Filing # 262228309 E-Filed 11/27/2026 08:10:22 PM

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

CIVIL DIVISION

NICOLE LOCKLIN, Democratic Nominee for U.S. Congress in Florida's 26th District for the 2026 General Election,

Plaintiff,

v.

ALINA GARCIA, in her official capacity as Supervisor of Elections for Miami-Dade County; MARIO DIAZ-BALART; MIAMI-DADE COUNTY CANVASSING BOARD; BROWARD COUNTY CANVASSING BOARD; and FLORIDA ELECTIONS CANVASSING COMMISSION,

Defendants.
_____/

Case No.: _____

COMPLAINT TO CONTEST ELECTION; REQUEST FOR EXPEDITED DISCOVERY AND IMMEDIATE HEARING

COMPLAINT TO CONTEST ELECTION AND REQUEST FOR EXPEDITED DISCOVERY AND IMMEDIATE HEARING

Plaintiff Nicole Locklin ("Plaintiff") contests the certified results of the November 3, 2026 election (the "Election") for Representative in the United States Congress for Florida's Twenty-Sixth Congressional District ("FL-26") under Section 102.168, Florida Statutes. The requested relief concerns Florida's election records, canvass, and certification. Article I, section 5, clause 1 of the United States Constitution reserves the United States House of Representatives' authority to judge the elections and returns of its members.

I. NATURE OF THE ACTION

1. Late on Election night, 3,000 votes appeared in the reported total for Plaintiff Nicole Locklin, placing her ahead in the FL-26 race. Those votes later disappeared from the reported total, changing the reported lead to Mario Diaz-Balart. They later reappeared, and the reported total subsequently fell again by 2,553 votes. The certified margin was only **1,670 votes**.
2. For more than three weeks, Plaintiff has repeatedly requested the original election-night records that would establish whether those changes originated with the Miami-Dade Supervisor of Elections Office ("SOE") or with a third-party reporting service. The SOE has denied that the disputed reduction occurred in official government reporting, but has not

provided the original historical submissions needed to independently verify that explanation. A separate election reporting service publicly stated that Miami-Dade County was reporting 48,822 votes for Plaintiff and that the total subsequently decreased to 46,629. The contemporaneous reporting archive separately reflects a reduction from 48,822 to 46,269, a decrease of 2,553 votes. Both reported reductions exceed the certified margin of victory.

3. Upon information and belief, at least 2,553 legally cast votes for Plaintiff were omitted from the official results, and but for that omission, Plaintiff would have won this election. Plaintiff seeks to prove that allegation through the original records and testimony, not through assumptions about incomplete public-records productions. The voters of FL-26 deserve no less than transparency and accountability from the very office tasked with conducting free and fair elections in Miami-Dade County as an office of public trust.
4. Plaintiff brings this contest under Section 102.168, Florida Statutes, to determine the lawful result of the Election in FL-26. Plaintiff seeks an immediate hearing, preservation of the evidence, and expedited discovery so that the result can be tested against facts and independently verifiable records; and so the voters of FL-26 can be certain that the Election results reflect their will, as intended in our representative democracy.

II. PARTIES; VENUE AND JURISDICTION; CERTIFIED RESULTS

5. Plaintiff was the duly qualified candidate for FL-26 and is an unsuccessful candidate under the certified results being contested in this Complaint.
6. Defendant Alina Garcia is the elected Supervisor of Elections for Miami-Dade County and is included in her official capacity ("Supervisor"). The Supervisor is responsible for the administration of the Election within Miami-Dade County, the performance of her statutory duties relating to tabulation and reporting, and the conduct of the SOE and its employees and agents within the scope of their official responsibilities.
7. Defendant Mario Diaz-Balart ("Diaz-Balart") was certified as the successful candidate in FL-26 and is joined as a necessary party pursuant to Section 102.168(4), Florida Statutes.
8. The Miami-Dade and Broward County Canvassing Boards canvassed their respective county results. The Florida Elections Canvassing Commission certified the applicable state results. The Florida Elections Canvassing Commission is joined as an indispensable party defendant pursuant to section 102.168(4), Florida Statutes.
9. This Court has jurisdiction under Section 102.168, Florida Statutes. Venue is proper in Leon County under Section 102.1685 because the election encompassed portions of two counties.

10. The Elections Canvassing Commission certified the results of the Election on November 17, 2026. This Complaint is timely filed pursuant to section 102.168(2), Florida Statutes.
11. The certified results reflect 112,911 votes for Plaintiff, 114,581 for Diaz-Balart and 2,352 for Deborah Ann Meidinger Hosey. **The certified margin is 1,670 votes**.
12. In Broward County, Plaintiff received 66,580 votes and Diaz-Balart received 42,451 votes, a margin of 24,129 for Plaintiff.
13. In Miami-Dade, Plaintiff received 46,331 votes and Diaz-Balart received 72,130, a margin of 25,799 for Diaz-Balart.

