

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:24-cv-21983-JB

CUBANOS PA'LANTE, *et al.*,

*Plaintiffs,*

v.

FLORIDA HOUSE OF  
REPRESENTATIVES, *et al.*,

*Defendants.*

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**PLAINTIFFS' UNOPPOSED MOTION FOR JUDICIAL NOTICE**

Plaintiffs respectfully request that the Court take judicial notice of the attached documents: Governor Ron DeSantis' January 7, 2026 Proclamation and the Secretary of State's Directive 2026-01. In support, Plaintiffs state as follows:

1. On January 7, 2026, Governor DeSantis issued the Proclamation, convening a special session of the Legislature beginning April 20, 2026.
2. The special session's purpose is to "consider[] legislation relating to the drawing of congressional districts for the State of Florida and any legal challenges thereto."
3. That same day, the Secretary issued the Directive, moving the 2026 congressional candidate qualifying period from April to June.
4. Plaintiffs respectfully request judicial notice of the Proclamation and Directive, as they relate to the feasibility and timing of a remedial phase of this case, should one be necessary.
5. FRE 201(b)(2) permits the Court to take judicial notice of a matter that "can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned."
6. The attached Proclamation and Directive are government documents whose accuracy cannot reasonably be questioned.

**LOCAL RULE 7.1(a)(3) CERTIFICATE OF CONFERRAL**

Plaintiffs' counsel conferred with counsel for Defendants, who do not oppose the requested relief.

Respectfully submitted January 12, 2026,

/s/ Helena M. Li

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# PROCLAMATION

STATE OF FLORIDA

EXECUTIVE OFFICE OF THE GOVERNOR  
TALLAHASSEE

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE  
AND HOUSE OF REPRESENTATIVES

WHEREAS, Article III, Section 3(c)(1) of the Florida Constitution permits the Governor to convene the Legislature in special session by a proclamation that states the purpose of such special session; and

WHEREAS, Article III, Section 3(c)(1) further provides that the Legislature may only transact such business during the special session that is within the purview of the Governor's proclamation, or of a communication from the Governor, or that is introduced by consent of two-thirds of the membership of each house; and

WHEREAS, Article III, Section 3(d) limits the duration of any special session to no more than twenty consecutive days, unless extended by a three-fifths vote of each house; and

WHEREAS, on July 17, 2025, the Florida Supreme Court held in *Black Voters Matter Capacity Building Institute, Inc. v. Secretary, Florida Department of State*, No. SC2023-1671, that the "Legislature's obligation to comply with the Equal Protection Clause [of the United States Constitution] is superior to its obligation to comply with the Non-Diminishment Clause [of the Florida Constitution] as interpreted by our Court"; and

WHEREAS, longstanding United States Supreme Court precedent disfavors the predominant use of race in drawing electoral district boundaries; and

WHEREAS, the United States Supreme Court is presently considering in *Louisiana v. Callais*, No. 24-109, whether Louisiana's intentional creation of a second majority-minority congressional district to comply with the Voting Rights Act violates the Fourteenth and Fifteenth Amendments to the United States Constitution; and

WHEREAS, under Article I, Section 4, Clause 1 of the United States Constitution, the drawing of electoral district boundaries for federal congressional elections is primarily the duty and responsibility of the states; and

WHEREAS, the states have an obligation to redraw their congressional districts at least every ten years to conform with the most recent decennial census, *see* 2 U.S.C. §§ 2a-2c; and

WHEREAS, there is no legal impediment to exercising the authority to redraw congressional district boundaries mid-decade; and

WHEREAS, under the Florida Constitution, any measure that redraws Florida's congressional district boundaries requires a majority vote of both houses of the Legislature and the approval of the Governor, *see* art. III, §§ 7, 8, Fla. Const.; and

WHEREAS, the Legislature should redraw Florida's congressional district boundaries in light of the recent legal developments referenced above and in the interest of making further improvements to the congressional districts based upon traditional redistricting principles; and

WHEREAS, the Legislature should wait as long as is feasible for conducting the 2026 elections before redrawing Florida's congressional district boundaries in order to take advantage of any further guidance from the United States Supreme Court, which is expected in early 2026, on the use of race in drawing electoral districts; and

WHEREAS, under Section 99.061(9), Florida Statutes, the qualifying period for persons seeking to qualify for nomination or election to federal office in a year in which the Legislature apportions the state shall be between noon of the 71st day prior to the primary election, but not later than noon of the 67th day prior to the primary election.

