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10 *the State of California, and California Secretary of*  
*State Shirley N. Weber, Ph.D.*  
11

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 COUNTY OF SHASTA  
14

15 **THE PEOPLE OF THE STATE OF**  
16 **CALIFORNIA, ex rel. ROB BONTA,**  
17 **ATTORNEY GENERAL OF THE STATE**  
**OF CALIFORNIA; SHIRLEY N. WEBER,**  
18 **PH.D., in her official capacity as California**  
**Secretary of State,**

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Petitioners,

v.

21 **COUNTY OF SHASTA; CLINT CURTIS**  
22 **in his official capacity as Shasta County**  
**Clerk and Registrar of Voters,**

Respondents,

24 **LAURA HOBBS, DEIDRE HOLLIDAY,**  
25 **KARI CHILSON, JIM BURNETT, AND**  
26 **RICHARD GALLARDO,**

Real Parties in Interest.

*Exempt from Payment of Filing Fee*  
*Pursuant to Gov. Code, § 6103*

Case No.

**PETITION FOR WRIT OF MANDATE**  
**AND COMPLAINT FOR INJUNCTIVE**  
**AND DECLARATORY RELIEF**

(Civ. Proc. Code, §§ 526, 1060, 1085)

1 This Petition for Writ of Mandate and Complaint for Injunctive and Declaratory Relief is  
2 brought by the People of the State of California, by and through Rob Bonta, Attorney General of  
3 the State of California, and Shirley N. Weber, Ph.D., in her official capacity as California  
4 Secretary of State, and is directed to Respondents County of Shasta and Clint Curtis, in his  
5 official capacity as the Shasta County Clerk and Registrar of Voters, as well as to Real Parties in  
6 Interest Laura Hobbs, Deidre Holliday, Kari Chilson, Jim Burnett, and Richard Gallardo.

### 7 JURISDICTION AND VENUE

8 1. This Court has jurisdiction over this matter pursuant to California Constitution, article  
9 VI, section 10, and Code of Civil Procedure sections 187, 526, 1060, 1085.

10 2. Venue is proper pursuant to Code of Civil Procedure section 394, subdivision (a),  
11 because Respondents are the County of Shasta and a Shasta County official in his official  
12 capacity.

### 13 PARTIES

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

17 4. Petitioner Shirley N. Weber, Ph.D., is the Secretary of State of California. The  
18 Secretary is the State's chief elections officer, charged with ensuring "that elections are  
19 efficiently conducted and that state election laws are enforced." (Gov. Code, § 12172.5, subd.  
20 (a); accord Elec. Code, § 10, subd. (a).)

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

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

26 7. Real Parties in Interest Laura Hobbs, Deidre Holliday, Kari Chilson, Jim Burnett, and  
27 Richard Gallardo are the proponents of Measure B.

## FACTUAL BACKGROUND

8. 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. (Ex. A.) 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.” (Ex. F at p. 36.)

9. 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.” (Ex. B at p. 8.) In expedited proceedings before the County’s deadline to prepare the title and summary for the petition, this Court denied the County’s motion on procedural grounds without addressing the merits of the County’s claims. (Ex. C.)

10. In the fall of 2025, the Shasta 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.

11. 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

1 Elections Code and Article II of the California Constitution.” (Ex. D at p. 5.) After the County  
2 declined to defend the initiative, this Court permitted the proponents to intervene and granted  
3 their demurrer, concluding that preelection review was inappropriate and the voter’s challenge to  
4 “the validity of the Initiative’s provisions” was “appropriately left for after the election.” (Ex. E  
5 at p. 5.)

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

9 13. Deadlines for the November general election are rapidly approaching, including a  
10 September 14 deadline for county election officials to report active voter registrations to the  
11 Secretary of State (Elec. Code, § 2187, subd. (c)(5)), a September 24 deadline for elections  
12 officials to begin mailing voter information guides (*id.*, § 9094, subd. (a)), and an October 5  
13 deadline for county election officials to begin mailing ballots to voters (*id.*, § 3000.5, subd. (a)).<sup>1</sup>

14 14. Unless and until Measure B is struck down, Petitioners face imminent and irreparable  
15 harm. In addition to infringing upon the State’s sovereign interest in the uniform application and  
16 enforcement of State law, Measure B threatens to disenfranchise voters by providing for the  
17 cancellation or denial of valid voter registrations as well as by prohibiting voting by mail, voting  
18 in person prior to Election Day, and even voting in-person on Election Day if a voter does not  
19 present a government-issued photo ID. The measure also jeopardizes the State’s compliance with  
20 federal election laws and the accuracy voter registration records by creating a new, disconnected  
21 county-specific voter registration system. And the measure further endangers the accuracy and  
22 timeliness of election results by requiring all ballots cast in the November general election to be  
23 hand-counted.

24 15. Because this petition “involve[s] significant legal issues affecting the electoral  
25 process” and “a speedy resolution of the underlying controversy is necessary to avoid a disruption

26 <sup>1</sup> See *Key Dates and Deadlines: General Election – November 3, 2026*, Cal. Secretary of  
27 State <[https://www.sos.ca.gov/elections/upcoming-elections/general-election-november-3-  
28 2026/key-dates-deadlines](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](https://elections.cdn.sos.ca.gov/statewide-elections/2026-primary/election-guide/section-07-general-election-calendar.pdf)>.

1 of an upcoming election” (*Vandermost v. Bowen* (2012) 53 Cal.4th 421, 453, citations omitted),  
2 Petitioners originally filed their petition in the Court of Appeal on June 12, 2026. (Ex. G.) On  
3 June 24, Respondents filed a statement informing the Court of Appeal that they would “take no  
4 action to defend Measure B or argue the merits,” but they “[a]gree[d]” with Petitioners “that the  
5 matter must be decided swiftly to prevent confusion in the November election,” and that “an initial  
6 hearing at Court of Appeal would help to streamline this process.” (Ex. H at 2.)

7 16. On June 25, 2026, the Court of Appeal issued an order declining to exercise  
8 jurisdiction over the petition in the first instance, stating that “[t]he denial is without prejudice to  
9 petitioners seeking expedited relief in the trial court in the first instance and to refiling in this  
10 court upon a showing that petitioners attempted to obtain expedited relief in the trial court, and  
11 the trial court failed to timely act.” (Ex. I.)

12 17. Accordingly, Petitioners are refiling their petition in the present Court and will move  
13 for expedited relief to prevent disruption to the electoral process in advance of the November  
14 general election.

### 15 **LEGAL BACKGROUND**

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

22 19. Exercising its constitutional authority, the Legislature has enacted the Elections  
23 Code, which governs every step of the electoral process, including how voters may register to  
24 vote, how voters may cast their ballots, how local officials must count ballots, and how state and  
25 local officials must maintain voter registrations. The Secretary of State is the chief elections  
26 officer charged with “administer[ing] the provisions of the Elections Code” and ensuring “that  
27 elections are efficiently conducted and that state election laws are enforced” and granted authority  
28 to “adopt regulations to ensure the uniform application and administration of state election laws.”

1 (Gov. Code, § 12172.5, subd. (a); see Elec. Code, § 10.) Meanwhile, when performing elections-  
2 related duties, a county board of supervisors may only act “[s]ubject to the provisions of the  
3 Elections Code” (Gov. Code, § 25201), and county clerks and ROVs must perform “duties  
4 required of [them] by the Elections Code” (*id.*, § 26802).

5 20. The Legislature has determined that Californians may register to vote by submitting  
6 an affidavit of registration online, through the Department of Motor Vehicles (DMV), by mail, or  
7 with a county elections official. (Elec. Code, § 2102, subd. (a).) To register, an individual  
8 generally must submit an affidavit that includes their name, address, date of birth, and driver’s  
9 license number/state identification number or the last four digits of their Social Security number.  
10 (See *id.*, §§ 2150, subds. (a)-(b), 2196; see also *id.*, § 2111.) The applicant’s identification  
11 number is then verified against state records. (*Id.*, § 2196, subd. (a)(8); Cal. Code Regs, tit. 2,  
12 §§ 19073-19075.) When voting, the individual must confirm their identity and registered status  
13 by providing their name and address and by signing the voting roster (when voting in-person  
14 (Elec. Code, § 14216)) or by signing their ballot envelope (when voting by mail (*id.*, § 3019; Cal.  
15 Code Regs, tit. 2, § 20960)).

16 21. Under state law, every person who is qualified to vote and who has registered to vote  
17 under the Elections Code “may vote at any election held within the territory within which he or  
18 she resides and the election is held.” (Elec. Code, § 2000, subd. (a); see also *id.*, §§ 2300 [“valid  
19 registered voters” have “the right to cast a ballot”], 10000 [“every person” who is “registered” is  
20 “entitled to vote” in “local” elections].) All active registered voters may vote by mail. (*Id.*,  
21 §§ 3000.5, subd. (a), 3003, 3016.7, 3017, subds. (a)-(b).) And in statewide elections, all counties  
22 must provide at least one early voting location on the Saturday before the election. (*Id.*, § 3016.3,  
23 subd. (b); see also *id.*, § 4005, subd. (a)(4)(A).) Further, local governments are expressly  
24 prohibited from “requiring a person to present identification for the purpose of voting or  
25 submitting a ballot,” “unless required by state or federal law.” (*Id.*, § 10005.)

26 22. County elections officials may only count votes using a voting system that has been  
27 certified by the Secretary of State. (Elec. Code, § 19207.5; see *id.*, §§ 19101-19402.) They may  
28

1 not hand-count ballots except with the Secretary's approval in specified elections with less than  
2 5,000 voters. (*Id.*, §§ 15270.1, 19207.5.)

3 23. Federal and state law also dictate how state and local officials maintain voter  
4 registrations. The federal Help America Vote Act (HAVA) requires "each State, acting through  
5 the chief State election official" to implement "a single, uniform, official, centralized, interactive  
6 computerized statewide voter registration list defined, maintained, and administered at the State  
7 level." (52 U.S.C. § 21083, subd. (a)(1).) Accordingly, the Legislature has required the Secretary  
8 to "establish and maintain a statewide system to facilitate the reporting of election results and  
9 voter and candidate information, and to otherwise administer and enhance election  
10 administration." (Elec. Code, § 2168.) And the Secretary has promulgated regulations that  
11 require counties' election management systems to "synchronize" records with and to "use the  
12 official statewide voter registration system to determine eligibility to vote." (Cal. Code Regs, tit.  
13 2, § 19060, subd. (c); see also, e.g., *id.*, §§ 19063, 19083, 19087.) Using the statewide voter  
14 registration system, the Secretary processes applications received online and through the DMV.  
15 (*Id.*, §§ 2196, subd. (a)(8), 2265, 2267, subd. (a).)

16 24. In addition to governing how online and motor voter registrations are processed  
17 (Elec. Code, §§ 2196, 2260-2277; Cal. Code Regs., tit. 2, §§ 20060-20067), state law governs  
18 how voter registrations may be cancelled based on a move, undeliverable mailings, a death,  
19 mental incapacitation, or imprisonment (Elec. Code, §§ 2157, 2201, 2205, 2208-2212, 2220-  
20 2227; Cal. Code Regs., tit. 2, §§ 19079, 19081). County officials may not cancel voter  
21 registrations on these grounds without providing notice and an opportunity to respond. (Elec.  
22 Code, § 2201, subd. (c).) And, in particular, registrations may not be cancelled on the ground that  
23 a voter has changed residence unless the voter (1) has confirmed in writing a change of residence  
24 outside the registrar's jurisdiction, or (2) has failed to respond to an address confirmation notice  
25 and has not offered or appeared to vote in any election within the two federal general election  
26 cycles following the date of the address confirmation notice. (52 U.S.C. § 20507, subd. (d);  
27 accord Elec. Code, § 2226; Cal. Code Regs., tit. 2, § 19081, subd. (d).)  
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1 CAUSES OF ACTION

2 **FIRST CAUSE OF ACTION**

3 **Writ of Mandate (Code of Civil Procedure § 1085;**  
4 **Act in Excess of Constitutional Authority; Preemption)**  
5 **[Against All Respondents]**

6 25. Petitioners re-allege all paragraphs set forth above and incorporate them by reference  
7 as though they were fully set forth in this cause of action.