III. ADDITIONAL PARTIES AND AMENDMENT

14. The identities and respective involvement of all persons and entities responsible for the conduct alleged herein are not presently known to Plaintiff. Information necessary to determine their involvement remains within the possession or control of election officials, contractors, vendors, and other persons or entities. Plaintiff requests expedited discovery to ascertain their identities and respective roles and reserves the right, subject to applicable law, to amend this Complaint, assert additional allegations, and join additional parties pursuant to Florida Rules of Civil Procedure 1.190, 1.210, and 1.250.

IV. ELECTION-NIGHT CHANGES IN VOTE TOTALS

15. On November 3, Plaintiff and her campaign monitored election results from multiple reporting services and via live television broadcasts from multiple stations.
16. At approximately 11:00 p.m., a contemporaneous archive showed 45,822 Miami-Dade votes for Plaintiff.
17. Plaintiff's reported vote total subsequently increased to 48,822, an increase of 3,000 votes. Plaintiff was shown leading districtwide with 115,320 votes and Diaz-Balart with 114,194.
18. By approximately 11:18 p.m., Plaintiff's campaign observed the reported lead.
19. The totals showing Plaintiff leading with 115,320 votes were reported by major news outlets, including but not limited to, CBS, Telemundo, CNN, NBC, as well as local news stations. See Figures A-D below.

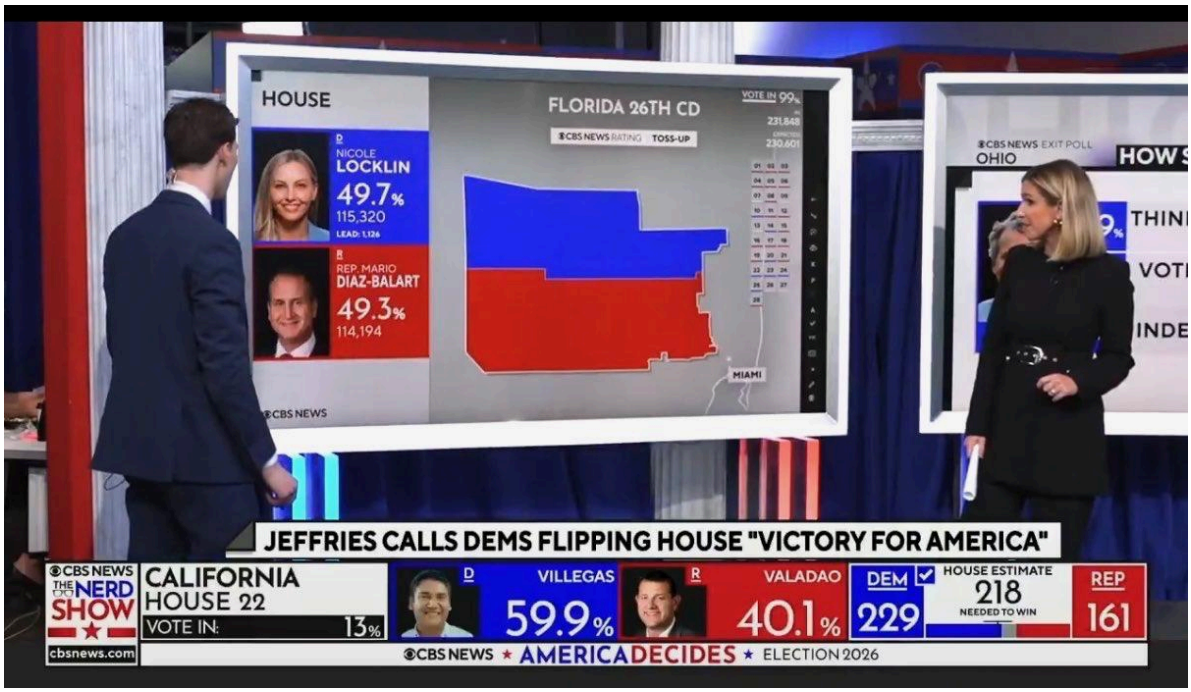

Figure A. CBS News TV, Election night, Reporting Plaintiff leading with 115,320 and 99% of votes in.



Figure B. Telemundo TV, Election night, Reporting Plaintiff leading with 115,320 with 50% of the vote.

