prohibit improper practices that affect elections” (*id.*, § 4), has carefully prescribed how Californians may establish their eligibility to vote—namely, by requiring individuals to register by submitting affidavits attesting to their qualifications (Elec. Code, §§ 2150, subds. (a)-(b), 2196; see also *id.*, § 2111), which are verified against state records (*id.*, § 2196, subd. (a)(8); Cal. Code Regs, tit. 2, §§ 19073-19075), and then by requiring

voters to confirm their identity and registered status when voting (Elec. Code, §§ 3019, 14216; see also Cal. Code Regs, tit. 2, § 20960). (See also Elec. Code, §§ 14240, et seq. [limited procedures for challenges to voters’ qualifications].) The Legislature has also guaranteed the right to vote to every Californian who establishes their eligibility to vote by complying with state law governing voter registration. (See also Elec. Code, §§ 2000, subd. (a), 2300, 10000.) And Elections Code section 10005 specifically prohibits any “local government” from “enact[ing] or enforc[ing] any charter provision, ordinance, or regulation requiring a person to present identification for the purpose of voting or submitting a ballot at any polling place, vote center, or other location where ballots are cast or submitted, unless required by state or federal law.”

Measure B’s photo ID requirements plainly conflict with these state laws. Because the state law scheme just discussed “fully occupie[s]” the field of how Californians may establish their eligibility to vote (*Chevron U.S.A. Inc. v. County of Monterey* (2023) 15 Cal.5th 135, 142, citation omitted), Measure B’s photo ID provisions conflict with state law by intruding upon that field. Moreover, Measure B’s provisions directly conflict with Elections Code section 2000, subdivision (a), which specifically guarantees the right to vote to those who register in compliance with the Elections Code, and section 10005, which expressly prohibits

local laws that purport to add photo ID requirements, such as Measure B.¹¹

Also, as *Huntington Beach* explains, these state laws are reasonably related to and narrowly tailored to address the statewide concern of “electoral integrity,” including “regulating (and, where possible, eliminating) barriers to voting.” (*People ex rel. Bonta v. City of Huntington Beach, supra*, 115 Cal.App.5th at pp. 969-971.) When enacting Elections Code section 10005, the Legislature “sought to prohibit voter identification requirements like [Huntington Beach’s] because the Legislature found they ‘have historically been used to disenfranchise low-income voters, voters of color, voters with disabilities, and senior voters.’” (*Id.* at p. 970, quoting Sen. Bill No. 1174 (2023-2024 Reg. Sess.) § 1, subd. (a)(4).) The Legislature further found that “California ensures the integrity of its elections by requiring a person to

¹¹ Declining to defend the plain text of Measure B, the proponents’ lawyer has suggested that its photo ID requirements are not actually photo ID requirements, indicating that voters could merely be “ask[ed]” “but not require[d]” to present photo ID “if they declined to do so.” (Battaglia, *Measure B could reshape Shasta County elections, if courts allow it, ante* note 4.) That suggestion simply ignores Measure B’s unambiguous, mandatory language: “Only US citizens *shall register to vote, using a government-issued photo ID. All voters shall produce this ID to verify they are on the voter roll on election day.*” (Exhibits to Petition, p. 52, emphasis added; see also *id.* at p. 46 [ballot question asking whether measure to “*require voter ID . . . shall . . . be adopted*”], emphasis added; *id.* at p. 47 [county counsel’s analysis that “All voters *must produce a government-issued photo ID . . .*”], emphasis added; *id.* at p. 51 [argument in support that Measure B “*demand[s] . . . Voter ID to confirm you are who you say you are . . .*”], emphasis added.)

provide a driver’s license number, a California identification number, or the last four digits of their social security number to register to vote.” (Senate Bill No. 1174 (2023-2024 Reg. Sess.) § 1, subd. (a)(2).) Thus, here, as in *Huntington Beach*, “[p]ermitting” a local government “to make its own rules, in violation of the state Elections Code, would upset the state’s delicate balance” between “on the one hand, ensuring that only eligible voters are able to vote in elections while, on the other hand, not discouraging or preventing disadvantaged voters and communities from participating in the political process.” (115 Cal.App.5th at pp. 970- 971.)