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

13 27. But a county charter provision “in excess of a charter county’s authority  
14 conferred . . . by both the Constitution and general state laws” is unconstitutional. (*Younger v.*  
15 *Board of Supervisors, supra*, 93 Cal.App.3d at p. 873, citation omitted.) And under article XI,  
16 section 4, “charter county ‘home rule’ authority is limited to matters concerning the structure and  
17 operation of local government.” (*Dibb v. County of San Diego, supra*, 8 Cal.4th at p. 1207.) This  
18 is “substantially” less expansive than charter *city* home rule under article XI, section 5. (*Ibid.*) In  
19 particular, whereas section 5 grants charter cities “broad authority to ‘make and enforce all  
20 ordinances and regulations in respect to *municipal affairs*’” (*ibid.*, quoting Cal. Const., art. XI,  
21 § 5, subd. (a)), including the “conduct of city elections” (Cal. Const., art. XI, § 5, subd. (b)),  
22 section 4 includes “no corresponding grant of authority and autonomy over the ‘county affairs’ of  
23 charter counties” and instead “requires charter counties to provide for ‘[t]he performance of  
24 functions required by statute.’” (*Dibb, supra*, 8 Cal.4th at p. 1207, quoting Cal. Const., art. XI,  
25 § 4, subd. (d), other citation omitted.)

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

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

5           30. Specifically, even if a local charter amendment is otherwise within the local  
6 government’s authority, it is preempted if it conflicts with state laws that are reasonably related to  
7 and narrowly tailored to address statewide concerns, such as the integrity of the electoral process.  
8 (*People ex rel. Bonta v. Huntington Beach* (2025) 115 Cal.App.5th 962, review den. Jan. 28,  
9 2026, S294368; *County of Sacramento v. Fair Political Practices Com.* (1990) 222 Cal.App.3d  
10 687, 691, overruled in part on other grounds by *Johnson v. Bradley, supra*, 4 Cal.4th at p. 406.)

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

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

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

26           34. Third, the hand-counting provisions are preempted by Elections Code section  
27 19207.5, which requires elections officials to tabulate votes using a voting system that has been  
28 certified by the Secretary of State, and section 15270.1, which prohibits elections officials from

1 hand-counting ballots except with the approval of the Secretary of State in specified elections  
2 with less than 5,000 registered voters. These sections ensure that ballots will be counted in an  
3 accurate and timely manner.

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

11 36. Mandamus and injunctive relief are appropriate where, as here, a county charter  
12 provision violates state law. (*Jolicoeur v. Mihaly* (1971) 5 Cal.3d 565, 570, fn. 2 [mandamus is  
13 appropriate to “challenge the constitutionality or validity of” an “official act[]” and to compel  
14 officials “to conduct [elections] according to law”], citations and quotation marks omitted; *People*  
15 *ex rel. Bonta v. City of Huntington Beach*, *supra*, 115 Cal.App.5th at p. 974 [ordering superior  
16 court to issue a writ of mandate and an injunction invalidating charter amendment preempted by  
17 state law and directing local officials to cease implementation or enforcement]; *Younger v. Board*  
18 *of Supervisors*, *supra*, 93 Cal.App.3d at pp. 868-69 [affirming injunction prohibiting local  
19 officials from enforcing charter provision that violated state law].) Moreover, expedited review  
20 and relief are appropriate where, as here, the petition concerns the “right to vote and the method  
21 of conducting elections” and the next election is just months away. (*Jolicoeur v. Mihaly*, *supra*, 5  
22 Cal.3d at p. 570, fn. 2.)

23 37. The Court should expedite review and issue a writ of mandate and preliminary and  
24 permanent injunctive relief invalidating Measure B, directing Respondents to cease  
25 implementation or enforcement of Measure B, and directing Respondents to undo any steps taken  
26 to implement or enforce Measure B.

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38. Petitioners re-allege all paragraphs set forth above and incorporate them by reference as though they were fully set forth in this cause of action.

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5. For such other and further relief as the Court deems just and proper.

Dated: June 30, 2026

Respectfully submitted,

ROB BONTA  
Attorney General of California  
SETH E. GOLDSTEIN  
Supervising Deputy Attorney General  
JAY C. RUSSELL  
S. CLINTON WOODS  
HARALD H. KIRN

*/s/ Liam E. O'Connor*

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LIAM E. O'CONNOR  
Deputy Attorneys 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 FROM DEMOCRACYDOCK

# Exhibit A

RETRIEVED FROM DEMOCRACYDOCKET.COM

**FILED**

Wednesday, March 5, 2025

**MAR 5 2025**

To the Registrar of Voters of Shasta County:

**Notice of Intention to Circulate Petition (EC 9104)**

BY

DEPUTY CLERK

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of Shasta for the purpose of a charter amendment for election transparency reform. A statement of the reasons of the proposed action as contemplated in the petition are as follows:

**Statement of the Reasons:**

There is an urgent need to restore confidence in our elections. No one, by watching a voting machine with their eyes, can know whether votes are being tabulated correctly or incorrectly at any moment. Nobody, except the electronic voting system companies and the Secretary of State, have access to the source code or software in voting machine equipment used to tally ballots. Hand-counted elections conducted on one day at the precinct will save the County money and time by using volunteers from the community and eliminating expensive machine tally contracts and equipment. A quarter of all counties in California allow unpaid volunteers to serve as members of its precinct boards. The US Supreme Court Ruled in favor of a single election day as specified by the US Constitution (*Foster v. Love*). The current Covid-era mandatory mail-in balloting system leads to a lengthy twenty-eight-day processing time before results are known. This is unacceptable and provides too many opportunities for potential fraud to occur. The current method of hiring 15-20 temporary workers for weeks before the election and weeks after the election is costly. Holding the election on one day will ensure that more citizens can observe the entire process from start to finish. Teams of four can hand count approximately 50 ballots per hour. Because counting will commence as soon as 11 ballots have been cast, it is estimated that a precinct of 1000 voters with a 75% turn out will be counted by 10 PM. Election results will be known on the night of the election. This charter amendment will safeguard Shasta County elections from interference into our voter rolls at the statewide level. Photo ID is required for nearly every facet of life, except for when you vote. Requiring a government-issued photo ID will reduce voter fraud. Shasta County has a unique opportunity as a charter law county to create and follow rules locally. Under the California Constitution (Article 11), the laws of charter counties supersede state law. Huntington Beach Charter City demonstrated this ability when they voted to have voter ID, as permitted by the California Constitution. The court upheld their rights when challenged by the State, citing *Huntington Beach v. Becerra*. The California Constitution Article II - Voting, Initiative and Referendum, and Recall; Section 1, states: "All political power is inherent in the people. Government is instituted for their protection, security, and benefit, and they have the right to alter or reform it when the public good may require." We believe that the public good requires us to return to time-tested, reliable, and transparent methods to hand-count our votes on election day and determine who will represent us. The method of counting proposed in this measure will increase security and transparency and return control of elections back to the citizens of Shasta County.

**Written Text of the Initiative:**

Add an amendment to the Shasta County Charter that specifies elections shall 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). Ballots shall be hand counted at the precincts, according to California

Election Codes 15272-15281, utilizing the tally book format in Linda Rantz' Return to Hand Counting manual (pg 141-176). The ballots and the tally sheets shall be projected onto monitors so that observers can confirm the accuracy of the count. Precinct manual hand count results will be used for the official canvass of Shasta County. Counting teams of four shall be composed of two Democrats and two Republicans, when possible. Counting shall occur concurrent with voting (after 11 or more ballots have been cast and shuffled) but tallies shall not be released until polls close, at which point the first numbers will be taped to the door, and updated every hour thereafter until counting is complete. County-wide election outcomes shall be provided on the night of the election, or shortly thereafter. Hand counters shall be members of the public from any political party, selected by a fair and transparent public lottery of volunteers, sixty days prior to election day. Hand counters shall wear a name tag with their first and last name visible to the public. Hand counters shall be volunteers with no expectation of payment, however, the County may offer them a stipend of no more than \$100 dollars for their participation on election day.

Shasta County voter rolls shall be maintained on a computer not connected to the State of California, nor any other third party. A new voter roll shall be created upon implementation of this measure. The voter rolls shall be maintained on a computer with open-source software that is not connected to the internet (through cable or wireless modem) with periodic back-up onto external hard drives. Only paper poll books shall be used to check in voters on election day. Voter rolls shall be kept clean by permanently removing individuals who are deceased, moved out of county lines, or have addresses that are undeliverable. Inactive and canceled voter lists shall be held within a separate database on a different computer, also not connected to the internet. 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. Third party and DMV voter registrations shall not be added to Shasta County voter rolls until verified for eligibility.

**Filed by the Proponents of the Petition (Pursuant Ca. Election Code § 9204)**

The printed names, signatures, and business or residence addresses of the proponents are as follows:

| <u>Name</u> | <u>Mailing Address / Home Address</u> | <u>Signature</u> |
|-------------|---------------------------------------|------------------|
|-------------|---------------------------------------|------------------|

- 1.
- 2.
- 3.
- 4.
- 5.

The names, signatures, and addresses of the proponents have been redacted. To view this information, please visit our office at 1450 Court St, Suite 108, Redding

# Exhibit B

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1 **JOSEPH F. LARMOUR**  
2 Shasta County Counsel  
3 State Bar No. 282496  
4 1450 Court Street, Room 332  
5 Redding, California 96001  
6 (530) 225-5711  
7 (530) 225-5817 (fax)  
8 countycounsel@shastacounty.gov

9 Attorneys for County of Shasta

**FILED**

MAR 13 2025 *AW*

SHASTA COUNTY SUPERIOR COURT  
BY: A. WADDLE, DEPUTY CLERK

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **COUNTY OF SHASTA**

12 COUNTY OF SHASTA,

13 Plaintiff,

14 v.

15 LAURA HOBBS,  
16 DEIDRE HOLLIDAY,  
17 KARI CHILSON,  
18 JIM BURNETT, and  
19 RICHARD GALLARDO,

20 Defendants.

Case No.:

**25CV600515**

**COMPLAINT FOR DECLARATORY  
RELIEF**

(Code of Civil Procedure §1060)

21 Plaintiff alleges:

22  
23 Plaintiff is the duly appointed County Counsel of the County of Shasta. Defendants are electors  
24 of the County of Shasta. On or about February 19, 2025, defendants, as proponents thereof, filed or  
25 caused to be filed with the Registrar of Voters of the County of Shasta a "Notice of Intention to  
26 Circulate Petition and Request for Ballot Title and Summary," a true copy of which is attached hereto  
27 marked **Exhibit A** and incorporated herein as if fully set forth.

28 ///

1 On the same day, February 19, 2025, the Shasta County Registrar of Voters transmitted a copy  
2 of the proposed measure to plaintiff. On March 3, 2025, the Registrar of Voters returned the  
3 documents requesting hand-written strikeouts be removed prior to moving the request forward.

4 The proposed measure would, if competent to do so, and, if adopted by the voters, amend  
5 Shasta County Charter to require multiple changes to the elections process within Shasta County.

6 Plaintiff undertook a diligent and timely review and analysis of the proposed measure for the  
7 purpose of the preparation of a Ballot Title and Summary pursuant to the provisions of Elections Code  
8 §9105. An actual controversy has arisen and now exists between plaintiff and defendants concerning  
9 their respective rights and duties in that plaintiff contends:

10  
11 a. The proposed ballot measure violates state and federal law and would  
12 therefore be misleading to the voting public.

13 b. The proposed measure violates California Elections Codes 3020 (b),  
14 Elections Code 15270.1, Elections Code 10005, Helping America Vote Act Section  
15 303 (2) (a), National Voter Registration Act 1993, Section 42 USC 1973 gg-3,  
16 United States Constitution Article 1, Section 4, Clause 1, and California Constitution,  
17 XI, Section 4&5.

18 Plaintiff desires a judicial determination of his rights and duties, a declaration as to whether the  
19 proposed measure, as drafted, is invalid under the US Constitution, the California Constitution,  
20 California Elections laws, Federal Elections laws and relevant authority as being an initiative measure  
21 on an issue which is outside the power of the electorate of the County of Shasta to adopt; and a  
22 judicial determination as to whether the plaintiff has the duty to provide a Ballot Title and Summary  
23 respecting the proposed measure.

24 WHEREFORE the plaintiff prays:

25 1. For a judicial declaration: .

26 That the proposed initiative is unconstitutional and violated State & Federal law; and

27 That the proposed initiative is beyond the power of the electorate of the

28 County of Shasta to adopt; and

That any Ballot Title and Summary furnished by plaintiff as required by

1 Elections Code §9105 would be misleading to the electorate; and  
2 That no additional public funds should be expended to process the proposed  
3 measure; and  
4 That plaintiff is relieved of any duty to prepare a Ballot Title  
5 and Summary respecting proposed said measure; and  
6

7 2. For costs of suit herein incurred; and

8 3. For such other and further relief as the Court may deem proper.  
9

10  
11 Dated: March 12, 2025

Respectfully Submitted,

12  
13  
14 JOSEPH F. LARMOUR  
Shasta County Counsel  
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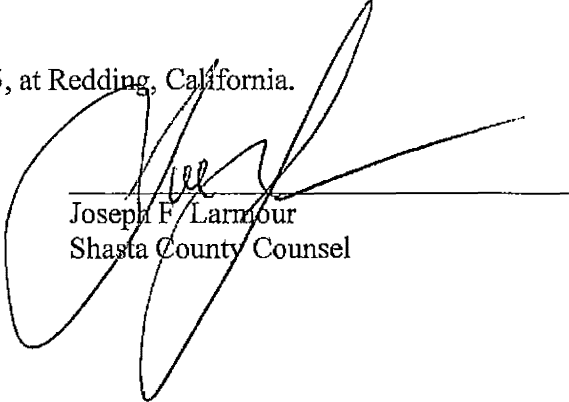
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VERIFICATION

1. I am the plaintiff in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The same is true of my own knowledge, except as to those matters which are alleged on information and belief, and as to those matters, I believe them to be true.

2. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12<sup>th</sup> day of March, 2025, at Redding, California.



\_\_\_\_\_  
Joseph F. Larmour  
Shasta County Counsel

# Exhibit C

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SHASTA**

Judge: BENJAMIN L HANNA  
Clerk: SHARON HARDER  
Date: 03/19/2025 Time: 8:30 AM

Department 63  
Court Reporter: NONE  
Bailiff: ROBERT MORRIS

---

Case No. 25CVG-00515

APPEARANCES:

COUNTY OF SHASTA,  
Plaintiff.

JOSEPH LARMOUR, COUNSEL COUNSEL,  
PERSONALLY PRESENT

VS.

LAURA HOBBS, ET AL.,  
Defendants.

ALEXANDER HABERBUSH, ESQ., AND  
DEBORAH PAULY, ESQ., PRESENT VIA  
COURTCALL ON LIMITED SCOPE, WITH  
RESPONDENTS LAURA HOBBS, JIM  
BURNETT, KARI CHILSON, RICHARD  
GALLARDO, AND DEIDRE HOLLIDAY  
ALL PERSONALLY PRESENT

---

**NATURE OF PROCEEDINGS: EX PARTE APPLICATION FOR ORDER SHORTENING  
TIME FOR HEARING ON APPLICATION FOR  
TEMPORARY RELIEF IN THE NATURE OF A STAY  
PENDING LITIGATION**

At 8:32 a.m., Court is in session. County Counsel, Joseph Larmour, is personally present on behalf of Plaintiff, County of Shasta. Alexander Haberbush, Esq. and Deborah Pauly, Esq. are present via CourtCall on a limited scope, with Defendants Laura Hobbs, Jim Burnett, Kari Chilson, Richard Gallardo, and Deidre Holliday all personally present.

Judge Benjamin L. Hanna discloses to all parties in this case that his spouse is an employee of the County of Shasta, working in the Office of the District Attorney. The Court has no reason to believe that Judge Hanna's spouse had any involvement in the investigation, management, prosecution or defense of this case, but does disclose the employment relationship between the Plaintiff to the lawsuit, County of Shasta, and the Court's first degree relative as required by California Code of Judicial Ethics, Canon 3E(2).

The Court acknowledges receipt of a Notice of Limited Scope Representation (Judicial Council Form CIV-150) from Attorney Haberbush, signed only by Defendant, Laura Hobbs. The Court notes Attorney Haberbush indicated he is representing all of the Defendants when announcing his appearance today. The Court requests that counsel prepare a Judicial Council Form CIV-150 for the four (4) other Defendants.

The Court notes the matter is on calendar today on Plaintiff's Ex Parte Application for order shortening time for temporary relief for a stay pending litigation. The Court has received and reviewed all filings in this case by County Counsel. The Court has also reviewed the documents filed yesterday afternoon by Attorney Haberbush on behalf of Defendants.

At 8:37 a.m., Attorney Larmour presents argument.

At 8:41 a.m., Attorney Haberbush presents argument.

At 8:49 a.m., Attorney Larmour presents rebuttal argument.

At 8:50 a.m., Attorney Haberbush presents rebuttal argument.

The Court states that Ex Parte relief is governed by California Rules of Court 3.1200 through 3.1207 and Local Rule 5.15. The Court states that in order to grant Ex Parte relief, there must be a showing of irreparable harm or immediate danger. The Court cites case law. The Court notes that Plaintiff's application is not fully fleshed out and Attorney Larmour's Declaration in Support is very sparse and refers to a deadline in 1997. The Court also has concern regarding California Rules of Court 3.1203 and 3.1204, which specify very clear notice requirements. The Court notes there were some deficiencies on notice. Because of a series of procedural issues, the Court is *not* granting Plaintiff's Ex Parte Application today.

The Court notes there were a number of requests by Defendants which the Court is not going to grant, as beyond the scope of today's hearing. As to Defendants' request for sanctions against the County, the Court *denies* that request. As to Defendants' request for the Court to take judicial notice of the Huntington Beach case, the Court *denies* that request. As to Defendants' request for an order that the County perform their duty under Election Code 9105, the Court *denies* that request.

The Court *orders* that Plaintiff's Ex Parte Application is *denied*.

The Court *executes* the proposed Order, *as modified*.

At 9:00 a.m., Court stands adjourned as to this matter.

# Exhibit D

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**FILED**

FEB 17 2026

SHASTA COUNTY SUPERIOR COURT  
BY: J. BRIGMON, DEPUTY CLERK

Jane Doe  
In Pro Per  
(Address and telephone number provided to the court under seal)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SHASTA

JANE DOE,

Petitioner,

v.

SHASTA COUNTY BOARD OF  
SUPERVISORS; CLINT CURTIS, in his  
official capacity as Shasta County Registrar  
of Voters; and DOES 1-10, inclusive,

Respondents,

Case No.

**209919**

VERIFIED PETITION FOR WRIT OF  
MANDATE AND COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE RELIEF  
[Code Civ. Proc. §§ 1085, 1086; Elec. Code §  
13314]

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1 **I. INTRODUCTION**

2 1. This action seeks to prevent the Shasta County Board of Supervisors and the Registrar of  
3 Voters from proceeding with a legally invalid ballot measure: the "Shasta County Voter ID,  
4 Hand-Counted Ballots, and Absentee Voting Limits Initiative" (the "Initiative").

5 2. The Initiative, which purports to impose local voter identification mandates,  
6 hand-counting requirements, one-day in-person voting, and absentee voting restrictions, is  
7 preempted in its entirety by the California Elections Code and Article II of the California  
8 Constitution. This preemption is confirmed by recent appellate authority, including *People ex rel.*  
9 *Bonta v. City of Huntington Beach* (2025) \_\_ Cal.App.5th \_\_ (Exhibit A). Counties are political  
10 subdivisions of the State and possess only those powers expressly conferred by the Constitution  
11 or statute, together with those necessarily implied, and may not legislate in contravention of state  
12 law. (*County of Los Angeles v. Superior Court* (1975) 13 Cal.3d 721, 726.)

13 3. Petitioner seeks a Writ of Mandate to remove this measure from the June 2026 ballot to  
14 prevent an irreversible and unlawful waste of public funds estimated at approximately \$2,947,165  
15 to \$3,143,175, inclusive of recurring annual costs of approximately \$445,528.

16 **II. PARTIES AND JURISDICTION**

17 4. Petitioner is a resident, elector, and taxpayer of Shasta County with a direct interest in the  
18 lawful administration of elections and the proper use of county revenue. Petitioner brings this  
19 action pursuant to Elections Code section 13314 as an elector and pursuant to Code of Civil  
20 Procedure section 526a as a taxpayer to prevent the unlawful expenditure of public funds.

21 5. Respondent Shasta County Board of Supervisors ("BOS") is the legislative body of the  
22 County. Respondent Clint Curtis is the Registrar of Voters ("ROV"). Both are responsible for  
23 ensuring that only legally valid measures are presented to the electorate.

24 6. This Court has jurisdiction under Code of Civil Procedure sections 1085 and 526a, and  
25 Elections Code section 13314.

26 **III. STATEMENT OF FACTS AND LEGAL INVALIDITY**

27 **A. The Voter ID Provision is Preempted by State Law**

28 7. The Initiative's requirement for voters to present identification is a direct violation of

1 California Elections Code section 10005, which prohibits local governments from requiring voter  
2 identification as a condition of voting.

3 8. The invalidity of such local mandates was confirmed in *People ex rel. Bonta v. City of*  
4 *Huntington Beach*, Cal.App.5<sup>th</sup> (2025), and is consistent with the California Supreme Court's  
5 affirmation that the conduct of elections is a quintessential matter of statewide concern. (*Wilde v.*  
6 *City of Dunsmuir* (2020) 9 Cal.5th 1105, 1119) The Court of Appeal held that the "integrity of the  
7 electoral process" is a matter of statewide concern, meaning the State Legislature has the final  
8 authority over local charters. The Court of Appeal further ruled that local voter-identification  
9 requirements create "discriminatory barriers" and "conflicting standards" that the State has a duty  
10 to prevent. By denying review on January 28, 2026, the California Supreme Court left the Court  
11 of Appeal's decision intact, rendering it binding precedent statewide.

12 9. The Initiative's voter identification requirement further directly conflicts with Senate Bill  
13 1174, signed into law on September 29, 2024, and effective as of January 1, 2025. This statute  
14 explicitly prohibits any local government, including charter counties, from enacting or enforcing  
15 any charter provision or regulation that requires a person to present identification for the purpose  
16 of voting. It explicitly stated, "A local government shall not enact or enforce any charter  
17 provision... requiring a person to present identification for the purpose of voting..." By seeking to  
18 enforce a local ID mandate, the Initiative requires Respondents to perform an act that is now a per  
19 se violation of state law.

20 10. Elections Code section 10005 recognizes only limited, voter-specific identification  
21 checks. California generally does not require voters to show identification at the polls, except in  
22 narrow circumstances, such as for certain first-time voters who registered by mail and did not  
23 provide identifying information under the Help America Vote Act ("HAVA"), or for provisional  
24 ballot verification. These exceptions apply to individual voters, not entire electorates, and  
25 function solely as administrative safeguards rather than local, countywide voter-identification  
26 mandates. Accordingly, Shasta County lacks authority to impose a blanket voter-identification  
27 requirement by local initiative.

28 11. In addition to being preempted by state law, the Initiative's voter identification raises

1 serious concern under the California Voter's Rights Act ("CVRA"), Elections Code section  
2 14025 et seq., by resulting in the denial or abridgement of the right to vote for protected classes of  
3 voters.

4 12. The CVRA prohibits any voting practice or procedure that results in a discriminatory  
5 effect on voters based on race, color, language minority status, income, age, or disability,  
6 regardless of intent. Voter identification requirements disproportionately burden low-income  
7 voters, elderly voters, voters with disabilities, and rural voters who face increased barriers in  
8 obtaining government-issued identification.

9 13. Shasta County's geographic size, limited public transportation infrastructure, and rural  
10 population exacerbate these burdens. Voters may be required to incur costs associated with  
11 obtaining underlying documents, traveling to issuing agencies, or taking time off work, resulting  
12 in unequal access to the franchise.

13 14. The Initiative, therefore, raises substantial concerns under the CVRA.

14 15. Further, the Initiative imposes an unconstitutional wealth-based barrier to voting in  
15 violation of the California Constitution and the Equal Protection Clause of the Fourteenth  
16 Amendment to the United States Constitution. Conditioning the right to vote on the possession of  
17 identification that requires the expenditure of money, time, or resources operates in practice as a  
18 prohibited poll tax or its functional equivalent, violating the principle that the franchise cannot be  
19 conditioned on wealth. (See *Otsuka v. Hite* (1966) 64 Cal.2d 596, 602.)

20 16. According to the U.S. Census Bureau's Small Area Income and Poverty Estimates  
21 ("SAIPE") program, approximately 14.6% of Shasta County residents were living below the  
22 federal poverty level in 2024 (Exhibit B and C). Conditioning the right to vote on possession of  
23 specified government-issued identification obligates economically disadvantaged voters to incur  
24 out-of-pocket expenses to obtain such documentation, effectively burdening the exercise of the  
25 franchise for individuals who lack the financial means to do so.

26 17. Even where identification may be nominally available without a direct fee, courts examine  
27 the real-world burdens imposed on voters. The unavoidable costs associated with obtaining  
28 required documentation, transportation, and lost wages render the Initiative constitutionally

1 infirm.

2 18. Because these constitutional violations cannot be cured through implementation or  
3 regulation, the Initiative is void ab initio and must be removed from the ballot prior to the  
4 expenditure of public funds.

5 **B. The Hand-Counting Mandate Violates AB 969**

6 19. The Initiative seeks to mandate hand-counted ballots, which is unlawful under California  
7 Elections Code section 15270.1.

8 20. California Elections Code section 15270.1 governs the use of manual vote counting and  
9 applies only to certain counties meeting strict population thresholds and statutory prerequisites,  
10 permitting limited hand-count procedures solely with approval from the California Secretary of  
11 State. Shasta County does not qualify under section 15270.1, and no approval for a manual count  
12 plan has been granted by the Secretary of State.