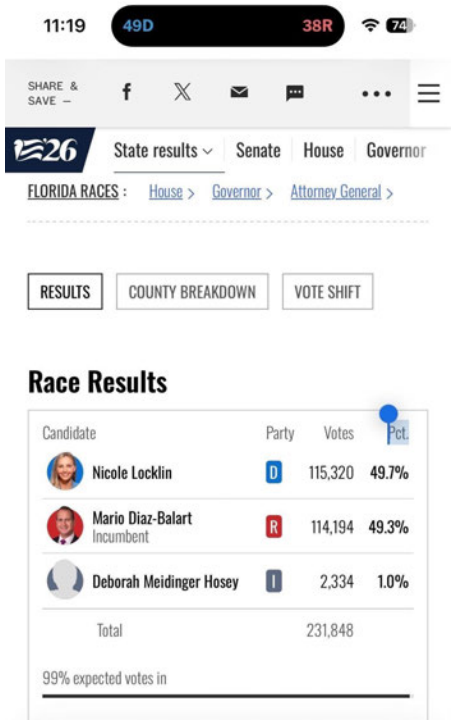

Figure C. NBC Election Night Reporting Screenshot



Figure D. CNN Election Night Reporting Screenshot

20. The online betting website Kalshi.com's historical data showed bet volume increased substantially in this race after news outlets began displaying Plaintiff ahead with 115,320 votes.
21. By approximately 11:36 p.m., the additional 3,000 votes had disappeared from certain reported totals.
22. At approximately 12:15 a.m. on November 4, the additional votes **reappeared** in contemporaneous reporting.
23. Plaintiff and her campaign ended their election-night monitoring believing Plaintiff had won.
24. By approximately 12:42 a.m., the archive again showed a reduction. Plaintiff's reported Miami-Dade total fell from 48,822 to 46,629, **a reduction of 2,193 votes**. 352 and 14 votes were added for Diaz-Balart and Hosey, respectively, at that same time.
25. The identified reporting changes were attributed to Miami-Dade County. The archive did not show corresponding changes in Broward County during those intervals.

26. On November 4, WPLG Channel 10 ("Local 10") published an article containing a photograph showing 115,320 districtwide votes for Plaintiff, above an article title "*Diaz-Balart, Locklin locked in close race for Florida's 26th Congressional District*" with a publication time of approximately 8:48 a.m. Plaintiff preserved a photograph of that display. See Figures E and E-1 below.



Figure E. 11/4/26 9:22 a.m. Screenshot, Local 10

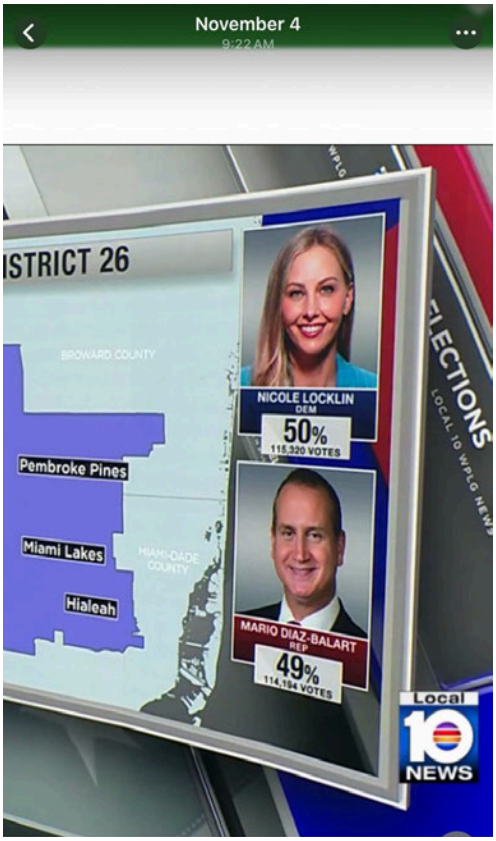

Figure E-1. Zoomed in screenshot of Figure E.

27. On November 4 at 9:17 a.m., Local 10 displayed 115,320 districtwide votes for Plaintiff. Plaintiff preserved a photograph at the same time. See Figure F below.