Thus, Measure B’s photo ID provisions are preempted.

2. The In-Person Election Day Voting Provision Is Preempted

Second, state law preempts Measure B’s in-person Election Day voting provision, which purports to require that elections “be held on one day with limited absentee ballots (defined as limited exceptions to in-person voting for the infirm, military, and US citizens living overseas).” (Exhibits to Petition, p. 52.)

The Legislature—again, exercising its supreme authority over elections (Cal. Const., art. II, §§ 3-4)—has guaranteed the right to vote by mail to *all* active registered voters. Specifically, Elections Code section 3003 provides that “[t]he vote by mail ballot shall be available to any registered voter”; section 3000.5, subdivision (a), requires elections officials to mail ballots “to every registered voter” in advance of election day; section 3016.7 provides that “[t]he county elections official shall permit any voter to cast a ballot using a certified remote accessible vote by

mail system, regardless of whether the voter is a voter with disabilities or a military or overseas voter”; and section 3017, subdivisions (a) and (b), provides that vote-by-mail ballots may be returned (including by a designated person for voters who are unable to return their ballots) “on or before the day of the election” by mail, in person, or at designated drop-off locations. Additionally, for statewide elections, section 3016.3, subdivision (b), requires that counties must “provide at least one early voting location on the Saturday before the day of the election.”¹²

Measure B’s in-person voting provision flatly contradicts these laws. And, like the state laws discussed above that prohibit local governments from adding photo ID requirements to register to vote and to vote, these state laws are reasonably related and narrowly tailored to address the statewide concern of “electoral integrity,” including “regulating (and, where possible, eliminating) barriers to voting” and increasing voter participation. (*People ex rel. Bonta v. City of Huntington Beach, supra*, 115 Cal.App.5th at pp. 969-971.)

“Voting by mail has existed in California” for more than a century, and the Legislature in 1978 “extended to every registered voter the right to vote by absentee ballot, regardless of the reason for not traveling to the polling place.” (*Peterson v. City*

¹² Section 3016.3, subdivision (b), applies to counties such as Shasta County that do not conduct elections under California’s Voter’s Choice Act (VCA). (See Elec. Code, § 4005; *VCA Participating Counties*, Cal. Secretary of State <<https://www.sos.ca.gov/voters-choice-act/vca-participating-counties>>.) VCA counties offer additional early voting options. (Elec. Code, § 4005, subd. (a)(4)(A).)

of San Diego (1983) 34 Cal.3d 225, 229, citing Stats. 1978, ch. 77, § 2.) In upholding the law expanding absentee voting to all registered voters, the Supreme Court recognized that “[r]educing or eliminating the burdens and inconvenience of voting and thereby increasing voter participation is not only a proper subject of legislation but also fundamental to the maintenance of our representative government.” (*Id.* at pp. 229, 230.)¹³

Since then, the Legislature has continued to reduce barriers to voting through Elections Code sections 3000.5 and 3016.7, which ensure that all active registered voters automatically receive a vote-by-mail ballot and can vote by mail. In doing so, the Legislature has found that “[v]ote by mail voting has become the means by which most Californians exercise their right to vote” and “[b]roadening the ability of California residents to engage in the democratic process will yield more representative election results and will ensure that the voices of more California residents are heard.”¹⁴ Similarly, Elections Code section 3016.3,

¹³ *Peterson* upheld Elections Code section 1003, as amended by Statutes 1978, chapter 77, section 2, the statutory predecessor to section 3003. (See Stats. 1994, ch. 920, § 2; see also Stats. 2007, ch. 508, § 15 [amending the section to state “vote by mail ballot” rather than “absentee ballot”].)

