

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION**

JOHN W. LICCIONE,
Plaintiff,

Case No.: _____

v.

RON DESANTIS, in his official capacity as

Division: _____

Governor of the State of Florida;

CORD BYRD, in his official capacity as

Florida Secretary of State and Chief

Elections Officer; and

JULIE MARCUS, in her official capacity as

Pinellas County Supervisor of Elections,

Defendants.

**EMERGENCY VERIFIED COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF UNDER ARTICLE III, SECTION 20
OF THE FLORIDA CONSTITUTION CHALLENGING EOGPCRP2026**

Plaintiff John W. Liccione sues Defendants Ron DeSantis, in his official capacity as Governor of the State of Florida; Cord Byrd, in his official capacity as Florida Secretary of State and Chief Elections Officer; and Julie Marcus, in her official capacity as Pinellas County Supervisor of Elections; and alleges as follows:

I. INTRODUCTION

1. In 2010, Florida voters ratified the Fair Districts Amendment by approximately 63%, exceeding the 60% supermajority threshold for amendment of the Florida Constitution. The Amendment's commands are embedded in Article III, Section 20 of the Florida Constitution. Section 20(a) prohibits drawing any apportionment plan or individual district with the intent to favor or disfavor a political party or an incumbent. Section 20(b) requires districts to be

contiguous and, where feasible, compact and to utilize existing political and geographic boundaries.

2. This is an emergency action for declaratory and injunctive relief challenging the congressional redistricting plan identified by the Florida Senate as EOGPCRP2026 — drawn by the Executive Office of the Governor, transmitted to the Florida Legislature on April 27, 2026, enacted by both chambers as House Bill 1-D on April 29, 2026, and signed into law by Defendant DeSantis on May 4, 2026, with immediate effect — as an unconstitutional incumbent-protection and partisan gerrymander under Article III, Section 20 of the Florida Constitution.
3. EOGPCRP2026 is not a neutral congressional map. It is the second wave of a two-stage cross-Tampa-Bay voter-deportation operation engineered under Governor DeSantis to protect Republican Representative Anna Paulina Luna from the South Pinellas voters most likely to vote against her. The protected incumbent is Luna. The injured challenger is Plaintiff. The redistricting weapon is EOGPCRP2026.
4. Plaintiff refers to the 2022 DeSantis congressional map as “Wave One.” Wave One used a Hillsborough-anchored CD-14 reaching west across Tampa Bay to seize the first South Pinellas Coalition-voter bloc from CD-13. Plaintiff refers to EOGPCRP2026 as “Wave Two.” Wave Two uses a Manatee-anchored CD-16 reaching north across Tampa Bay and Boca Ciega Bay into Pinellas County to claw back the Wave-One bloc from current CD-14, snatch the remaining South Pinellas Coalition voters from current CD-13, and deport both blocs into a Manatee-anchored CD-16 where the deported voters cannot affect the anti-Luna CD-13 contest. Plaintiff refers to the compounded use of Tampa Bay and Boca Ciega Bay across Wave One and Wave Two as the “Double-Cross-Bay Whipsaw.”

5. Plaintiff's Ballotir voter-impact analysis shows that Wave Two deports 103,359 Pinellas voters from current CD-14 and current CD-13 into new CD-16; that Wave Two deports 63,448 Democratic-led Coalition voters; that Wave Two removes 23,537 more Coalition voters than Republican voters from the anti-Luna CD-13 electoral universe; that the Coalition advantage in CD-13 is reduced from 74,710 to 51,173; and that CD-13's two-party registration shifts from approximately 40.67% Democratic / 59.33% Republican to approximately 38.98% Democratic / 61.02% Republican. The challenged map and enrollment materials are Exhibit 1. The Ballotir voter-impact summary is Exhibit 2.
6. Article III, Section 20's commands operate at their most concentrated in Pinellas County. Pinellas is a peninsula on a peninsula — bounded on three sides by water (Tampa Bay, Old Tampa Bay, Boca Ciega Bay, and the Gulf of Mexico), connected to the mainland by a single narrow neck at its north end, and fronted on the Gulf side by a chain of barrier-island municipalities forming a second peninsular tier extending into the Gulf. The county's only southern egress is a single bridge — the Sunshine Skyway Bridge — spanning approximately four to seven miles of open Tampa Bay water and routinely closed by the Florida Department of Transportation during high-wind events, including the very tropical-weather conditions that drive Pinellas's storm-surge and federal-disaster-recovery needs.
7. Hurricane Helene in September 2024 illustrates Pinellas's apex-case exposure in concrete terms. Helene's eye made landfall in Florida's Big Bend approximately 150 miles to the north — yet Helene's wind field and counterclockwise circulation produced storm-surge water levels at the National Ocean Service's Clearwater tide gauge that surpassed the previous record at that station, dating to 1973. University of South Florida coastal researchers have characterized

Helene as the strongest storm to impact the Pinellas County coast in approximately eighty years.