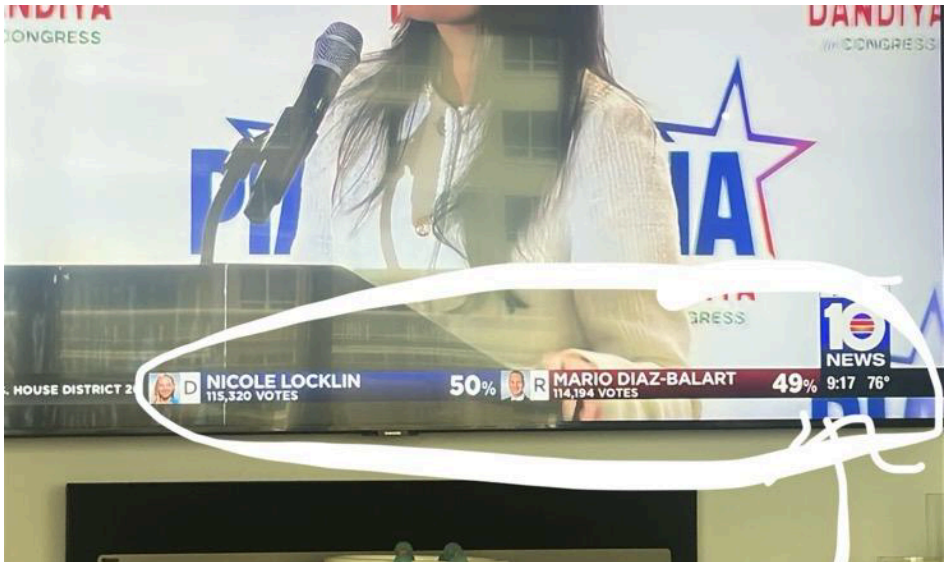

Figure F. 11/4/26 9:17 a.m. Local 10 TV reported Plaintiff leading with 115,320 votes and 50% of the vote.

28. The certified districtwide total for Plaintiff is **2,409 votes** below that displayed total.
29. The screenshots and archives establish observation times, not necessarily the times of underlying system transactions. The reporting services' upstream sources remain to be established.

V. THE DISPUTED ORIGIN OF VOTES

30. The Associated Press ("AP") attributed the reporting discrepancy to a data-entry error. WFOR TV CBS Miami ("CBS Miami") displayed the AP's statement at approximately 7:00 p.m. on November 4, 2026 which stated, "A data entry error caused an incorrect vote total to briefly appear for Nicole Locklin in Florida's 26th Congressional District race. We quickly identified and corrected the total. The AP has not declared a winner in the race." See Figure G below.

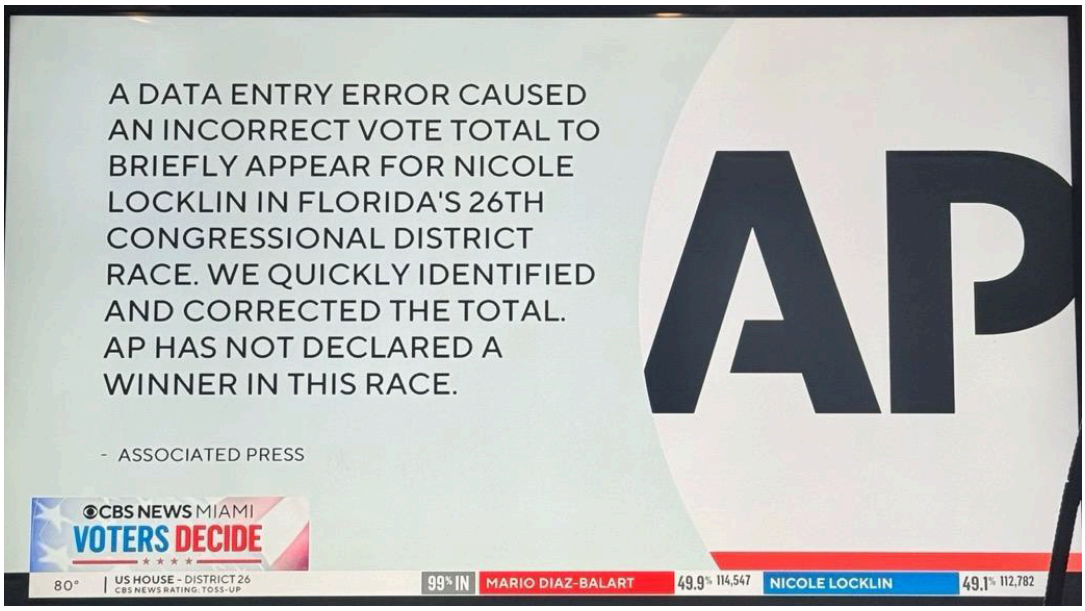

Figure G. Approx. 7:00 p.m., 11/4/26, CBS Miami's publication of AP's statement.

31. This explanation came after Plaintiff and CBS Miami reporter Joan Murray began seeking an explanation for the election-night reduction in Plaintiff's reported vote total. Upon information and belief, Murray subsequently contacted the AP after receiving information identifying the AP as the source of the discrepancy. Plaintiff is unaware of any contemporaneous public correction or explanation issued by the AP on election night addressing the disputed reduction.
32. An independent election results aggregator, CivicAPI, publicly attributed the higher figure of 48,822 votes for Plaintiff to Miami-Dade and described a subsequent downward adjustment. See Figure H below. CivicAPI's public website states that its election data is aggregated from the Secretary of State (or equivalent election body such as state/county boards). CivicAPI's public statement expressed uncertainty about the cause of the error and suggested a possible county data-input error.



Figure H. 4:16 p.m., 11/4/26, CivicAPI public statement on X.com: "Miami-Dade was reporting 48,822 votes for [Plaintiff]."