¹⁴ Assem. Bill No. 860 (2019-2020), § 1, subds. (b), (h) [adding sections 3000.5 and 3016.7 to require issuance of vote-by-mail ballots to all active registered voters for the November 2020 statewide general election]; see also Sen. Bill No. 29 (2021-2022), § 1 [amending section 3000.5 to extend issuance of vote-by-mail ballots to all active registered voters for all elections prior to January 1, 2022]; Assem. Bill No. 37 (2021-2022), § 1 [amending sections 3000.5 and 3016.7 to extend issuance of vote-by-mail

(continued...)

subdivision (b), which “ensur[es]” that all voters “have access to at least one early voting location on the Saturday before statewide elections,” was intended to “provide critical flexibility for those who may face challenges on Election Day due to work, childcare, transportation, or other barriers” and to thereby “increase voter participation and ensure that every Californian has equal access to voting.”¹⁵

Because these state laws are reasonably related and narrowly tailored to increase voter participation by eliminating barriers to in-person voting on Election Day, Shasta County—a county where nine out of ten of voters regularly vote by mail¹⁶—

ballots to all active registered voters to all elections]; Sen. Rules Com., Off. of Sen. Floor Analyses, 3d reading of Assem. Bill No. 37 (2021-2022 Reg. Sess.), as amended Aug. 26, 2021, p. 6 <https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220AB37> [noting that with the vast majority of Californians voting by mail, “[i]t is important that California build on the success of the November 2020 election by continuing these policies that voters have come to expect”].)

¹⁵ Assem. Elec. Com., Analysis of Assem. Bill No. 1249 (2025-2026 Reg. Sess.), as amended July 16, 2025, p. 1 <https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202520260AB1249#>.

¹⁶ See, e.g., *November 4, 2025, Statewide Special Election Voter Participation Statistics by County*, Cal. Secretary of State <<https://elections.cdn.sos.ca.gov/sov/2025-special/sov/03-voter-participation-stats-by-county.pdf>> [90.52 percent vote-by-mail voters]; *November 5, 2024, General Election Voter Participation Statistics by County*, Cal. Secretary of State <<https://admin.cdn.sos.ca.gov/elections/sov/2024-general/sov/03-voter-participation-stats-by-county.pdf>> [86.01 percent vote-by-mail voters]; *March 5, 2024, Presidential Primary Election Voter*
(continued...)

may not “mak[e] its own rules” effectively banning mail-in voting and early in-person voting altogether, which would resurrect the very barriers the Legislature sought to eliminate. (*People ex rel. Bonta v. City of Huntington Beach*, *supra*, 115 Cal.App.5th at p. 971.)

3. The Hand-Counting Provisions Are Preempted

Third, state law preempts Measure B’s hand-counting provisions, which mandate that ballots “be hand-counted” and that “manual hand-count results will be used for the official canvass of Shasta County.” (Exhibits to Petition, p. 52.)

Again, these provisions directly contravene state law. Election Code section 19207.5, subdivision (a)(2), requires elections officials to tabulate votes using a voting system that has been certified by the Secretary of State. (See also Elec. Code, § 19200, et seq. [governing certification of voting systems]; Cal. Code Regs, tit. 2, §§ 20700, et seq. [same].) And Elections Code section 15270.1 specifically prohibits officials from conducting manual vote counts, except in extremely limited circumstances: with prior approval from the Secretary of State in elections on established election dates with less than 1,000 registered voters or elections on other dates with less than 5,000 registered voters.

Sections 19207.5 and 15270.1 are also indisputably reasonably related to and narrowly tailored to address the

Participation Statistics by County, Cal. Secretary of State <<https://elections.cdn.sos.ca.gov/sov/2024-primary/sov/03-voter-participation-stats-by-county.pdf>> [89.74 percent vote-by-mail voters].