NOW, THEREFORE, I, RON DESANTIS, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1) of the Florida Constitution, do hereby proclaim as follows:

Section 1. The Legislature of the State of Florida is convened in Special Session commencing at 12:00 p.m., Monday, April 20, 2026, and extending no later than 11:59 p.m., Friday, April 24, 2026.

Section 2. The Legislature of the State of Florida is convened in Special Session for the sole and exclusive purpose of considering legislation relating to the drawing of congressional districts for the State of Florida and any legal challenges thereto, including the appropriation of additional funding for such litigation.

Section 3. In light of this proclamation convening the Legislature of the State of Florida for the purpose of reapportioning the State's congressional districts, I hereby acknowledge that 2026 is a year in which the Legislature will apportion the State for purposes of Sections 99.061, 99.095, 99.09651, Florida Statutes, and any other relevant Florida laws.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation convening the Legislature in Special Session at the Capitol, this 7th day of January, 2026.



  
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RON DESANTIS, GOVERNOR

ATTEST:

  
\_\_\_\_\_  
SECRETARY OF STATE

DEPARTMENT OF STATE  
TALLAHASSEE, FL  
2026 JAN -7 PM 12:08  
FILED

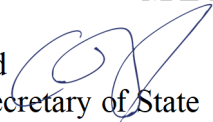


## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

### MEMORANDUM

**FROM:** Cord Byrd   
Florida Secretary of State

**TO:** Supervisors of Elections

**DATE:** January 7, 2026

**SUBJECT:** Directive 2026-01—Congressional Candidate Qualifying;  
Year of Apportionment

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On January 7, 2026, Governor DeSantis issued a Proclamation pursuant to Article III, section 3(c)(1), Florida Constitution, calling for a special session to be held beginning on April 20, 2026, and extending no later than April 24, 2026. The Governor's Proclamation convenes the Legislature to redraw the state's congressional districts.

The qualifying period for congressional candidates for the 2026 election cycle is currently set to begin at noon on Monday, April 20, 2026. See § 99.061(1), Fla. Stat. Congressional candidates seeking 2026 ballot placement must know in a sufficiently timely manner from which voters they may obtain petition signatures or how many signatures they must obtain. Therefore, I conclude that the provisions in the Election Code referring to procedures to be followed in a "year of apportionment" apply to congressional candidates for the purpose of qualifying in such races in Florida during the regular 2026 election cycle. See §§ 99.061(9), 99.095, 99.09651, Fla. Stat.

In an apportionment year, the qualification requirements for a congressional candidate change in three significant ways. First, such a candidate may obtain signatures from electors who reside anywhere in the state (rather than from only those who reside within the district). See § 99.09651(3), Fla. Stat. Second, there is a different formula for calculating the minimum number of signatures required to qualify by petition. See § 99.09651(1), (2), Fla. Stat. Third, the qualifying dates for congressional candidates change. See § 99.061(9), Fla. Stat. These different requirements reflect that the timing of redrawing district boundaries conflicts with the ordinary process of identifying which and how many voters within a district would be required to qualify by petition.

Pursuant to my authority under section 97.012(1) and (16), Florida Statutes, I hereby direct the supervisors of elections in Florida to perform the duty of verifying signatures on petitions submitted to them by congressional candidates pursuant to section 99.095(3), Florida Statutes, to determine whether a petition's signature is from a voter registered within the county in which it was circulated. The petitions must state that the candidate is seeking the office of U.S. Representative, but they shall not include a district number, see § 99.09651(4), Fla. Stat.; however, if a petition includes a district number, the district designation may be disregarded as extraneous and unnecessary information for the applicable qualifying period.

Any congressional candidate in Florida seeking ballot placement for the 2026 election who seeks to qualify by the petition process may obtain signatures "from any registered voter in Florida regardless of party affiliation or district boundaries." See § 99.09651(3), Fla. Stat. Moreover, such a candidate will need to collect 2,564 signatures. See § 99.09651(1), (2), Fla. Stat. (requiring a candidate for Congress in an apportionment year to collect a number of signatures equal to one-third of one percent of the "ideal population," which is a number calculated by taking the total state population based on the most recent decennial census (21,538,187 in 2020) and dividing by the number of congressional districts apportioned to Florida (28). Finally, the qualifying dates for congressional candidates shall be from noon on June 8, 2026, to noon on June 12, 2026. See § 99.061(9), Fla. Stat.