33. On November 7, 2026, in response to Plaintiff's email to the Supervisor to preserve records in light of potential litigation regarding the election results, the Supervisor's General Counsel stated, "To assist you in your efforts to establish what has occurred, you may want to ask the Associated Press to preserve their records as they have already acknowledged that any error was in their reporting." No records were produced by the Supervisor at that time, and no attempt at an explanation was made.
34. Plaintiff repeatedly requested the original contemporaneous records necessary to verify that explanation.

35. Upon information and belief, the disputed higher totals reflected at least 2,553 legally cast votes for Plaintiff included in Miami-Dade's tabulation and subsequently omitted from the official result.
36. The factual basis for this allegation is the repeated reported increases and decreases, the attribution of the figures to Miami-Dade, and the contemporaneous reporting described above. The original source and validity of the disputed votes remain matters for proof.
37. The precise internal mechanism is not presently known to Plaintiff. The relevant historical files and technical records are within the possession or control of election officials, their vendors, and reporting services.

VI. MANDATORY REPORTING AND OUTSTANDING VERIFICATION RECORDS

38. Section 102.141(4)(b), Florida Statutes, requires the Supervisor, on behalf of the canvassing board, to report results to the Department of State at prescribed intervals, including updated precinct results **at least every 45 minutes until reporting is complete**, and to notify the Department immediately of impediments to required updates.
39. Section 102.141(11), Florida Statutes, and Rule 1S-2.053(4), Florida Administrative Code, require the Supervisor to transmit a copy of or export from the county voting system's results database to the Division of Elections at the time the county's official election results are certified. The contemporaneous state-held export is a distinct verification record, not necessarily a complete ballot-level CVR or transaction history.
40. Plaintiff requested the original historical state submissions following the election.
41. Plaintiff specifically advised the Supervisor that she sought to determine whether the disputed totals originated with Miami-Dade or solely with a downstream reporting service.
42. The Supervisor produced a spreadsheet created by the SOE containing selected reporting entries rather than the original historical submissions requested.
43. After further inquiries, the Supervisor produced a VR Systems posting history. It identified posting and publication times but not the candidate vote totals that were reported.
44. The supplied history from the Supervisor identifies a successful posting at approximately 10:58 p.m., publication at 10:59 p.m. and 11:17 p.m. on November 3, 2026, and the next identified successful posting at approximately 12:37 a.m. on November 4, 2026.
45. That history does not establish whether the separate statutory state reporting requirement was satisfied. If these records reflect the complete update history from the SOE, **the**

Supervisor failed to meet the statutory requirement to report precinct results *at least* every 45 minutes until all votes are received.

46. Plaintiff repeatedly notified the Supervisor that she intended to contest the election and that the records were necessary before the statutory filing deadline.
47. On November 12, 2026, after receiving almost no responsive documents from the Supervisor, Plaintiff filed an action seeking enforcement of her public-records rights.
48. Plaintiff also held a press conference on November 12, 2026 in front of the SOE explaining the records that were being demanded in the action filed. At the beginning of Plaintiff's press conference, several car alarms were activated in the SOE parking lot disrupting the press conference and prompting the press in attendance to request that Plaintiff start her statements over.
49. The Supervisor provided the first material production of documents following Plaintiff's filing of the action and press conference. That production has since been piecemeal, random, and incomplete, despite Plaintiff requesting required reports that the Supervisor was required to submit to the State on Election night and reports that are automatically generated as a required part of the vote counting process. Therefore, these records and reports should be readily available for production.
50. As of filing, more than three weeks after the election, the original state submissions and complete technical records needed to establish the origin of the disputed figures remain outstanding.
51. Article I, section 24(a) of the Florida Constitution and Section 119.07(1)(c), Florida Statutes, require access to nonexempt public records and a prompt, good-faith response, including reasonable efforts to identify responsive records elsewhere within the agency and determine where they can be accessed.
52. The Supervisor failed to undertake reasonable and timely efforts to identify and produce the requested nonexempt records. The basis for this allegation includes the prolonged nonproduction of identified electronic records, repeated incomplete responses and the inaccurate completeness representation described below.
53. The Supervisor's failure to provide these records has materially impaired Plaintiff's ability to substantiate or disprove the disputed election-night allegations before the statutory deadline.

54. On Tuesday morning, November 24, 2026, the Supervisor advised that certain production and inspection could be available to Plaintiff on November 30, 2026 at the earliest. Plaintiff immediately emailed Supervisor's General Counsel demanding immediate production of digital files that had been available since the prior week and an appointment to review physical ballots *still* missing CVRs from Precinct 306.0, stating there is a point at which professional courtesy and the benefit of the doubt give way to legitimate concerns about intentional delay and that the cumulative effect of the Supervisor's conduct was creating the appearance that production is being deliberately prolonged until Plaintiff's statutory right to contest the election expired.
55. Further production followed this email to the Supervisor's General Counsel.
56. Section 119.11(4), Florida Statutes, prohibits alteration, destruction, transfer of custody or other disposition of specific records at issue after service of the applicable public-records pleading, until the court directs otherwise. Plaintiff seeks preservation of all relevant records; no violation of that subsection is alleged merely from continued custody.