13 21. Pursuant to Elections Code section 15270.1, as enacted by Assembly Bill 969, counties  
14 are prohibited from conducting full manual vote counts in elections where more than 1,000  
15 registered voters are eligible to participate, a threshold Shasta County exceeds by well over  
16 100,000 voters. Subdivision (b)(2) further restricts manual tallying in non-regularly scheduled  
17 elections when the jurisdiction exceeds 5,000 registered voters.

18 22. Any limited exception to these prohibitions requires a manual tally plan specifically  
19 approved by the California Secretary of State and must comply with the Manual Tally Standards.  
20 (Cal. Code Regs., tit. 2, § 20298 et seq.) The legislative history of AB 969 shows a clear intent to  
21 establish uniform, reliable, and auditable standards for vote tabulation statewide, and to prevent  
22 large counties from adopting insecure, inefficient, and error-prone manual counting methods.

23 23. Under long-standing precedent, including but not limited to *Hunter v. City of Pittsburgh*  
24 (1907) 207 U.S. 161, counties are 'creatures of the state' and possess no inherent right to override  
25 state mandates. Since the State Legislature has occupied the field of ballot tabulation through  
26 Elections Code section 15270.1, Shasta County lacks the 'Home Rule' authority to implement a  
27 conflicting manual tally system for an electorate exceeding 100,000 voters.

28 24. In March 2023, the Shasta County Elections Department prepared and transmitted to the

1 Board of Supervisors a formal "Analysis of Manual Tally Options for Shasta County," expressly  
2 evaluating the feasibility, legality, and cost of implementing a full manual tally system. The  
3 report concluded that a full manual tally would require the addition of more than 1,200 temporary  
4 staff members and at least \$1,651,209.68 in additional staffing costs, exclusive of facility and  
5 security expenses, and warned that even with such resources, compliance with statutory  
6 certification deadlines could not be assured (Exhibit D, p. 6).

7 25. The Elections Department expressly advised against pursuing a full manual tally,  
8 concluding that it posed significant operational, financial, and legal risks. The Board was  
9 therefore placed on formal notice, as early as March 2023, that a full hand-count system was  
10 impractical and incompatible with existing statutory obligations.

11 26. The electorate has no power to compel the County to violate a non-discretionary statutory  
12 duty. Because the State Legislature has explicitly prohibited full manual tallies for jurisdictions of  
13 this size, Respondents have a ministerial duty to reject any local measure that commands  
14 otherwise. Given the State's controlling authority, proceeding to expend public funds to place  
15 such a measure on the ballot creates a substantial and foreseeable risk of unlawful expenditure of  
16 taxpayer resources. Code of Civil Procedure section 526a is intended precisely to prevent such  
17 waste when a measure is incapable of lawful implementation.

18 27. Further, substantial empirical evidence demonstrates that large-scale hand counting of  
19 ballots is more costly, more time-consuming, and more error-prone than tabulation using certified  
20 voting systems with post-election audits. The report published by States United Democracy  
21 Center in 2023, *The Reality of Full Hand Counts*, concludes that full manual counts require  
22 significantly expanded staffing and security, delay reporting of results, and do not improve  
23 accuracy when compared to machine tabulation with audit verification. A true and correct copy of  
24 this report is attached hereto as Exhibit E.

25 28. Real-world examples confirm these findings. An Associated Press investigation reported  
26 that a hand count in Nye County, Nevada, reflected discrepancies affecting approximately 25% of  
27 ballots before correction, and that jurisdictions attempting full manual counts experienced delays  
28 measured in days rather than hours. The report further noted that in Shasta County, estimates for

1 conducting a full hand count exceeded \$1.6 million, more than doubling typical election  
2 administration costs. Similarly, Verified Voting's 2023 report, *Election Night Hand Counts:  
3 Realities and Risks*, explains that large-scale manual counts increase the likelihood of human  
4 error and substantially expand personnel and operational expenses without demonstrating  
5 improved accuracy over certified systems with audits. True and correct copies of these reports are  
6 attached hereto as Exhibits F and G.

7 29. Empirical data further confirm that large-scale hand counting produces materially higher  
8 error rates and substantially greater costs than machine tabulation. A recent analysis reiterated the  
9 findings from the hand count in Nye County, Nevada, which reflected discrepancies affecting as  
10 much as 25% of ballots prior to correction. The analysis also cites a Rice University study finding  
11 that participants accurately counted ballots only 58% of the time, and an MIT study determined  
12 that hand-count error rates averaged 8%, compared to approximately 0.5% for machine  
13 tabulation. A true and correct copy of *Ballot Hand Counts Lead to Inaccuracy* is attached hereto  
14 as Exhibit H.

15 **C. The Absentee Voting Limits Conflict with the Voter's Choice Act**

16 30. The Initiative unlawfully seeks to restrict vote-by-mail voting to a limited class of voters,  
17 such as the infirm or military personnel. This provision is in direct and irreconcilable conflict  
18 with California's comprehensive, uniform statutory scheme governing elections, which mandates  
19 that all active registered voters receive a ballot by mail for every election.

20 31. The conduct of elections is a matter of statewide concern, and the Legislature has  
21 occupied the field. (See *People ex rel. Bonta v. City of Huntington Beach*, Cal.App.5th (2025).)  
22 Decades of legislation have progressively expanded access to vote-by-mail, culminating in a  
23 mandatory, statewide system. Pursuant to Elections Code section 3003, every active registered  
24 voter in California must be mailed a ballot. A local initiative cannot repeal this state-mandated  
25 right.

26 32. The Legislature enacted the Voter's Choice Act ("VCA") (Elec. Code, §§ 4000–4008) to  
27 create a uniform, accessible, and secure voting model centered on voter convenience. The VCA  
28 requires participating counties to mail every voter a ballot, provide secure drop boxes, and

1 establish accessible vote centers open for multiple days. (Elec. Code, § 4005.) The legislative  
2 intent was to move away from a precinct-based, single-day voting model and toward a system  
3 that provides all voters with multiple, flexible options for casting their ballot. The Initiative's  
4 attempt to revert to a limited, in-person model is directly contrary to this clear statewide policy.

5 33. By attempting to impose conditions and restrictions on vote-by-mail eligibility, the  
6 Initiative would compel Respondents to violate their clear, present, and ministerial duties under  
7 the Elections Code. The Registrar of Voters has a non-discretionary duty to mail a ballot to every  
8 active voter (Elec. Code, § 3003) and to provide multiple methods for returning that ballot as  
9 prescribed by the VCA. The Initiative attempts to grant the County discretion it does not possess  
10 by conditioning a statewide right on local criteria, an action that is preempted and void ab initio.

11 **D. The Initiative's Requirement That Elections Be Held In-Person on a Single Day Is**  
12 **Unenforceable and Preempted by State Law**

13 34. The Initiative further purports to require that elections be conducted exclusively in-person  
14 on a single day, thereby eliminating vote-by-mail, ballot drop-off, early voting, and vote center  
15 models authorized under California law. This provision is unlawful, preempted, and  
16 unenforceable as a matter of law.

17 35. Election Codes §§ 3000–3025; 4000 et seq.; 4100 et seq., California has expressly  
18 occupied the field of election administration. The Legislature has enacted a comprehensive  
19 statutory scheme governing the time, place, and manner of voting, including mandatory vote-by-  
20 mail access, extended voting periods, and ballot return options.

21 36. Elections Code section 3003 provides that all registered voters are entitled to vote by mail.  
22 Counties lack discretion to eliminate or restrict that right. Likewise, the Voter's Choice Act  
23 authorizes and requires participating counties to provide multiple days of voting and ballot return  
24 options. (Elec. Code, §§ 4005–4008.)

25 37. Furthermore, Shasta County is a participating county under the Voter's Choice Act.  
26 Having opted into this statutory framework, the County is under a mandatory, non-discretionary  
27 duty to provide voters with mail ballots, secure drop boxes, and accessible vote centers open for  
28 multiple days, including weekends, prior to Election Day (Elec. Code, § 4005, subds. (a)(1)–(4)).

1 The Initiative's attempt to eliminate these state-mandated options is a direct and irreconcilable  
2 conflict with the County's legal obligations under the VCA.

3 38. A county may not enforce an initiative that directly conflicts with state election statutes.  
4 Where the State has enacted uniform election laws on matters of statewide concern, local  
5 enactments that impose contradictory requirements are void ab initio and cannot be implemented.  
6 (See *People ex rel. Bonta v. City of Huntington Beach*, \_\_\_ Cal.App.5th \_\_\_ (2025).)

7 39. The requirement that voting occur only in person on a single day would directly  
8 contravene multiple provisions of the Elections Code, render the County incapable of complying  
9 with state-mandated voting obligations, and place the Registrar of Voters in the impossible  
10 position of choosing between conflicting legal commands.

11 40. County election officials possess no authority to disregard state election law, suspend  
12 vote-by-mail, or eliminate statutorily required voting methods based on a local initiative. An  
13 initiative that cannot lawfully be enforced may not be placed before voters. (Elec. Code § 13314.)

14 41. Limiting in-person voting to a single day imposes substantial obstacles on voters who rely  
15 on continuous employment to meet essential financial obligations. For many working residents,  
16 the inability to take unpaid leave or modify work schedules effectively restricts access to the  
17 ballot when voting opportunities are confined to a single date.

18 42. Because this provision is facially invalid and unenforceable, its inclusion in the Initiative  
19 independently requires removal of the measure from the ballot. Proceeding with ballot placement  
20 despite clear preemption constitutes an abuse of discretion and a violation of Respondents'  
21 ministerial duties under California law.

22 **E. The Initiative's Requirement That the County Maintain Voter Rolls on a Computer Not**  
23 **Connected to the State or Any Third Party Is Unlawful to Implement**

24 43. The Initiative further purports to require that Shasta County maintain its voter registration  
25 rolls on a computer system "not connected to the State or any third party," along with related  
26 restrictions on voter-roll management. This provision is unlawful, preempted, and unenforceable  
27 as a matter of law.

28 44. According to Election Code §§ 2101, 2103, California law requires counties to administer

1 voter registration through the statewide voter registration database, commonly known as VoteCal.  
2 Counties do not possess independent authority to operate disconnected or autonomous voter-  
3 registration systems outside of the state framework.

4 45. Elections Code section 2101 mandates that the Secretary of State “shall maintain a  
5 statewide voter registration database,” and section 2103 requires county elections officials to  
6 enter, verify, and maintain voter registration data within that system. County registrars act as  
7 agents of the State for this purpose and have no discretion to opt out or segregate voter data from  
8 the statewide system.

9 46. The requirement to maintain rolls on a disconnected system is a textbook case of conflict  
10 preemption. It is physically and legally impossible for Respondents to comply with the Initiative  
11 while simultaneously fulfilling their ministerial duties under Elections Code sections 2101 and  
12 2103 to synchronize data with the statewide VoteCal database. When a local initiative makes state  
13 compliance impossible, it is void ab initio.

14 47. The Initiative’s requirement that voter rolls be maintained on a computer not connected to  
15 the State would directly violate these statutory mandates, prevent required data sharing, and  
16 obstruct core election functions, including voter registration verification, duplicate registration  
17 detection, address updates, and eligibility confirmation.

18 48. Counties are also required to coordinate voter registration information with other state and  
19 federal agencies, including the Department of Motor Vehicles and the Social Security  
20 Administration, pursuant to the National Voter Registration Act (“NVRA”) and the HAVA.  
21 A locally isolated voter-registration system would place the County in immediate violation of  
22 these mandatory legal obligations.

23 49. A county may not, by initiative or otherwise, override state-mandated election  
24 infrastructure, cybersecurity requirements, or data-sharing protocols. Regulation of voter  
25 registration systems is a matter of exclusive statewide concern, and local enactments that conflict  
26 with uniform state standards are void ab initio. (See *People ex rel. Bonta v. City of Huntington*  
27 *Beach*, \_\_\_ Cal.App.5th \_\_\_ (2025).)

28 50. This provision would require Respondents to abandon state-approved election systems,

1 violate binding statutory duties, and expose the County to legal liability and loss of certification.  
2 County officials lack authority to implement such a measure, and no lawful path exists for  
3 compliance.

4 51. Because this provision is facially invalid and impossible to enforce, it independently  
5 renders the Initiative legally void. Proceeding with ballot placement despite the clear conflict with  
6 state election law constitutes an abuse of discretion and a failure to perform Respondents'  
7 ministerial duty to follow existing law.

8 52. Finally, these defects are not severable. The Initiative's provisions are interdependent and  
9 collectively attempt to supplant the State's comprehensive election system with a locally designed  
10 alternative that counties have no power to implement. Courts do not permit voters to enact  
11 measures that require public officials to violate state law, abandon mandatory systems, or engage  
12 in legally impossible conduct. Placement of such a measure on the ballot serves no lawful  
13 purpose and results in the unlawful expenditure of public funds.

