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April 28, 2022

Hon. Patrick F. McAllister
Justice of the Supreme Court
Steuben County
3 East Pulteney Square
Bath, New York 14810

RE: Harkenrider v Hochul et al
Index No: E2022-0116CV (Steuben Supreme)

Dear Justice McAllister

The current schedule for the special master's preparation of new Congressional lines requires them to be promulgated no later than May 24, 2022. (NYSCEF# 258). If the new Congressional and Senate primary were to be held on August 23, 2022, under federal law (52 U.S.C. 20302), primary ballots to military and overseas voters must be transmitted no later than July 9, 2022 (45 days before the primary)¹. There are only 46 days between the May 24th adoption of Congressional lines until the last possible date ballots must be sent under federal law on July 9th. In that 46 day span, boards of elections must update their voter registration systems and implement ballot access procedures and all ballot access issues must be fully resolved.

Accordingly, the New York State Board of Elections respectfully requests that: (i) the time frame for arriving at new State Senate lines not extend past the May 24, 2022 deadline already applicable to Congress, and (ii) the Court consider expediting the approval process for both the Congressional and State Senate lines in any manner possible.

Very truly yours,

s/

Brian L. Quail

s/

Kimberly A. Galvin

¹ Under New York law the deadline to transmit military and overseas ballots is actually one day earlier – 46 days before the primary. *See* Election Law § 10-108 (1) (1).