VII. INCOMPLETE PRODUCTIONS OF RECORDS

57. After repeated demands for production, the Supervisor produced records represented to constitute the complete Cast Vote Records ("CVRs") for the Election. A CVR is an electronic record reflecting the voting system's interpretation of selections on an individual ballot.
58. Plaintiff explicitly requested twice that the Supervisor confirm that the CVRs produced included every legal ballot cast in the Election, and twice the Supervisor represented that the files produced were complete.
59. Plaintiff's reconciliation identified 21,487 missing FL-26 ballot records representing 21,204 valid candidate selections. Forty-seven (47) precincts had no Election Day CVRs in the initial production.
60. Those forty-seven precincts accounted for 17,609 Election Day ballots and 17,381 valid congressional selections in the official results. Other gaps included 3,446 early voting records. No corresponding mail CVR gap was identified.
61. After Plaintiff identified the discrepancies, the Supervisor acknowledged that the upload from thumb drives into Electionware for public-records production had not been completed.

62. The Supervisor supplied additional records that resolved substantial portions of the original deficiencies.
63. The Supervisor disclosed that six (6) Election day thumb drives remained under vendor review, including one for precinct 306.0 within FL-26, described as containing 305 cast votes for the contest.
64. The initial omissions establish an incomplete public-records production, not that the corresponding ballots were excluded from the official count. The inaccurate completeness representation makes independent verification of the Supervisor's other representations material.
65. **By contrast, Plaintiff's review of Broward's CVRs reconciled exactly to the certified FL-26 candidate totals: 66,580 for Plaintiff, 42,451 for Diaz-Balart, and 1,161 for Hosey**. All 180 precinct-candidate totals and the countywide candidate-by-method totals for FL-26 reconciled. All 59 precincts with FL-26 votes had Election day CVRs.
66. In the initial Miami-Dade production, the official two-candidate margin for Diaz-Balart was approximately 26.88 percentage points in the 47 precincts with no Election Day CVRs, compared with 18.61 percentage points in the 50 precincts with some Election Day CVRs. Diaz-Balart's margin was therefore 8.27 percentage points wider in the precincts with no Election Day CVRs in the initial production.
67. On November 25, 2026, Plaintiff inspected 305 physical ballots associated with precinct 306.0.
68. Plaintiff requested original poll tapes, signed precinct returns, media inventories, upload histories and reconciliation records to resolve these issues.
69. Sections 102.071, 102.141(3) and 101.545, Florida Statutes, Rule 1S-2.015, Florida Administrative Code, and 52 U.S.C. § 20701 establish applicable results, reconciliation, security and retention requirements.
70. Section 101.015 requires written county security procedures consistent with state standards. The approved procedures in force on Election Day, media inventories, and import histories are necessary to determine whether all required media were accounted for and whether the certified database was complete before certification.
71. Comparing original tabulator records, precinct returns, historical reporting files and underlying ballots permits verification independent of later spreadsheets derived from a common system.

72. Plaintiff seeks these records to test the alleged omission of votes and the Supervisor's explanation, not to infer vote deletion solely from incomplete CVR production.

VIII. INABILITY TO ACCESS BALLOT IMAGES "PRODUCED"

73. Plaintiff requested ballot images to independently compare the marks made by voters with the selections reflected in the CVRs and certified results.
74. The Supervisor indicated on November 17, 2026, that Clear Ballot images from the independent audit system were available. Plaintiff responded that she would like to review them immediately. Access credentials were provided a week later on November 24, 2026, three days before the statutory contest deadline.
75. Approximately 3.2 million image files were made available through a secure file transfer protocol (SFTP) server in a single directory, rather than in smaller groups.
76. Plaintiff attempted to retrieve the files using file transfer software and custom computer programs. Directory-listing and retrieval attempts repeatedly failed, including connections reset by the server.
77. On November 25, an information technology employee of the Supervisor's office acknowledged the technical obstacles to accessing the records. Despite notice of the obstacles and the contest deadline, the Supervisor did not provide a workable alternative for retrieving the complete production before filing.
78. Upon information and belief, the Supervisor knowingly maintained the production in a configuration intended to impede Plaintiff's timely access to the ballot images. Plaintiff bases this allegation on the delayed credentials, the single-directory configuration, repeated technical failures, notice of those failures and the absence of a workable alternative, and the statements made by SOE IT personnel.
79. Upon information and belief, prior litigation against the Miami-Dade Supervisor of Elections concerned the preservation of original digital ballot images generated by the county's voting equipment. In October 2025, the Supervisor agreed to begin preserving digital ballot images generated by the voting system.
80. The original ballot images are material to independently determine whether the selections recorded by the voting system accurately reflect the ballots cast by voters.
81. The Clear Ballot images made available to Plaintiff do not constitute the original voting-system images. Upon information and belief, the Clear Ballot images made available to

Plaintiff are distinct from the original voting-system images subject to the October 2025 preservation agreement.