8. In the months following Hurricanes Helene and Milton, a Florida disaster-recovery contractor — Tidal Basin Group — performed FEMA Substantial Damage Assessments on storm-affected homes across South Pinellas under contracts with the State of Florida and Pinellas County. The Tampa Bay Times subsequently investigated Tidal Basin’s South Pinellas assessments and reported, on April 26, 2025, that the contractor’s reports were “rife with flaws,” that the affected municipalities included Gulfport, Madeira Beach, Treasure Island, Redington Beach, Redington Shores, and other South Pinellas barrier-island and bayfront communities — the same municipalities EOGPCRP2026 departs from CD-13 to a Manatee-anchored CD-16 — and that Tidal Basin Group contributed \$25,000 to Defendant DeSantis’s second inauguration.
9. The Florida Supreme Court has already applied Article III, Section 20’s geographic-boundary commands to this geography. In Apportionment VII, the Court held, with specific reference to the Tampa Bay crossing, that “Districts 13 and 14 must be redrawn to avoid crossing Tampa Bay.” 172 So. 3d 363, 408–09 (Fla. 2015). The Court issued that directional holding against a 2012 configuration the Court had separately found to have been drawn with unconstitutional intent to favor the Republican Party and to make District 13 “more favorable to the Republican Party.” *Id.* at 407. The Tampa Bay crossing the Florida Supreme Court condemned eleven years ago is the same geographic separation that defines this case today.
10. *Louisiana v. Callais*, Nos. 24-109 and 24-110, 608 U.S. ____ (Apr. 29, 2026), does not displace Article III, Section 20. Plaintiff does not plead a federal partisan-gerrymandering claim and does not seek a race-based Voting Rights Act remedy. Plaintiff’s claims arise exclusively under

Florida's independent state-constitutional commands against partisan-favor and incumbent-favor redistricting and the separate state-constitutional geographic-boundary commands. Those commands survive Callais and are independently enforceable.

11. Plaintiff seeks emergency relief because the 2026 congressional election calendar is active. Congressional candidate qualifying is scheduled for June 8–12, 2026; the primary election is scheduled for August 18, 2026; and the general election is scheduled for November 3, 2026. Once an election is administered under an unconstitutional map, the harm cannot be undone.
12. Plaintiff respectfully asks this Court to declare EOGPCRP2026 unconstitutional under Article III, Section 20; to enter temporary and permanent injunctions prohibiting Defendants from implementing it; and to require Defendants to administer the 2026 congressional elections under a lawful congressional map that restores the South Pinellas voters previously deported under Wave One and now deported under Wave Two to a Pinellas-centered CD-13, to the maximum extent consistent with equal population, federal law, and Article III, Section 20.
13. Plaintiff's requested remedy can be summarized in seven words:

Bring our voters home. Leave Pinellas alone.

II. PARTIES

A. Plaintiff John W. Liccione

14. Plaintiff John W. Liccione is a declared Democratic candidate for United States Representative in Florida's 13th Congressional District. Plaintiff is running to unseat Republican Representative Anna Paulina Luna in the 2026 election cycle.
15. Plaintiff was also a Democratic candidate for Congress in CD-13 during the 2023–2024 election cycle. Plaintiff lived in Gulfport, Florida from January 2023 until July 2025, ran for Congress from Gulfport during the 2023–2024 cycle as the only declared Democratic congressional candidate residing in Gulfport, and ran for Mayor of Gulfport in the March 11, 2025 municipal election. Plaintiff currently resides in Dunedin, Florida.
16. Plaintiff is injured as a candidate, voter, and South Pinellas political actor because EOGPCRP2026 removes Gulfport and other South Pinellas barrier-island and bayfront communities from the anti-Luna CD-13 electoral universe. Those communities are where Plaintiff lived, campaigned, ran for office, built name recognition, developed voter relationships, and is best positioned to challenge Representative Luna in 2026.
17. Plaintiff brings this action to protect his rights as a candidate and as a registered Florida voter, to protect the rights of South Pinellas voters deported from their natural Pinellas-centered congressional district, and to prevent Defendants from implementing EOGPCRP2026 in the 2026 congressional election cycle.