statewide concern of election integrity, and, specifically, ensuring accurate and timely election results. The Legislature enacted these provisions just three years ago, after Shasta County's Board of Supervisors cancelled the County's contract with Dominion Voting Systems against the advice of the County's own Elections Department and without a plan in place to replace its voting system.¹⁷ In response, the author of the bill that enacted sections 19207.5 and 15270.1 explained, "Manual tallies have been shown to be less accurate, slower, and more costly than machine tabulation," and, conversely, ballot tabulators "allow for higher security, accuracy, and accountability than hand-counting and ensure the secrecy of the ballot."¹⁸ Notably, this is consistent with the experience of Shasta County's own Elections Department when it conducted mock hand-counts in 2023 and found that "human error was a regular occurrence," that "the steps necessary to conduct a reliable hand count make this method significantly slower than automated tabulation," that a presidential primary election would likely require 375 extra staff, and that the Elections Department would "likely have difficulty

¹⁷ Allen, *Analysis of Manual Tally Options for Shasta County*, Shasta County Elections Department <https://www.shastacounty.gov/media/17631>; Board Meeting Mins. (Jan. 24, 2023) Shasta County Bd. of Supervisors, pp. 15-17 <<https://shastacounty.primegov.com/Public/CompiledDocument?meetingTemplateId=3409&compileOutputType=1>>.

¹⁸ See Assem. Com. on Elections, Rep. on Assem. Bill No. 969 (2023-2024 Reg. Sess.), as amended Aug. 17, 2023, p. 3 <https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB969#>.

recruiting qualified individuals to conduct full manual tallies for large elections, including the upcoming Presidential Primary and general election.”¹⁹

By ensuring that election officials count votes accurately and timely, these state laws safeguard the integrity of election results, which is “undoubtedly a statewide concern.” (*Johnson v. Bradley, supra*, 4 Cal.4th at p. 409.) Measure B’s hand-counting provisions are therefore preempted.

4. The New Voter Registration System Provisions Are Preempted

Fourth, state law preempts Measure B’s provisions for a new county-specific voter registration system in multiple ways.

To begin, the measure purports to require the “creat[ion]” of a “new voter roll” maintained on a computer “not connected to the State of California” to determine eligibility to vote. (Exhibits to Petition, p. 52.) But the federal Help America Vote Act (HAVA) requires that “each State, acting through the chief State election official” implement “a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level.” (52 U.S.C. § 21083, subds. (a)(1)(A).) That list must “serve as the single system for storing and managing the official list of registered voters throughout the State,” offer “[a]ny election official”

¹⁹ Shasta County Clerk/ROV Cathy Darling Allen, letter to Shasta County Board of Supervisors and Chief Administrative Officer, Sept. 25, 2023, <<https://elections.shastacounty.gov/wp-content/uploads/2023/09/Letter-to-Board-of-Supervisors-09.25.23.pdf>>.

“immediate electronic access to the information contained in the computerized list,” and enable “any local election official” to “electronically enter[]” “[a]ll voter registration information” “on an expedited basis at the time the information is provided to the local official.” (52 U.S.C. § 21083, subds. (a)(1)(A)(i), (v), (vi).) In turn, the Legislature has amended state law to require the Secretary to “establish and maintain a statewide system” to comply with HAVA (Elec. Code, § 2168),²⁰ and the Secretary has promulgated regulations that require county elections officials to “synchronize voter registration records in the county election management system with the statewide voter registration system” and to “use the official statewide voter registration system to determine eligibility to vote.” (Cal. Code Regs, tit. 2, § 19060, subd. (c).)²¹

²⁰ Assem. Elec. and Redistricting Com., Analysis of Assem. Bill No. 1020 (2025-2026 Reg. Sess.), as amended Sept. 1, 2015, p. 2 <https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201520160AB1020> [amending Elections Code section 2168 to “prepare[] for the deployment of the federally mandated VoteCal statewide voter registration database by updating key Elections Code statutes”].)

²¹ See also Cal. Code Regs, tit. 2, §§ 19063 [requiring counties’ election management systems to communicate with the statewide system “through electronic messages”], 19083, subd. (a) [requiring counties to “conduct regular synchronization checks to compare the voter registration data in the statewide voter registration system with the voter registration data in the county [election management system] and resolve any differences”], 19087 [requiring counties to use the statewide system to generate official elections rosters].)