82. As of the filing of this Complaint, the Supervisor has not provided Plaintiff with the requested original voting-system ballot images or documentation establishing their preservation and completeness.
83. Plaintiff seeks preservation, production, and independent examination of the original voting-system ballot images, separately from images generated or maintained through the Clear Ballot audit process.
84. Section 119.01(2), Florida Statutes, establishes requirements concerning public access to electronic records. Plaintiff alleges that the manner of production and failure to remedy the known access obstacles further violated the good-faith response obligation under section 119.07(1)(c), Florida Statutes.
85. As of filing, Plaintiff has been unable to retrieve and examine the complete image production. This impairs independent verification of the certified results and does not itself establish that votes were omitted.

IX. ADDITIONAL MATTERS FOR ALTERNATIVE ALLEGATIONS

86. November 18, 2026 statewide mail-ballot records identified 55,291 outstanding mail ballots in Miami-Dade County and 8,716 in ALL of Broward County.
87. Miami-Dade's outstanding share was more than four times Broward's. Miami-Dade ranked third highest statewide and Broward lowest. The FL-26 portion of Miami-Dade County had 6,506 unreturned mail-ballots, after removing voters who received a mail-ballot but voted early or on Election day.
88. Before the Election, on October 27, 2026, Broward Supervisor of Elections Joe Scott publicly warned of reported postal delays, citing deliveries taking 12 and 14 days, and encouraged alternative return methods. The Supervisor for Miami-Dade publicized drop-off options; Plaintiff has not identified a comparable warning about postal delays.
89. Plaintiff received accounts from voters who mailed completed ballots before Election Day but whose ballots were not recorded as received or counted.
90. Mailing before Election Day does not establish timely receipt. Plaintiff seeks receipt and processing records for the identified ballots.

91. Plaintiff seeks to distinguish ballots timely received but not counted from ballots delivered after the statutory receipt deadline or never returned. Plaintiff does not allege that all outstanding ballots were mailed, legally cast or votes for Plaintiff.
92. Requested ballot-cure information was produced by the Supervisor on the day of the cure deadline, with provisional-ballot information supplied to Plaintiff less than two hours before the deadline to cure those provisional ballots.
93. Plaintiff seeks records of statutory voter notices and ballot dispositions to determine whether legally cast ballots were improperly rejected.
94. Section 101.62(2), Florida Statutes, requires the Supervisor to maintain electronic records concerning vote-by-mail ballot requests, including the date each ballot was requested, the date it was delivered to the voter or postal carrier, the address to which it was mailed, the date the completed ballot was received by the Supervisor, and any identified signature deficiencies.
95. Rule 1S-2.043, Florida Administrative Code, further requires the Supervisor to compile and transmit daily electronic files containing vote-by-mail ballot request and status information to the Florida Division of Elections during the applicable reporting period.
96. These contemporaneous records are material to determining whether completed ballots were timely received by the Supervisor but improperly excluded from the certified election results, and whether the Supervisor complied with applicable ballot-processing and voter-notification requirements.
97. On November 7, 2026, Plaintiff notified the Supervisor of anticipated litigation concerning the Election and expressly requested preservation of relevant electronic records, metadata, and other digital evidence, including records not ordinarily retained under applicable retention schedules.
98. Article II, section 8 of the Florida Constitution establishes that public office is a public trust. Plaintiff relies on applicable official duties, not political affiliation or lawful personal political expression as independent grounds to invalidate the election.

X. OUTCOME MATERIALITY AND ACCESS TO PROOF

99. The higher reported Miami-Dade total of 48,822 exceeds the certified county total of 46,331 by **2,491 votes**.
100. On information and belief, those additional votes were lawful votes omitted from certification, and restoring them would yield at least 115,402 votes for Plaintiff and a victory

by at least 821 votes (holding other certified totals constant). Plaintiff has sought the original records necessary to test this allegation but does not control the election systems or historical reporting files.

101. Florida courts recognize that election contestants may allege facts upon information and belief based on reasonable investigation. *Barber v. Moody*, 229 So. 2d 284, 287 (Fla. 1st DCA 1969); *Howanitz v. Blair*, 394 So. 2d 479 (Fla. 2d DCA 1981).

102. Plaintiff seeks an immediate hearing and expedited discovery to establish or disprove the specific allegations in this Complaint.