14 53. The Initiative cannot be cured through severance because each of its operative provisions  
15 independently conflicts with controlling state law and is incapable of lawful implementation.

16 **F. Respondents Have Further Abused Their Discretion and Failed to Fulfill Their Statutory**  
17 **Duties, Depriving Voters of a Fair and Impartial Process**

18 54. In addition to the substantive invalidity of the Initiative, Respondents have failed to  
19 adhere to the procedural requirements of the Elections Code, further demonstrating an abuse of  
20 discretion and necessitating this Court's intervention. Specifically, Respondents have created a  
21 situation where the electorate is deprived of the necessary information and opportunity to  
22 participate in the democratic process, and where the neutrality of official voter materials is  
23 irrevocably compromised.

24 55. Respondent ROV has a ministerial duty to provide public notice of the deadline for the  
25 submission of arguments for and against any county measure placed on the ballot. (Elec. Code, §  
26 9163.) While the ROV has discretion to set the deadline, the failure to publish any notice or  
27 calendar of election-related deadlines constitutes an abuse of that discretion. This failure  
28 effectively prevents any organized opposition from drafting and submitting arguments to be

1 included in the official voter information guide, thereby silencing opposing viewpoints and  
2 depriving voters of a balanced debate.

3 56. Compounding this failure is the clear conflict of interest concerning the County Counsel's  
4 statutory duty to prepare an 'impartial analysis' of the Initiative under Elections Code section  
5 9160. In March 2025, the Shasta County Counsel previously filed a complaint challenging the  
6 legality of this very Initiative, taking the formal position of an advocate against its validity.  
7 Although the Board of Supervisors directed that the lawsuit be rescinded, the County Counsel's  
8 legal and ethical position against the measure has been firmly established.

9 57. It is therefore impossible for the County Counsel to now author a genuinely 'impartial'  
10 analysis. The analysis provided to voters is statutorily required to be a neutral, unbiased  
11 explanation of the measure. Given the County Counsel's prior advocacy, any analysis produced  
12 will be tainted by an irreconcilable conflict of interest and the appearance of impropriety. Voters  
13 are entitled to rely on the neutrality of the County Counsel's analysis, and that neutrality is no  
14 longer possible in this case.

15 58. These procedural failures are not mere technicalities; they are fundamental deprivations of  
16 the public's right to a fair and impartial election process. They provide an independent basis for  
17 this Court to issue a writ of mandate to prevent an election that is being conducted in a manner  
18 that violates the Elections Code and principles of due process.

19 **IV. FIRST CAUSE OF ACTION (Writ of Mandate – Code Civ. Proc. §1085)**

20 59. Petitioner realleges and incorporates by reference all preceding paragraphs as though fully  
21 set forth herein.

22 60. Respondents have a clear, present, and ministerial duty under the California Constitution  
23 and Elections Code to comply with controlling state law and refrain from placing legally invalid  
24 measures on the ballot.

25 61. The Initiative is facially preempted, void ab initio, and incapable of lawful  
26 implementation, as set forth above.

27 62. Respondents' decision to proceed despite controlling statutory authority constitutes an  
28 abuse of discretion and failure to perform a ministerial duty.

1 63. Petitioner has no plain, speedy, or adequate remedy at law. Once ballot printing and  
2 election administration expenditures occur, public funds will be irreversibly expended.

3 64. Issuance of a peremptory writ is necessary to prevent unlawful expenditure of public  
4 funds and ensure compliance with state law.

5 65. Petitioner also seeks relief under Code of Civil Procedure section 526a to prevent the  
6 illegal expenditure and waste of public funds associated with placing a facially invalid initiative  
7 on the ballot.

8 66. The anticipated net County cost (after outside agency reimbursements) of approximately  
9 \$2,947,165 to \$3,143,175, inclusive of recurring annual costs of approximately \$445,528 in  
10 election administration costs, constitutes unlawful waste because the Initiative is preempted and  
11 incapable of lawful enforcement.

12 **V. SECOND CAUSE OF ACTION (Declaratory Relief – CCP §1060)**

13 67. Because the Initiative is facially invalid, preempted in full, and incapable of lawful  
14 enforcement under any circumstances, Respondents have a ministerial duty to prevent its  
15 submission to voters.

16 68. Placement of the Initiative on the June 2026 ballot will require the County to expend  
17 significant public funds to administer the election, including ballot design, printing, postage, voter  
18 notification, and election administration. Official Shasta County estimates indicate that  
19 implementing a full manual tally system — which could be triggered by the Initiative's  
20 prescribed procedures — would increase annual election costs by approximately \$445,528 for  
21 additional staffing and administration, plus one-time expenditures of approximately \$914,146 for  
22 system setup, hiring, and equipment. The County's preliminary estimates further indicate that  
23 increased costs per primary election would range between approximately \$563,973 and \$656,585,  
24 while increased costs per presidential election would range between approximately \$1,406,875  
25 and \$1,688,717.

26 69. The County's April 25, 2023, cost analysis projects total increased expenditures of  
27 approximately \$3.78 million to \$4.15 million through FY 2024–25, with a net County cost (after  
28 outside agency reimbursements) of approximately \$2,947,165 to \$3,143,175, inclusive of

1 recurring annual costs of approximately \$445,528. Those recurring figures provide a documented  
2 baseline for estimating the fiscal impact of subsequent election cycles, including June 2026. A  
3 true and correct copy of *Manual Tally Implementation Costs* from the Shasta County Board of  
4 Supervisors' April 25, 2023, presentation is attached hereto as Exhibit I and J.

5 70. These costs will be incurred before any judicial review occurs, are non-recoverable, and  
6 will be wasted regardless of the election's outcome.

7 71. This figure reflects only the cost of conducting the election itself and does not include  
8 subsequent litigation expenses, enforcement actions, or anticipated state challenges that are likely  
9 to follow. Courts recognize that compelling taxpayers to fund an election on a measure that is  
10 void ab initio constitutes irreparable harm warranting pre-election judicial intervention.

11 72. An actual controversy exists between Petitioner and Respondents concerning whether the  
12 Initiative may lawfully be placed on the ballot. Petitioner contends it is preempted and void;  
13 Respondents are proceeding as though it may lawfully be submitted to voters. A judicial  
14 declaration is necessary to determine the parties' rights and obligations, avoid irreparable harm to  
15 taxpayers, and preserve the integrity of California's uniform election laws.

16 **VL PRE-ELECTION JUDICIAL REVIEW IS PROPER**

17 73. California courts generally recognize that judicial review of challenges to ballot measures  
18 traditionally occurs after an election, to avoid unnecessary disruption of the electoral process.  
19 However, where a measure is incapable of lawful implementation or exceeds the powers of the  
20 electorate, pre-election review is appropriate and necessary to prevent irreparable harm. (*Costa v.*  
21 *Superior Court* (2006) 37 Cal.4th 986, 1005–1006.)

22 74. In *City of San Diego v. Dunkl* (2001) 86 Cal.App.4th 384, the Court of Appeal affirmed  
23 that pre-election judicial review is appropriate where a proposed initiative presents a pure  
24 question of law and its validity is in serious doubt. The court upheld removal of the measure from  
25 the ballot, recognizing that courts need not permit an election to proceed on a legally defective  
26 initiative. *Dunkl* confirms that when an initiative exceeds the electorate's authority or conflicts  
27 with governing law, judicial intervention before the election is proper.

28 75. In *Costa v. Superior Court* (2006) 37 Cal.4th 986 (995-996, 1005-1006.), the California

1 Supreme Court explained that the general rule of post-election review “does not preclude  
2 preelection review when the challenge is based upon a claim ... that the proposed measure may  
3 not properly be submitted to the voters” — including where a measure fails to comply with  
4 essential legal requirements that determine its qualification for the ballot.

5 76. Similarly, in *American Federation of Labor v. Eu* (1984) 36 Cal.3d 687, the California  
6 Supreme Court entertained a pre-election challenge to a proposed initiative that would have  
7 compelled the Legislature to take action beyond the electorate’s authority, recognizing that such  
8 challenges — which go to the power of the electorate to adopt the proposal in the first instance —  
9 may be resolved prior to an election when a measure cannot lawfully be adopted by initiative.

10 77. Because the Initiative in this case is preempted in its entirety and cannot lawfully be  
11 implemented, pre-election judicial review by this Court is appropriate to prevent the unlawful  
12 expenditure of public funds and to ensure compliance with controlling state law.

13 **VII. IRREPARABLE HARM AND UNLAWFUL EXPENDITURE OF PUBLIC FUNDS**

14 78. Official County estimates reflect total increased manual tally costs of approximately \$3.78  
15 million to \$4.15 million through FY 2024–25, including roughly \$914,146 in one-time  
16 implementation expenses and \$445,528 in annual recurring costs, with net County costs after  
17 reimbursements estimated at \$2.95 million to \$3.14 million.

18 79. Implementation of this legally void Initiative for the June 2, 2026, Primary Election will  
19 result in a concrete and immediate waste of public funds. Respondent Registrar of Voters has  
20 formally requested a supplemental budget of \$2.6 million specifically for an ‘elections overhaul’  
21 to accommodate the hardware, cameras, and printers necessitated by the Initiative’s unique  
22 requirements. Furthermore, moving the county to a manual tally system for an electorate of over  
23 110,000 registered voters is projected to cost approximately \$1.6 million per election cycle in  
24 staffing alone, based on prior departmental analyses. County staff have further estimated that the  
25 long-term cost of maintaining this non-standard system could exceed \$6 million over five years  
26 (Exhibits K and L).

27 80. These expenditures will occur prior to completion of judicial review and are  
28 nonrecoverable once incurred.

1 81. Because the Initiative is facially invalid and preempted in its entirety, expenditure of  
2 public funds to administer it constitutes unlawful waste within the meaning of Code of Civil  
3 Procedure section 526a.

4 82. Courts recognize that compelling taxpayers to fund an election on a measure that is void  
5 ab initio constitutes irreparable harm warranting pre-election judicial intervention. (*Costa v.*  
6 *Superior Court* (2006) 37 Cal.4th 986, 1005–1006.)

7 83. Respondents have a clear, present, and ministerial duty to comply with controlling  
8 provisions of the California Constitution and Elections Code. Proceeding with ballot preparation  
9 despite binding statutory and appellate authority establishing the Initiative's invalidity constitutes  
10 an abuse of discretion.

11 84. Moreover, Respondents have been on notice of the Initiative's invalidity from their own  
12 legal counsel since before the signature-gathering process began. As this Court is aware, and as  
13 referenced in this Petition, in March 2025, the Shasta County Counsel filed a complaint in this  
14 Court arguing that the initiative was unconstitutional and that he could not ethically write a ballot  
15 summary for it because doing so would mislead the public into believing the measure was legally  
16 valid. The lawsuit sought judicial relief from being compelled to proceed with a legally invalid  
17 measure. A true and correct copy of media coverage is attached hereto as Exhibit M.

18 85. While a judge denied a request to decide the matter on an expedited basis, finding the  
19 issue too important to be rushed, no ruling was ever made on the initiative's merits. Shortly  
20 thereafter, the Board of Supervisors directed that the complaint be dropped, allowing the  
21 signature drive to proceed despite their own counsel's formal legal challenge to its validity.

22 86. Respondent Registrar of Voters has publicly indicated that he intends to proceed with  
23 ballot placement notwithstanding the existing appellate ruling in *People ex rel. Bonta v. City of*  
24 *Huntington Beach*, (2025) \_\_\_ Cal.App.5th \_\_\_. In an email to the Redding Record Searchlight  
25 dated February 2, 2026, Respondent Curtis stated that he was "unfazed" by the Huntington Beach  
26 decision and that he "expects the Huntington Beach ruling to be overturned by the U.S. Supreme  
27 Court." A true and correct copy of the article is attached hereto as Exhibit N.

28 87. Respondent's statement that ballot measures exist "to change existing law" does not alter

1 his present obligation to comply with controlling California authority. While the initiative process  
2 permits voters to propose changes within the scope of their lawful power, it does not authorize  
3 local officials to place measures on the ballot that are facially preempted, exceed local authority,  
4 or require violation of binding state statutes. Public officials are bound by their oath to support  
5 and defend the Constitution and laws of the State of California as they presently exist, not as they  
6 might exist following speculative future judicial review.

7 88. Consistent with this obligation, Shasta County's then-County Counsel publicly advised in  
8 2024 that the Elections Office must "follow the law," underscoring that the Registrar of Voters is  
9 required to comply with existing California election statutes rather than implement procedures  
10 inconsistent with governing authority. As reported in the Shasta Scout article titled "*New County*  
11 *Counsel Advises Elections Office to Follow Law*" (April 2024), County Counsel advised that the  
12 Elections Office must "follow the law." A true and correct copy of this article is attached hereto  
13 as Exhibit O.