These state laws, which plainly prohibit Measure B's new disconnected voter roll, are reasonably related to and narrowly tailored to address the statewide concern of ensuring California's compliance with federal law. Moreover, they further the statewide concern of electoral integrity by ensuring that all elections officials statewide have access to the most comprehensive, up-to-date voter registration records, so they can reliably identify and address any voter registration issues, including by checking county records against other county and state records (e.g., to identify individuals who have moved, have duplicate registrations, have committed a disqualifying offense, or have died).²² They also ensure that county election officials use the most comprehensive, up-to-date voter registration records to determine eligibility to vote.

Measure B also imposes new restrictions on voter registrations to "ke[ep]" its new voter roll "clean" and then denies the right to vote unless voters "verify they are on the voter roll on election day." (Exhibits to Petition, p. 52.) The new restrictions include cancelling or denying registrations unless voters present "a government-issued photo ID," cancelling registrations for voters "who are deceased, [have] moved out of county lines, or have addresses that are undeliverable," and cancelling or denying

²² (See *Vote Cal Project*, Cal. Secretary of State <<https://www.sos.ca.gov/elections/voter-registration/votecal-project>> [describing the statewide registration system, VoteCal, and how it interfaces with county management systems, as well as systems maintained by the DMV, the Department of Corrections and Rehabilitation, the Department of Public Health, and the Employment Development Department].)

“[t]hird party and DMV voter registrations” until “verified” by County officials. (Exhibits to Petition, p. 52.)

But there is already a comprehensive state law regime that governs how voters may establish their eligibility to vote (as discussed above (see *ante* Part II(B)(1)), how voter registrations may be cancelled based on a move, undeliverable mailings, a death, mental incapacitation, or imprisonment (Elec. Code, §§ 2157, 2201, 2205, 2205, 2208-2212, 2220-2227; Cal. Code Regs., tit. 2, §§ 19079, 19081), and how online and motor voter registrations are processed (Elec. Code, §§ 2196, 2260-2277; Cal. Code Regs., tit. 2, §§ 20060-20067). Thus, Measure B conflicts with state law by intruding upon areas “fully occupied” by state law (or, at a minimum, “duplicat[ing]” state law. (*Chevron U.S.A. Inc. v. County of Monterey, supra*, 15 Cal.5th at p. 142, citation and quotation marks omitted.) Additionally, the new registration restrictions—which would prevent currently registered voters from being automatically transferred to the “new voter roll” upon “creat[ion]” (Exhibits to Petition, p. 52)—directly conflict with (1) state laws that prohibit registrations from being cancelled on the basis of a change in address unless elections officials follow specified procedures required by the National Voter Registration Act (NVRA) that span two federal general election cycles (see Elec. Code, § 2226; Cal. Code of Regs., tit. 2, § 19081, subd. (d); see also 52 U.S.C. § 20507, subd. (d)) and (2) state laws that specify that online and Department of Motor Vehicles registrations are verified by the Secretary of State, not county officials (Elec. Code, §§ 2196, subd. (a)(8), 2265, 2267, subd. (a)).

These state laws are also reasonably related to and narrowly tailored to address statewide concerns. In addition to ensuring compliance with the NVRA, they further equal access to the ballot by ensuring that registrations are not prematurely cancelled and that registrations are timely and accurately processed pursuant to uniform standards statewide. Again, the Constitution gives the Legislature sole authority over voter registration, and for good reason. (See Cal. Const., art. II, § 3.) To permit the County “to make its own rules” would mean that Californians’ access to the ballot could vary statewide, “impugn[ing] the integrity” of the state and local elections. (*People ex rel. Bonta v. City of Huntington Beach*, *supra*, 115 Cal.App.5th at p. 971.)

Like the rest of Measure B, the new voter registration system provisions “are inconsistent with” and would “impede statewide regulation of the integrity of the political or electoral process.” (*Johnson v. Bradley*, *supra*, 4 Cal.4th at 403, fn. 14.) Therefore, they are preempted.

5. No Part of Measure B Can Be Saved by Severance

For the reasons explained above, even *if* Measure B could otherwise fall within the County’s constitutional authority (and it cannot (see *ante* Part II(A)), *all* of Measure B’s provisions are preempted (*ante* Part II(B)(1)-(4)). No part can be salvaged by severance.