XI. CAUSES OF ACTION ALLEGED AND PRAYERS FOR RELIEF

COUNT I — ELECTION-OFFICIAL MISCONDUCT
Section 102.168(3)(a), Florida Statutes

103. Plaintiff incorporates and realleges paragraphs 1 through 102.

104. Upon information and belief, election officials responsible for the Miami-Dade tabulation improperly removed or omitted legally cast votes for Plaintiff from the official election results.

105. Upon information and belief, the omission understated Plaintiff's certified total by at least 2,553 lawful votes. But for that misconduct, Plaintiff would have received more votes than Diaz-Balart.

106. Alternatively, the alleged misconduct was sufficient to place the result in doubt under Section 102.168(3)(a). *See Beckstrom v. Volusia County Canvassing Board*, 707 So. 2d 720 (Fla. 1998).

107. The alleged misconduct is the improper omission of lawful votes, not merely the subsequent failure to produce records. The incomplete productions and outstanding contemporaneous records bear on verification and access to proof.

WHEREFORE, Plaintiff requests an immediate hearing, expedited discovery, preservation and examination of relevant election records, determination of the lawful result, and relief authorized by Section 102.168, Florida Statutes.

COUNT II — REJECTION OF LEGAL VOTES
Section 102.168(3)(c), Florida Statutes

108. Plaintiff incorporates and realleges paragraphs 1 through 102.

109. Upon information and belief, legally cast votes for Plaintiff were included in an earlier Miami-Dade tabulation but subsequently omitted from the certified vote total.
110. Upon information and belief, at least 2,553 legally cast votes for Plaintiff were omitted. But for the rejection or omission of those legal votes, Plaintiff would have received more votes than Diaz-Balart.
111. Alternatively, the alleged rejection of legal votes was sufficient to place the result in doubt under section 102.168(3)(c).

WHEREFORE, Plaintiff requests an immediate hearing, expedited discovery, preservation and examination of relevant election records, determination of the lawful result, and relief authorized by section 102.168, Florida Statutes.

XII. REQUEST FOR EXPEDITED DISCOVERY AND PRESERVATION OF RECORDS

112. Plaintiff requests an immediate hearing under section 102.168(7), an expedited discovery schedule, and preservation of relevant physical and electronic election records.
113. Plaintiff requests original state submissions, historical ENR files, election management exports, batch accumulation logs, transaction and change histories, transmission acknowledgments and correction records from the close of polls on November 3 through at least noon on November 4.
114. Plaintiff requests state receipt logs and the relevant AP, CivicAPI and Local 10 source and correction records to establish the origin of the disputed totals.
115. Plaintiff requests original poll tapes, signed precinct returns, media inventories, vendor findings, complete CVRs, ballot images and reconciliation records, subject to applicable confidentiality protections.
116. Plaintiff requests records of the receipt, processing, cure and disposition of specifically disputed mail and provisional ballots.
117. Plaintiff requests immediate preservation and production of all original digital ballot images generated by the voting equipment used in the November 3, 2026 election, separately from the images generated or maintained through the Clear Ballot audit process, together with existing associated metadata, image inventories, identification records, and documentation establishing the completeness and integrity of each set of images.

118. Plaintiff requests production of the records demonstrating the Supervisor's compliance with the prior ballot-image preservation stipulation, including applicable retention policies, voting-system configurations, preservation procedures, vendor instructions, and records of any deletion, alteration, replacement, or loss of original ballot images.
119. Plaintiff requests immediate preservation and production of the historical daily vote-by-mail ballot request and status files maintained and transmitted pursuant to section 101.62(2), Florida Statutes, and Rule 1S-2.043, Florida Administrative Code, including the original files received by the Division of Elections, associated transmission records, and records reflecting subsequent changes to ballot statuses, subject to applicable confidentiality protections.
120. Plaintiff requests that relevant electronic evidence be preserved in its original or native format, including existing associated metadata, audit trails, historical versions, backups, and records of modifications. Plaintiff further requests that electronic records be produced in a reasonably usable format that permits independent examination, analysis, and reconciliation without unnecessary technical impediments.
121. Plaintiff requests leave to amend as permitted by law after discovery and an opportunity to present evidence before adjudication of the merits, including leave to amend the Complaint and join additional necessary or proper parties.
122. Plaintiff also requests the original certification-time results database export held by the Department of State, its transmission acknowledgments and existing metadata, the approved county security procedures, and records of media reconciliation and any later imports or exports. Plaintiff requests an expedited schedule for interrogatories, requests for admission, production and organizational depositions, subject to court order and applicable protections. Plaintiff also requests SFTP configuration and access logs, directory inventories, and communications concerning the selection of the production method, reported access failures and alternative delivery methods.

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Respectfully submitted,

Nicole Locklin

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November 27, 2026