14 89. Public officials are obligated to comply with controlling law as it presently exists.  
15 Speculation regarding potential future review by higher courts does not authorize deviation from  
16 binding California authority. The Initiative's reliance on prospective or speculative legal  
17 developments does not alter the County's present duty to administer elections in conformity with  
18 binding California law.

19 90. Absent pre-election intervention by this Court, Petitioner and other taxpayers will suffer  
20 irreparable harm through the unlawful expenditure of public funds on a measure that cannot  
21 lawfully be implemented.

#### 22 **VIII. ANTICIPATED DEFENSES DO NOT PRECLUDE RELIEF**

23 91. Respondents may contend that judicial review should await the outcome of the election.  
24 However, pre-election review is appropriate where a measure is facially invalid or beyond the  
25 electorate's authority. (*Costa v. Superior Court* (2006) 37 Cal.4th 986, 1005-1006.) Because the  
26 Initiative is preempted in its entirety and incapable of lawful implementation, postponing review  
27 would result only in the unnecessary expenditure of public funds.

28 92. Respondents may further argue that any invalid provisions may be severed. However, the

1 Initiative's operative provisions are interdependent and collectively designed to supplant  
2 California's comprehensive election framework. Each principal component independently  
3 conflicts with controlling state law. The Initiative therefore cannot be salvaged through  
4 severance.

5 93. To the extent Respondents contend that the issues presented are not ripe for adjudication,  
6 such argument fails because the legal defects identified herein are facial and purely legal in  
7 nature. Where an initiative conflicts with governing statutes or exceeds local authority as a matter  
8 of law, no further factual development is required for judicial review.

9 94. Respondents may also contend that the procedural deficiencies outlined in Section III.F  
10 are not yet ripe for review or constitute harmless error. These arguments are unavailing. First, the  
11 ROV's failure to provide any public notice of the timeline for ballot arguments is a current and  
12 ongoing abuse of discretion that actively prejudices the ability of voters to participate in the  
13 democratic process. The public's right to submit arguments is not meaningful if the deadlines are  
14 kept secret. Second, the County Counsel's conflict of interest is not speculative; it is based on  
15 their formal, prior advocacy against the Initiative in court. The requirement for an 'impartial  
16 analysis' under Elections Code section 9160 is a fundamental safeguard, and an analysis tainted  
17 by an undeniable conflict of interest cannot be dismissed as harmless error. These procedural  
18 failures provide an independent and sufficient basis for the Court's intervention.

19 95. Petitioner's claims do not depend solely upon the CVRA. Independent and sufficient  
20 grounds for relief exist under the Elections Code, the California Constitution, and controlling  
21 appellate authority. Even if any single theory were deemed inapplicable, the Initiative remains  
22 preempted and incapable of lawful enforcement on multiple independent bases.

23 96. Finally, Respondents may contend that the fiscal projections cited herein are speculative.  
24 Such contention does not defeat Petitioner's claim as a matter of law. The cost estimates  
25 referenced in this Petition are derived from Shasta County's own official presentations and  
26 documented election-administration analyses. Taxpayer standing under Code of Civil Procedure  
27 section 526a does not require mathematical certainty regarding the precise amount of  
28 expenditure; it requires only a showing that public funds are threatened with unlawful or wasteful

1 expenditure. Where a measure is facially preempted and incapable of lawful implementation, any  
2 public funds expended to administer it, regardless of the precise final amount, constitute  
3 unlawful waste.

4 **IX. PRAYER FOR RELIEF**

5 Petitioner prays for judgment as follows:

6 1. For a Peremptory Writ of Mandate directing Respondents to immediately remove  
7 the Initiative from the June 2026 ballot;

8 2. For a Preliminary and Permanent Injunction restraining Respondents from  
9 expending any public funds to print, mail, or process said Initiative;

10 3. For relief pursuant to Code of Civil Procedure section 526a enjoining  
11 Respondents from expending public funds in furtherance of the Initiative;

12 4. For a Declaration that the Initiative is preempted by state law and is legally void in  
13 its entirety;

14 5. For costs of suit and such other relief as the Court deems just;

15 6. For an Order permitting Petitioner to proceed under the pseudonym "Jane Doe"  
16 and directing that Petitioner's true name, address, and identifying information be filed under seal  
17 pursuant to California Rules of Court, rules 2.550 and 2.551;

18 7. For an Order sealing Petitioner's identifying information to protect against  
19 harassment, intimidation, retaliation, and threats to personal safety and employment  
20  
21  
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28

**VERIFICATION**

I, Jane Doe, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I am the petitioner in this action and have read the foregoing Petition for Writ of Mandate and know the contents thereof.

Executed on February 17, 2026, in Redding, California.



Jane Doe

Petitioner, In Pro Per

(Real name submitted under seal pursuant to Cal. Rules of Court 2.550–2.551.)

# Exhibit E

RETRIEVED FROM DEMOCRACYDOCKET.COM

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SHASTA**

**HON. BENJAMIN L. HANNA**

/acm

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**#26CV-0209919**

**KATSKE**

**VS.**

**SHASTA COUNTY BOARD OF SUPERVISORS, ET AL.**

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**NATURE OF PROCEEDINGS: RULING ON FIRST AMENDED VERIFIED  
PETITION FOR WRIT OF MANDATE**

A hearing on Petitioner's First Amended Verified Petition for Writ of Mandate was held on March 25, 2026. Petitioner Jennifer Katske was present in pro per. Respondents were represented by Shasta County Counsel Joseph Larmour. Intervenors were represented by attorney Alexander Haberbush.

At the hearing, the Court heard argument from the parties on the pending issues involving the petition. Following the arguments, the Court took the matter under submission. The Court hereby issues the following final ruling.

**I. Factual and Procedural History**

Petitioner initiated these proceedings on February 17, 2026, with the filing of a "Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief" (hereinafter "Petition"). Citing concerns for her privacy and safety, Petitioner initially filed this case under the pseudonym of "Jane Doe".

In the Petition, Petitioner sought judicial intervention in the form of declaratory and injunctive relief to bar Respondents from placing the "Shasta County Voter ID, Hand-Counted Ballots, and Absentee Voting Limits Initiative" (hereinafter "Initiative") on the June 2, 2026, Shasta County ballot. The basis for Petitioner's requested relief was her contention that certain provisions of the Initiative violated existing California law.

The matter first came before the Court on February 26, 2026, on a multifaceted ex parte application by Petitioner. At that hearing, Petitioner, still appearing under a pseudonym, requested the Court's permission to maintain her anonymity throughout the proceedings. She also asked the Court for a temporary restraining order barring Respondents from taking any steps towards formally placing the Initiative on the June ballot.

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///

At this hearing, Respondents were represented by Shasta County Counsel Larmour, who informed the Court that Respondents were taking no position in the litigation.<sup>1</sup>

Counsel for the Intervenors also appeared at the hearing, seeking formal recognition as intervenors. This request was denied by the Court as untimely.

At the February 26, 2026, hearing, the Court denied Petitioner's request to maintain anonymity, but granted her request to seal certain personal contact information. The Court ordered her to file a first amended petition including her true name within five days.<sup>2</sup> The Court also granted Petitioner's request for a temporary restraining order.

Intervenors again sought access to the Court on March 5, 2026, by filing their own ex parte application. At that hearing, Petitioner and Respondent were both present, along with counsel for the proposed Intervenors. The Court granted leave for the Intervenors to enter the case. Based upon additional evidence submitted by Intervenors, the Court also significantly modified the temporary restraining order to allow Respondents to conduct necessary preparatory steps for the June election.<sup>3</sup>

At the March 5, 2026, hearing, the Court also set the hearing on the merits of the Petition for March 25, 2026. The Court also set a briefing schedule.

## **II. Operative Pleading at Issue**

Due to the sheer number of pleadings in this case, the Court finds it necessary to make a record as to what is properly before the Court as the basis for the rulings in this case.

For purposes of these proceedings, the Court considers the First Amended Verified Petition for Writ of Mandate filed on March 2, 2026, to be the operative pleading in this case.<sup>4</sup>

Other than the single filing addressed below, the Court has reviewed and considered all filings from both Petitioner and Intervenors in reaching this ruling.

## **III. Motions to Strike**

Prior to the hearing, Intervenors filed requests with the Court to strike two pleadings by Petitioner. The pleadings at issue are a March 12 filing in which Petitioner alleges new theories of invalidation of the Initiative and a March 20 filing of a reply to Intervenors' March 19 reply.

---

<sup>1</sup> This position by Respondents has been consistent throughout these proceedings. They have filed no pleadings or any other documents. All opposition to the Petition has come from Intervenors.

<sup>2</sup> She did so, filing the "First Amended Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief" under her true name on March 2, 2026.

<sup>3</sup> Between the February 26 and March 5 hearings, Intervenors sought a stay of this Court's initial temporary restraining order. The Court of Appeal for the Third Appellate District, in case C105779, granted the stay on the afternoon of March 5, 2026 (after the Court had already modified its orders on the morning of March 5). The appellate petition for writ of mandate was later denied as moot by the appellate court's order of March 11, 2026.

<sup>4</sup> Exhibits A-O were referenced in the First Amended Petition but were not attached to it. Intervenors object to this procedure and argue that the Court cannot consider the exhibits. Petitioner was only required to file the First Amended Petition because the Court ordered her to do so under her true name. Other than the change of name, it is identical to the original petition. The Court therefore finds it appropriate to consider A-O as part of the First Amended Petition.

For her part, Petitioner asked the Court to strike Intervenor's March 19 "Intervenor's Consolidated Reply."

At the hearing, Petitioner withdrew her March 12 filing alleging irregularities in the signature gathering and ballot qualification process. This withdrawal has the same practical effect as the Court granting the motion to strike. The Court will therefore not consider this document or its contents in any way.

The Court hereby denies the dueling motions to strike made by Petitioner and Intervenor and will exercise its discretion to consider the filings in reaching its decision here.

#### **IV. Intervenor's Demurrer**

Intervenor has filed a demurrer to the Petition. Such a pleading is permitted pursuant to section 1089 of the California Code of Civil Procedure, which provides that "the party upon whom the writ or notice has been served may make a return by demurrer, verified answer, or both."<sup>5</sup>

Intervenor cites three grounds for their demurrer. First, they argue under section 430.10(e) that the Petition fails to state facts sufficient to constitute a cause of action. They next argue that the Petition is uncertain, ambiguous, and unintelligible as set forth in section 430.10(f). Finally, Intervenor asserts that the portion of the Petition that alleges a conflict of interest by Shasta County Counsel is defective due to lack of joinder under section 430.10(d).

##### **A. Grounds Asserted for Demurrer**

###### **1. CCP § 430.10(e)- Failure to state facts sufficient to constitute a cause of action.**

A demurrer should be sustained if the pleading at issue fails to "state facts sufficient to constitute a valid cause of action." CCP § 430.10(e). A demurrer can be used to challenge defects that appear on the face of the complaint or from matters that may be subject to judicial notice. *Blank v. Kirwan* (1985) 39 Cal. 3d 311, 318. The court "treat[s] the demurrer as admitting all material facts properly pleaded, but not contentions, deductions or conclusions of fact or law." *Hood v. Hacienda La Puente Unified School District* (1998) 65 Cal. App. 4th 435, 438. No matter how unlikely, a plaintiff's allegations must be accepted as true for the purpose of ruling on a demurrer. *Del. E. Webb Corp. v. Structural Materials Co.* (1981) 123 Cal. App. 3d 593, 604.

Here, Intervenor demurs under section 430.10(e), citing several alleged deficiencies with the Petition.

In a petition for writ of mandate brought under section 1085 (such as the one at issue here) a petitioner is seeking court intervention to force another party to do some act required by law. As one case explained in the context of public employment, "to be entitled to relief, [petitioner] must show the [respondent] has a clear, present, and ministerial duty to reelect (rehire) her and that she has a clear, present, and beneficial right to the performance of that duty entitling her to a writ of mandate." (*Kavanaugh v. West Sonoma County Union High School District* (2003) 29

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<sup>5</sup> Unless otherwise noted, all statutory references are to the California Code of Civil Procedure.

Cal.4th 911, 916.) In *Kavanaugh*, the petition was based on the respondent school district's alleged statutory duty under the California Education Code.

It necessarily follows then, that in order to survive a demurrer, a petitioner's pleading must cite to the ministerial duty the petitioner seeks to have enforced. To rule otherwise would undermine the appropriate role of pleading in providing notice as to the basis for the relief requested.

Here, the closest Petitioner comes to alleging a duty by respondents is in paragraph 60 of her Petition in which she states that "Respondents have a clear, present, and ministerial duty under the California Constitution and Elections Code to comply with controlling state law and refrain from placing legally invalid measures on the ballot."