“A preempted or invalid part of an ordinance can be severed if, and only if, it is grammatically, functionally and volitionally separable. If the ordinance is not severable, then the void part

taints the remainder and the whole becomes a nullity.” (*People v. Nguyen* (2014) 222 Cal.App.4th 1168, 1191, citations and quotation marks omitted.) An invalid part “is ‘grammatically’ separable if it is ‘distinct’ and ‘separate’ and, hence, ‘can be removed as a whole without affecting the wording of any’ of the measure’s ‘other provisions.’ It is ‘functionally’ separable if it is not necessary to the measure’s operation and purpose. And it is ‘volitionally’ separable if it was not of critical importance to the measure’s enactment.” (*Jevne v. Superior Court* (2005) 35 Cal.4th 935, 960-961, citations omitted.)

Here, there is no part of Measure B that is lawful, let alone any part that could be severed from the unconstitutional provisions. The entire charter amendment—which was presented to voters as a package-deal “sweeping cleanup to [the] current system” (Exhibits to Petition, p. 51)—consists of one rambling paragraph with no severability clause, and all its provisions are intertwined. (See *Raja Development Co., Inc. v. Napa Sanitary Dist.* (2022) 85 Cal.App.5th 85, 95 [“when a legislature drafts a law in such a way that a court will conclude it is inseverable, it has at least assumed the risk that all of its law will fall if a court determines that any part of it is invalid”]).

The measure begins by tying together its in-person voting on Election Day provision (“elections shall be held on one day with limited absentee ballots . . .”) and its hand-counting provisions (“All ballots shall be hand-counted at the precincts,” “[c]ounting shall occur concurrent with voting (after 11 or more ballots have been cast and shuffled),” and “[c]ounty-wide election outcomes

shall be provided on the night of the election, or shortly thereafter”). That’s because—according to the Measure—ballots must be cast in person in precincts on Election Day so they can be hand-counted right then and there. Then, the measure ties together the new voter registration provisions (“A new voter roll shall be created . . . ,” “not connected to the State of California,” “kept clean,” and “used to check in voters on election day”) with the photo ID provisions and the in-person voting on Election Day provision (“Only US citizens shall register to vote, using a government-issued photo ID,” and “[a]ll voters shall produce this ID to verify they are on the voter roll on election day”). That’s because the County needs to create a new voter roll—one that applies its new registration restrictions—so *that* roll can be used to verify each voter in person on Election Day, using the same ID the voter used to register.

Because there is no lawful part of Measure B that is grammatically, functionally, and volitionally severable from the remainder, the entirety of Measure B is “a nullity.” (*People v. Nguyen, supra*, 222 Cal.App.4th at p. 1991, citations and quotation marks omitted.)

CONCLUSION

For the foregoing reasons, the Court should expedite review and issue a writ of mandate and declaratory and permanent injunctive relief invalidating Measure B, directing Respondents to cease implementation or enforcement of Measure B, and directing Respondents to undo any steps taken to implement or enforce Measure B.

June 12, 2026

Respectfully submitted,

ROB BONTA

Attorney General of California

THOMAS S. PATTERSON

Senior Assistant Attorney General

SETH E. GOLDSTEIN

Supervising Deputy Attorney General

JAY C. RUSSELL

S. CLINTON WOODS

HARALD H. KIRN

Deputy Attorneys General

/s/ Liam E. O'Connor

LIAM E. O'CONNOR

Deputy Attorney General

*Attorneys for Petitioners the People of the
State of California, ex rel. Rob Bonta,
Attorney General of the State of California,
and California Secretary of State Shirley
N. Weber, Ph.D.*

RETRIEVED BY DEMOCRACY.ORG FROM

CERTIFICATE OF COMPLIANCE

I certify that the attached Petition for Writ of Mandate and/or Other Extraordinary Relief and Request for Expedited Review and Immediate Interim Relief; Memorandum of Points and Authorities uses a 13-point Century Schoolbook font and contains **11,610** words.