B. Defendant Ron DeSantis

18. Defendant Ronald Dion DeSantis is the Governor of the State of Florida and is sued in his official capacity. Governor DeSantis is the chief executive officer of Florida.

19. Defendant DeSantis was the architect and executive driver of Wave One and Wave Two. The Executive Office of the Governor drew EOGPCRP2026, transmitted it to the Florida Legislature on April 27, 2026, and used executive power to advance the challenged congressional redistricting plan through the special legislative session that resulted in House Bill 1-D.
20. Plaintiff seeks declaratory and injunctive relief against Defendant DeSantis preventing the Governor, in his official capacity, from implementing or enforcing EOGPCRP2026 and from giving effect to any substantially similar congressional redistricting plan that removes the South Pinellas barrier-island and bayfront communities from CD-13 for partisan or incumbent-protection purposes.

C. Defendant Cord Byrd

21. Defendant Cord Byrd is the Florida Secretary of State and is sued in his official capacity. Secretary Byrd is Florida's Chief Elections Officer.
22. Defendant Byrd is responsible for supervising statewide election administration, implementing congressional elections, and overseeing the machinery through which EOGPCRP2026 would be administered in the 2026 congressional election cycle.
23. Plaintiff seeks declaratory and injunctive relief preventing Defendant Byrd, in his official capacity, from implementing, administering, supervising, or enforcing EOGPCRP2026 in any congressional election.

D. Defendant Julie Marcus

24. Defendant Julie Marcus is the Pinellas County Supervisor of Elections ("PCSOE") and is sued in her official capacity.

25. Defendant Marcus is responsible for implementing congressional district assignments, voter assignments, precinct administration, ballot preparation, candidate-election administration, voter notifications, vote-by-mail administration, and related election functions in Pinellas County.
26. Defendant Marcus is a necessary defendant because the challenged voter deportation occurs in Pinellas County and would be operationalized through PCSOE if EOGPCRP2026 is not enjoined. EOGPCRP2026 removes Gulfport, South Pasadena, Treasure Island, St. Pete Beach, Madeira Beach, the Redington beaches, southern Seminole, Boca Ciega Bay communities, and other South Pinellas barrier-island and bayfront communities from the anti-Luna CD-13 electoral universe.
27. Plaintiff seeks declaratory and injunctive relief preventing Defendant Marcus, in her official capacity, from taking any action to implement EOGPCRP2026 within Pinellas County, including building or modifying any 2026 election definition reflecting EOGPCRP2026 boundaries, loading or processing GIS boundary files derived from EOGPCRP2026, reassigning any Pinellas County voter's congressional district designation on the basis of EOGPCRP2026, generating ballot styles based on EOGPCRP2026, issuing voter notifications reflecting EOGPCRP2026, processing congressional candidate qualifying petitions under EOGPCRP2026, or administering any 2026 congressional primary or general election under EOGPCRP2026 boundaries.

III. JURISDICTION AND VENUE

28. This Court has subject-matter jurisdiction under Article V, Section 5(b) of the Florida Constitution and Chapter 86, Florida Statutes, because Plaintiff seeks declaratory and

injunctive relief challenging EOGPCRP2026 under Article III, Section 20 of the Florida Constitution.

29. This Court has authority to enter declaratory relief, temporary injunctive relief, permanent injunctive relief, and all other relief necessary to prevent Defendants from implementing an unconstitutional congressional redistricting plan during the active 2026 congressional election cycle.
30. An actual, present, and justiciable controversy exists between Plaintiff and Defendants. Plaintiff is a declared Democratic candidate for Congress in CD-13 running to unseat Representative Luna. EOGPCRP2026 alters the electorate in which Plaintiff must campaign before candidate qualifying, ballot preparation, voter assignment, and the 2026 primary election.
31. Plaintiff's injuries are concrete, particularized, and imminent. Plaintiff's campaign strategy, voter outreach, ballot-access planning, fundraising, message development, and voter relationships are being distorted now by the threatened implementation of EOGPCRP2026.
32. Venue is proper in Pinellas County because Defendant Julie Marcus is the Pinellas County Supervisor of Elections, maintains her official office in Pinellas County, and will operationalize EOGPCRP2026 through PCSOE if the challenged map is not enjoined. The Pinellas-situs implementation acts that only Marcus can perform — including voter reassignment, precinct administration, ballot-style generation, split-precinct handling, congressional-candidate qualifying, voter notifications under sections 98.0981 and 101.001, Florida Statutes, and poll-worker training and polling-place configuration — establish that the operative implementation of EOGPCRP2026 occurs in Pinellas County.