This allegation is extremely broad, and fails to identify the specific statutory basis under which the Respondents are alleged to have the duty. Indeed, every government official (including a superior court judge) could be said to have a "duty to comply with controlling state law", so that statement alone is insufficient to state a claim upon which relief can be granted. Missing from the Petition is any reference to how the Respondents have such a duty. Such "how" questions are normally answered by reference to a specific statutory obligation. The absence of such in the Petition here is fatal.

While Petitioner does cite Elections Code section 13314 as a basis of her Petition, she does so only in passing and without any reference to how that section implicates any duty by the Respondents to act in a certain way. Section 13314 deals with errors or omissions in ballots or other voting materials. The relief being requested by Petitioner here has to do with the substance of the Initiative, and not to the form of any election materials. A reference to section 13314 without further articulation by Petitioner is therefore insufficient to state a cause of action.

For the reasons set forth above, the Court finds that under section 430.10(e), the Petition at issue here fails to state facts sufficient to constitute a cause of action. Having reached this conclusion, the Court need not address the remainder of Intervenor's arguments in their demurrer.

Because the Petition fails to state facts sufficient to constitute a cause of action, the demurrer by Intervenor is **SUSTAINED**.

## **2. Leave to Amend**

When a demurrer is sustained, a court "may grant leave to amend the pleading upon any terms as may be just". (§472a(c).) This relief is discretionary, but a trial court should allow leave to amend if there is any reasonable possibility that the defect can be cured by amendment. (*Cooper v. Leslie Salt Co.* (1969) 70 Cal.2d 627, 636.)

Here, the Court does not believe that Petitioner can timely amend her petition to survive a demurrer. Given the time-sensitive nature of this litigation, there is simply not enough time for her to fix the issues the Court noted above. Additionally, nowhere has Petitioner articulated how she could amend the Petition in order to properly state a claim. Finally, even if Petitioner were to successfully amend, any challenge to the Initiative should be brought post-election as further articulated below.

Leave to amend will therefore not be granted.

## **V. Pre-election Review of the Initiative**

As the demurrer has been sustained, the Court need not address the substantive claims in the Petition. Nevertheless, in the interests of clarity and to provide the parties and any reviewing court with the benefit of this Court's analysis, the Court will address an additional important issue in this case: whether or not the subject matter of the Petition is appropriate for pre-election review.

In her papers and arguments, Petitioner argues that it is appropriate for this Court to address the substantive propriety of the Initiative before the June election. Intervenors, while conceding that a challenge may be available after passage of the Initiative, take the position that a pre-election review of the Initiative is premature and inappropriate.

Pre-election review resulting in the potential removal of an otherwise qualified ballot initiative is an extraordinary remedy. No less an authority than our own state supreme court has explained that "as a general rule, 'it is generally more appropriate to review constitutional and other challenges to ballot propositions or initiative measures after an election rather than to disrupt the electoral process by preventing the exercise of the people's franchise, in the absence of some clear showing of invalidity.'" (*Costa v. Superior Court* (2006) 37 Cal.4th 986, 1005, quoting *Brosnahan v. Eu* (1982) 31 Cal.3d 1, 4.)

While pre-election review is available under certain circumstances, the law is clear that such review is the exception rather than the rule. For example, pre-election review has been found to be appropriate in such situations as an initiative that was deemed to be administrative rather than legislative (*City of San Diego v. Dunkl* (2001) 86 Cal.App.4th 384) or where the initiative is clearly contrary to the United States Constitution (*American Federation of Labor v. Eu* (1984) 36 Cal.3d 687). Pre-election review is also appropriate when there is a showing of improprieties in how the initiative qualified for the ballot in the first place, "because the focus of the issue is solely upon whether the measure has qualified for the ballot, and not upon the validity or invalidity of the measure were it to be approved by the voters." (*Costa, supra* at 1006.)

Pre-election review would not be appropriate here. Rather than attacking the manner in which the Initiative reached the ballot or a similar threshold issue, Petitioner has chosen to attack the validity of the Initiative's provisions themselves. This is precisely the type of attack that is appropriately left for after the election. Should the Initiative be approved by the voters, this Petitioner or another opponent of the measure is free to bring a challenge on the merits. Now, however, is not the proper time for such a challenge.

## **VI. Substantive Challenges to Initiative**

In this ruling, the Court will not consider the merits of the challenges made to individual provisions of the Initiative for two reasons. First, it is not necessary to do so, since the Petition fails for the reasons already cited. Secondly, and perhaps most importantly, these provisions may very well be the subject of a post-election challenge. If that occurs, such a forum would be the appropriate place to address whether the Initiative meets the appropriate legal standards. That litigation would have the benefit of full and complete briefing and analysis without the severe time constraints that this case has involved.

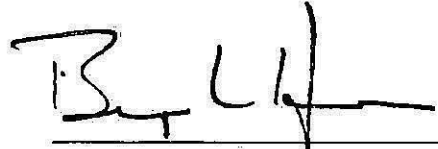
## VII. Conclusion and Further Orders

For the reasons set forth above, Intervenor's demurrer to the Petition is sustained without leave to amend. The Court further finds that the validity of the Initiative is not ripe for review before the election.

Accordingly, the Petition is dismissed.

**IT IS SO ORDERED.**

Dated: March 26, 2026



**BENJAMIN L. HANNA**  
Judge of the Superior Court

### CLERK'S CERTIFICATE OF SERVICE BY MAIL [CCP §1013a(4)]

I certify that I am a Deputy Clerk of the Shasta County Superior Court, that I am not a party to this cause, and that the document entitled RULING ON FIRST AMENDED VERIFIED PETITION FOR WRIT OF MANDATE, was served upon the person(s) whose name(s) and address(es) are set forth below, on this date in Shasta County, California, by placing the document for collection and mailing so as to cause it to be mailed with the United States Postal Service by first class mail in a sealed addressed envelope with postage fully prepaid, following standard court practices. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: March 26, 2026

Cody Stenderup, Court Executive Officer/Clerk

BY: 

A. Maston, Deputy Clerk

JENNIFER KATSKE  
VIA PEOPLE'S WILL CALL  
CC: email: JaneDoe2026CourtDocs@proton.me

LEX REX INSITITUTE  
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JOSEPH LARMOUR  
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1450 COURT ST. #332  
REDDING, CA 96001  
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# Exhibit F

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## Local Charter Amendment Measure B

# B

## LOCAL ELECTION TRANSPARENCY AND SECURITY REFORM

### Ballot Question

To improve election transparency and security, require voter ID, hand counting at the precinct, one day elections, locally maintained voter rolls, and absentee ballots by request; ballot tallies shall be visible to the observers of the election; shall Measure B - "Election Security and Transparency Reform" be adopted, authorizing an amendment to be added to the Shasta County Charter?

### Yes

A "yes" vote means the proposed changes to election operations and voter participation would be adopted.

### No

A "no" vote means the proposed changes to election operations and voter participation would not be adopted.

### For and Against Measure B

#### For

Laura Hobbs  
Deidre Holliday  
Kari Chilson  
Jim Burnett  
Richard Gallardo

#### Against

Patte Jelavich  
Julie Winter, Former Mayor of Redding  
Pamelyn Anne Morgan  
Charlie Thomas Menoher, Former Shasta County Superintendent of Schools  
Joseph Chimenti



## Local Charter Amendment Measure B

### **IMPARTIAL ANALYSIS BY COUNTY COUNSEL**

Measure B, placed on the ballot by a petition signed by the requisite number of voters in Shasta County, is a proposed amendment to the Shasta County Charter to establish rules governing election operations and voter participation in Shasta County.

Measure B proposes one day elections with limited absentee ballots (exceptions to in-person voting for the infirm, military, and U.S. citizens living overseas). This measure would create a new Shasta County voter roll, maintained on a computer with open-source software that is not connected to the internet (with periodic back-up onto external hard drives). Paper poll books will be used to check-in voters on election day. All voters must produce a government-issued photo ID to verify registration on the voter roll on election day. Third party and DMV voter registrations will not be added to the Shasta County voter rolls until verified for eligibility.

Ballots will be hand counted at the precincts, in accordance with California Election Code sections 15272 – 15281, using the tally book format described in pages 141-176 in Linda Rantz' Return to Hand Counting manual. Hand counting teams will consist of four members of the public from any political party, selected by a public lottery of volunteers, to be held sixty days prior to election day. The County may provide counter volunteers with a stipend of no more than \$100 dollars for participation on election day.

The hand counting shall be concurrent with voting, beginning after 11 or more ballots have been cast and shuffled. Ballots and tally sheets shall be projected onto monitors so observers can confirm count accuracy. Tallies will be released upon the closing of polls, at which time the first numbers will be taped to the door and subsequently updated every hour until the hand counting is complete. County wide election outcomes will be provided on the night of the election, or shortly thereafter. Hand counting results will be used for the official canvass of Shasta County.

Voter rolls will be updated by permanently removing individuals who are deceased, who have moved out of county lines, or who have addresses that are undeliverable. Inactive and canceled voter lists will be held within a separate database on a different computer, not connected to the internet.

Measure B is currently the subject of a judicial review, with a scheduled hearing date of March 25, 2026.

A "yes" vote means the proposed changes to election operations and voter participation would be adopted.

A "no" vote means the proposed changes to election operations and voter participation would not be adopted.



## Local Charter Amendment Measure B

Arguments and replies are the opinions of the authors and have not been checked for accuracy by any official agency. We print them exactly as submitted, including errors.

### Argument in Favor of Measure B

Your Yes vote for Measure B will be the ultimate American act: reclaiming control over the ballot box - the source of government's legitimacy.

In 1215, the Magna Carta established the principle that when authority overreaches, the governed have a lawful right to resist. This ethic was imbedded in the Declaration of Independence:

"Governments are instituted among Men, deriving their just powers from the consent of the governed ... whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, ... it is our right, it is our duty ... "

Secure elections are the bedrock of consent itself.

The First Amendment guarantees our right to petition for redress.

Shasta County voters are exercising their reserved power to restore integrity amid state overreach. Measure B is common sense. It demands:

- Voter ID to confirm you are who you say you are.
- Hand-counted ballots at precincts, publicly observed in real time, finished on election night.
- Clean, locally managed voter rolls-offline, transparent, and removing deceased and relocated voters.
- One day, in-person voting, with traditional absentee ballots by request only

These reforms counter Sacramento's mandates that have imposed mail-in chaos and machine-count secrecy.

Please join the 10,000+ citizens of Shasta County who got this measure on the ballot with their signatures, and vote Yes on Measure B - restore trust, one honest vote at a time.

VoteForB.com

/s/Deidre Holliday

/s/Jim Burnett

/s/Laura Hobbs

/s/Richard Gallardo

/s/Kari Chilson



## Local Charter Amendment Measure B

Arguments and replies are the opinions of the authors and have not been checked for accuracy by any official agency. We print them exactly as submitted, including errors.

### Rebuttal to Argument in Favor of Measure B

#### Measure B: Costly, Risky, and Based on Misleading Claims

Measure 8 promises “election integrity,” but its claims do not hold up. Its consequences would be severe for Shasta County.

- **Eliminating Vote-By-Mail harms voters**  
Rural residents, seniors, citizens with disabilities, and working families rely on Vote-by-Mail. Removing it makes voting harder-not safer.
- **One day voting** - you and the other 115,587 voters waiting in line and everyone's ID is being checked.
- **False claims about fraud**  
Proponents cite large numbers of “fraudulent votes,” without any reliable or credible evidence. Decisions this serious should be based on evidence- not imagined problems.
- **Hand-counting is not what California requires**  
Yes, limited hand counts exist-but only as small audits or in very small elections. A full hand count for a county of over 100,000 voters is not allowed and raises serious legal and logistical concerns.
- **Slower results, higher risk of error**  
Hand-counting ballots across a large, rural county means delays-not same-day results. It also increases the chance of human error compared to tested, auditable systems already in place. Research has shown that full hand counting (verses “hybrid” - machine-counted paper ballots verified with hand count sampling) results in error rates of 2% to 25%!
- **The \$400,000 “savings” claim does not add up**  
Replacing efficient systems with a large, trained workforce will definitely increase costs-not reduce them. Add training, supervision, security, and compliance, and taxpayers will pay more for worse outcomes.

**Measure B does not protect elections-it undermines them.**  
**Vote NO on Measure B**

/s/Randall Hempling, CEO SRMC Retired  
/s/Susan S Seamans, School Administrator Retired  
/s/John S Kenny, Municipal Lawyer  
/s/Michael Ashby, Retired  
/s/Jerry Abe Hathaway, Retired County Supervisor District 3/ Rancher



## Local Charter Amendment Measure B

Arguments and replies are the opinions of the authors and have not been checked for accuracy by any official agency. We print them exactly as submitted, including errors.

### Argument Against Measure B

While the TITLE of Measure B, and it's nickname - Voter ID - make it sound like its passage would "improve" Shasta County's voting system, a careful reading of the text will show that this measure would actually make significant, expensive, burdensome, and seemingly illegal changes to our current voting system.