June 12, 2026

ROB BONTA
Attorney General of California

/s/ Liam E. O'Connor

LIAM E. O'CONNOR

Deputy Attorney General

*Attorneys for Petitioners the People of the
State of California, ex rel. Rob Bonta,
Attorney General of the State of California,
and California Secretary of State Shirley
N. Weber, Ph.D.*

DECLARATION OF SERVICE BY MESSENGER

Case Name: ***People ex. Rel Bonta, et al. v. County of Shasta, et al.;
Laura Hobbs, et al. (RPI)***

Case No.:

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 455 Golden Gate Avenue, Suite 11000; San Francisco, CA 94102.

On June 12, 2026, I directed **Ace Attorney Services, Inc.** to cause the attached

- 1. PETITION FOR WRIT OF MANDATE AND/OR OTHER EXTRAORDINARY RELIEF AND REQUEST FOR EXPEDITED REVIEW; MEMORANDUM OF POINTS AND AUTHORITIES**
- 2. EXHIBITS TO PETITION FOR WRIT OF MANDATE; VOLUME 1 OF 1**

to be personally served by placing a true copy thereof for delivery to the following person(s) at the address(es) as follows:

- | | |
|---|--|
| <p>1. Clerk of the Board of Supervisors, Shasta County
County Administration Center,
1450 Court Street, Suite 308B,
Redding, CA, 96001</p> | <p>2. Laura Hobbs
<u>Work address:</u>
1643 Market Street
Redding, CA 96001

<u>Personal address:</u>
6751 W. Waverly Ave.
Redding, CA, 96001</p> |
| <p>3. Rich Gallardo
<u>Personal address:</u>
5342 #2 Valleyridge Dr.
Redding, CA 96003</p> | <p>4. Deidre Holliday
<u>Personal address:</u>
1397 Edgewood Drive
Redding, CA, 96003</p> |

5. **Kari Chilson**

Personal address:

19680 Old Indian Trail
Redding, CA 96003

6. **Jim Burnett**

Personal address:

820 Cally Ct., Apt 1
Redding, CA, 96003

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on June 12, 2026, at San Francisco, California.

M. Mendiola

Declarant



Signature

RETRIEVED BY DEMOCRACYDOCKET.COM

**DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY U.S.
MAIL**

Case Name: *People ex. Rel Bonta, et al. v. County of Shasta, et al.;*
Laura Hobbs, et al. (RPI)

Case No.:

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collecting and processing electronic and physical correspondence. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On June 12, 2026, I electronically served the attached:

- 1. PETITION FOR WRIT OF MANDATE AND/OR OTHER
EXTRAORDINARY RELIEF AND REQUEST FOR EXPEDITED
REVIEW; MEMORANDUM OF POINTS AND AUTHORITIES**

- 2. EXHIBITS TO PETITION FOR WRIT OF MANDATE; VOLUME 1
OF 1**

by transmitting a true copy via this Court's TrueFiling system and by electronic mail to the e-mail addresses listed below. Because one or more of the participants in this case have not registered with the Court's TrueFiling system or are unable to receive electronic correspondence, on June 12, 2026, I placed a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

1. **JOSEPH F. LARMOUR**
Shasta County Counsel
State Bar No. 282496

Counsel for Respondents

1450 Court Street, Room 332
Redding, California 96001
Telephone: (530) 225-5711
Facsimile: (530) 225-5817
E-Mail: countycounsel@shastacounty.gov

2. **Alexander H. Haberbush**
State Bar No. 330368
Deborah L. Pauly
State Bar No. 350345

*Counsel for Real Parties
in Interest*

LEX REX INSTITUTE
444 W. Ocean Blvd., Ste. 1403
Long Beach, California 90802
Telephone: (562) 435-9062
Facsimile: (562) 600-7570
E-Mail: Ahaberbush@lexrex.org
dpauly@LexRex.org

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on June 12, 2026, at San Francisco, California.

M. Mendiola
Declarant


Signature

SA2025306463