Measure B all but does away with absentee voting/voting-by-mail (VBM), utilized by almost 80% of Shasta County voters, because it would require that voting be held on ONE DAY and in-person. This will create significant hardships for rural, working, and senior voters. The Measure would require "hand-counting" of ballots, which definitely VIOLATES California Election Code Article 15270 - regardless of what its proponents claim. Measure B would also require that votes be (hand) counted on Election Day - a literal impossibility.

Shasta County voters (80%) utilize VBM ... and, have for years. When initially registering to vote, a person is already required to prove their identity. The current vote counting system - machine and paper - is much more efficient, accurate, and cost effective than hand-counting. Numerous studies have shown that machine counting is much more accurate than hand-counting.

Finally, given that Measure B violates so many state and federal laws, there will be lawsuits. Because mandated "hand-counting" would violate State law, the State Attorney General will most likely sue Shasta County. These lawsuits will cost Shasta County taxpayers (tens or hundreds of) thousands of dollars to pay lawyers ... for what?

While there may be a need for "voter ID" when voting in-person (in spite of little or no evidence of voter ID fraud here or nation-wide), that situation should be dealt with separately - WITHOUT taking away VBM, voting machines (already NOT connected to the internet), and significantly degrading our current system (with its proven checks and balances) of counting ballots.

**Measure B deserves a solid NO vote.**

/s/Patte Jelavich

/s/Julie Winter, Former Mayor of Redding

/s/Pamalyn Anne Morgan

/s/Charlie Thomas Menoher, Former Shasta County Superintendent of Schools

/s/ Joseph Chimenti



## Local Charter Amendment Measure B

Arguments and replies are the opinions of the authors and have not been checked for accuracy by any official agency. We print them exactly as submitted, including errors.

### Rebuttal to Argument Against Measure B

- Measure B protects against fraud, where invalid votes cancel out legitimate ones, diluting our votes
- There are polling places throughout the county. Absentee ballots can be requested for illness or travel; employees are given, by law, sufficient time off work to vote
- Hand-counting ballots is required in California in at least 1 % of the precincts with no upper limit on the number to be conducted: CA Elections Code Section 15360 (1 )(A) and (8)
- Hand counting is the gold standard. When there is a discrepancy between hand and machine count, the hand count governs
- Hand counts are done in France, Germany, Norway, Argentina, New Zealand, Japan, Taiwan, and 81 other countries; many complete the count on the same day
- It was demonstrated that the machine count can be changed with a ballpoint pen, within seconds
- Estimated net savings per election counted by hand instead of machine:\$392,167
- Regarding the specter of a lawsuit: a price tag cannot be put on our freedom, which is safeguarded by elections
- One website shows 1,620 proven cases of voter fraud. This is just the tip of the iceberg. Visit [shastavote.org](http://shastavote.org) for examples of local election fraud
- Voter ID alone will not deliver us accurate results; the other tenets of Measure Bare necessary to eliminate the opportunity for would-be fraudsters to dilute or steal your vote
- Measure B offers a sweeping cleanup to our current system

**Ensure the integrity of your vote by voting YES on Measure B!**

/s/Deidre Holliday

/s/Jim Burnett

/s/Laura Hobbs

/s/Richard Gallardo

/s/Kari Chilson



## Local Charter Amendment Measure B

### Full Text of Measure B

Add an amendment to the Shasta County Charter that specifies elections shall 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). All ballots shall be hand counted at the precincts, according to California Election Codes 15272-15281, utilizing the tally book format in Linda Rantz' Return to Hand Counting manual (pg 141-176). The ballots and the tally sheets shall be projected onto monitors so that observers can confirm the accuracy of the count. Precinct manual hand count results will be used for the official canvass of Shasta County. Counting teams of four shall be composed of two Democrats and two Republicans, when possible. Counting shall occur concurrent with voting (after 11 or more ballots have been cast and shuffled) but tallies shall not be released until polls close, at which point the first numbers will be taped to the door, and updated every hour thereafter until counting is complete. County-wide election outcomes shall be provided on the night of the election, or shortly thereafter. Hand counters shall be members of the public from any political party, selected by a fair and transparent public lottery of volunteers, sixty days prior to election day. Hand counters shall wear a name tag with their first and last name visible to the public. Hand counters shall be volunteers with no expectation of payment, however, the County may offer them a stipend of no more than \$100 dollars for their participation on election day. Shasta County voter rolls shall be maintained on a computer not connected to the State of California, nor any other third party. A new voter roll shall be created upon implementation of this measure. The voter rolls shall be maintained on a computer with open-source software that is not connected to the internet (through cable or wireless modem) with periodic back-up onto external hard drives. Only paper poll books shall be used to check in voters on election day. Voter rolls shall be kept clean by permanently removing individuals who are deceased, moved out of county lines, or have addresses that are undeliverable. Inactive and canceled voter lists shall be held within a separate database on a different computer, also not connected to the internet. 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. Third party and DMV voter registrations shall not be added to Shasta County voter rolls until verified for eligibility.

# Exhibit G

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CASE #: C106517

No.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

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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.*

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**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**

---

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202890)

*Senior Assistant Attorney General*

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*Supervising Deputy Attorney  
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*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)).<sup>1</sup> 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

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<sup>1</sup> 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,

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**/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

## 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.)<sup>2</sup>

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

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<sup>2</sup> 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. Gnos* (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,<sup>3</sup> 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.<sup>4</sup> As charter jurisdictions throughout the state continue to attempt to subvert state election law through charter amendments like Measure B,<sup>5</sup> this Court should affirm that charter counties lack any degree of

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

<sup>4</sup> 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 1, 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”].

<sup>5</sup> 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)).<sup>6</sup> 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,

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<sup>6</sup> 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.<sup>7</sup>

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

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<sup>7</sup> 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]”<sup>8</sup>; (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.”<sup>9</sup> (*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

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<sup>8</sup> “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.)

<sup>9</sup> 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.)<sup>10</sup> 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

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<sup>10</sup> 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.<sup>11</sup>

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

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<sup>11</sup> 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.”<sup>12</sup>

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*

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<sup>12</sup> 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.)<sup>13</sup>

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 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.”<sup>14</sup> Similarly, Elections Code section 3016.3,

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<sup>13</sup> *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”].)

<sup>14</sup> 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.”<sup>15</sup>

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 mail<sup>16</sup>—

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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](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”].)

<sup>15</sup> 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#](https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202520260AB1249#)>.

<sup>16</sup> 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

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*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.<sup>17</sup> 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."<sup>18</sup> 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

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<sup>17</sup> 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>>.

<sup>18</sup> 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#>](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.”<sup>19</sup>

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”

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<sup>19</sup> 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),<sup>20</sup> 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).)<sup>21</sup>

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<sup>20</sup> 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](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”].)

<sup>21</sup> 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).<sup>22</sup> 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

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<sup>22</sup> (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,

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## 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*

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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:

- |                                                                                                                                                         |                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Clerk of the Board of<br/>Supervisors, Shasta County</b><br>County Administration Center,<br>1450 Court Street, Suite 308B,<br>Redding, CA, 96001 | <b>2. Laura Hobbs</b><br><u>Work address:</u><br>1643 Market Street<br>Redding, CA 96001<br><br><u>Personal address:</u><br>6751 W. Waverly Ave.<br>Redding, CA, 96001 |
| <b>3. Rich Gallardo</b><br><u>Personal address:</u><br>5342 #2 Valleyridge Dr.<br>Redding, CA 96003                                                     | <b>4. Deidre Holliday</b><br><u>Personal address:</u><br>1397 Edgewood Drive<br>Redding, CA, 96003                                                                     |

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 FROM 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](mailto: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: [Ahhaberbush@lexrex.org](mailto:Ahhaberbush@lexrex.org)**  
**[dpauly@LexRex.org](mailto: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

# Exhibit H

RETRIEVED FROM DEMOCRACYDOCKET.COM

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**THIRD APPELLATE DISTRICT**

|                                                                                                                                          |                               |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
|                                                                                                                                          | Court of Appeal No.:          |
| The People of the State of California ex rel.<br>Rob Bonta Attorney General of the State of<br>California                                | Shasta County No.:<br>C106517 |
| Plaintiff and Respondent,                                                                                                                |                               |
| v.                                                                                                                                       |                               |
| Shasta County Board of Supervisors and Clint<br>Curtis in his official capacity as Shasta County<br>Register of Voters and County Clerk. |                               |
| Defendant and Appellant.                                                                                                                 |                               |

**RESPONDENT'S OPENING BRIEF  
NON- OPPOSITION**

JOSEPH F. LARMOUR 282496  
County Counsel  
1450 Court St., Ste. 332  
Redding, CA 96001  
Telephone No.: (530) 225-5711  
countycounsel@shastacounty.gov

Attorney for Shasta County

Document received by the CA 3rd District Court of Appeal.

Defendant Shasta County Board of Supervisors and Clint Curtis in his official capacity as Shasta County Register of Voters and County Clerk will take no action to defend Measure B or argue the merits related to the present court action.

Although Defendants takes no position on the merits of the action, Defendants Agrees that the matter must be decided swiftly to prevent confusion in the November election. To that end, any action in the Superior Court would surely be appealed and would lead to further delay. Therefore, Defendants believe an initial hearing at Court of Appeal would help to streamline this process. Shasta County seeks certainty for its citizens in this matter.

Respectfully submitted,

Dated: June 24, 2026

By: Joseph Larmour  
JOSEPH LARMOUR  
County Counsel

# Exhibit I

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN THE  
**Court of Appeal of the State of California**  
IN AND FOR THE  
**THIRD APPELLATE DISTRICT**

THE PEOPLE ex rel. ROB BONTA,  
as Attorney General, etc., et al.,  
Petitioners,  
v.  
COUNTY OF SHASTA et al.,  
Respondents;  
LAURA HOBBS et al.,  
Real Parties in Interest.

Case no. C106517

BY THE COURT:

The petition for writ of mandate is denied. The court declines to exercise its original jurisdiction to review the challenged measure at this time. The denial is without prejudice to petitioners seeking expedited relief in the trial court in the first instance and to refiling in this court upon a showing that petitioners attempted to obtain expedited relief in the trial court, and the trial court failed to timely act. (See *Communities for a Better Environment v. State Energy Resources Conservation & Development Com.* (2020) 57 Cal.App.5th 786, 799.)

  
MAURO, Acting P.J.

-----  
cc: See Mailing List

IN THE  
**Court of Appeal of the State of California**  
IN AND FOR THE  
**THIRD APPELLATE DISTRICT**

MAILING LIST

Re: The People ex rel. Rob Bonta et al. v. County of Shasta et al.  
C106517

Copies of this document have been sent by mail to the parties checked below unless they were noticed electronically. If a party does not appear on the TrueFiling Servicing Notification and is not checked below, service was not required.

Liam Edward O'Connor  
Office of the State Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004

Seth E. Goldstein  
Office of the State Attorney General  
P.O. Box 944255  
Sacramento, CA 94244

Jay Craig Russell  
Office of the Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7005

S. Clinton Woods  
Office of the State Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102

Harald H. Kirn  
Office of the Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004

Joseph F. Larmour  
Office of the Shasta County Counsel  
1450 Court Street, Suite 332  
Redding, CA 96001

Alexander Hunt Haberbush  
Lex Rex Institutes  
444 W. Ocean Boulevard, Suite 1403  
Long Beach, CA 90802

Deborah Lyn Pauly  
Lex Rex Institutes  
444 W. Ocean Boulevard, Suite 1400  
Long Beach, CA 90802

**DECLARATION OF SERVICE BY E-MAIL and U.S. MAIL**

Case Name: **The People of the State of California v. County of Shasta, et al.**

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: 2550 Mariposa Mall, Room 5090, Fresno, CA 93721-2271. My electronic service address is Josefina.Vinton@doj.ca.gov. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. 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.

On June 30, 2026, I served the attached:

- **CIVIL CASE COVER SHEET**
- **SUMMONS**
- **PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF**
- **NOTICE OF RELATED CASES**

by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

Joseph F. Larmour  
Attorney at Law  
1450 Court Street, Room 332  
Redding, California 96001  
**E-mail Address:**  
countycounsel@shastacounty.gov  
*Counsel for Respondent*  
**(Service via E-mail and US Mail)**

Alexander H. Haberbush, Esq.  
Deborah L. Pauly, Esq.  
Lex Rex Institute  
444 W. Ocean Blvd., Ste. 1403  
Long Beach, California 90802  
**E-mail Addresses:**  
Ahaberbush@lexrex.org  
dpauly@LexRex.org  
*Counsel for Real Parties in Interest*  
**(Service via E-mail and US Mail)**

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 30, 2026, at Fresno, California.

J. Vinton

Declarant

/s/ J. Vinton

Signature