33. Venue is also proper because Plaintiff's candidate injury, voter-base injury, and South Pinellas voter-deportation injury are centered in Pinellas County. EOGPCRP2026 removes Gulfport, South Pasadena, Treasure Island, St. Pete Beach, Madeira Beach, the Redington beaches, southern Seminole, Boca Ciega Bay communities, and other South Pinellas barrier-island and bayfront communities from the anti-Luna CD-13 electoral universe.
34. This action is ripe for emergency adjudication because the 2026 congressional election calendar is active. Candidate qualifying, voter assignment, precinct administration, ballot preparation, and campaign operations are in full swing. Once Defendants implement EOGPCRP2026 and conduct election administration under the challenged map, Plaintiff's injuries and the injuries to South Pinellas voters cannot be fully undone after the election.

IV. STANDING

35. Plaintiff has standing as a declared Democratic candidate for the United States House of Representatives in Florida's 13th Congressional District.
36. Plaintiff is running to unseat Republican Representative Anna Paulina Luna. Plaintiff is the injured challenger. Luna is the protected incumbent.
37. Plaintiff's injury is concrete, particularized, actual, imminent, fairly traceable to Defendants, and redressable by this Court.
38. EOGPCRP2026 injures Plaintiff by altering the electorate in which he must campaign, removing South Pinellas barrier-island and bayfront communities from the anti-Luna CD-13 electoral universe, and deporting those voters into a Manatee-anchored CD-16.
39. Plaintiff's injury is not merely ideological or generalized. Plaintiff is injured as a candidate because EOGPCRP2026 removes voters and communities where Plaintiff has campaign history, voter relationships, name recognition, and political identity.

40. Plaintiff's injury is fairly traceable to Defendants. Defendant DeSantis caused EOGPCRP2026 to be drawn, transmitted, and enacted. Defendant Byrd will supervise statewide election administration of the challenged map. Defendant Marcus will implement the challenged map in Pinellas County.
41. Plaintiff's injury is redressable because this Court can declare EOGPCRP2026 unconstitutional, enjoin Defendants from implementing it, require the 2026 congressional elections to proceed under a lawful map, and order a remedy that brings the CD-14 and CD-16 South Pinellas deportees home to a Pinellas-centered CD-13.
42. Plaintiff also has standing as a registered Florida voter and Pinellas County resident to challenge unconstitutional manipulation of congressional districts affecting Pinellas County voters.

V. LEGAL FRAMEWORK

A. Article III, Section 20(a) Prohibits Partisan Favoritism and Incumbent Protection

43. Florida voters adopted the Fair Districts Amendment to constrain partisan and incumbent-protective redistricting. Article III, Section 20(a) of the Florida Constitution provides, in relevant part: "No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent."
44. That command controls this case. Plaintiff does not challenge EOGPCRP2026 merely because it favors Republicans in the abstract. Plaintiff challenges EOGPCRP2026 because it was drawn with intent to favor a specific incumbent — Republican Representative Anna Paulina Luna — and to disfavor Plaintiff as Luna's Democratic challenger.
45. The protected incumbent is Luna. The injured challenger is Plaintiff. The map is EOGPCRP2026. The constitutional violation is the use of redistricting power to remove the

South Pinellas voters most likely to vote against Luna and the communities where Plaintiff is best positioned to defeat her.

46. Article III, Section 20(a)'s anti-partisan and anti-incumbent protections are Tier-One requirements. They are not optional. They are not displaced merely because a map satisfies equal population. A congressional map that uses otherwise technical line-drawing power to protect an incumbent or favor a political party violates the Florida Constitution.

B. Article III, Section 20(b)'s Geographic-Boundary Commands and the Double-Cross-Bay Whipsaw

47. Article III, Section 20(b) requires districts to be contiguous and, where feasible, to be compact and to utilize existing political and geographic boundaries. Those Tier-Two commands operate alongside the Tier-One anti-partisan and anti-incumbent commands of Section 20(a).

48. In Florida, geographic-boundary doctrine is doctrinally weighty because, in the most hurricane-exposed state in the Union, geography determines lived experience, lived experience determines constituent need, and constituent need determines whether congressional representation is real or nominal. The geographic-boundary commands of Section 20(b) operate at their most concentrated where geographic distinctness is most acute.

49. The Florida Supreme Court has already addressed the Tampa Bay crossing technique used to manipulate CD-13. In Apportionment VII, the Court held that “Districts 13 and 14 must be redrawn to avoid crossing Tampa Bay,” 172 So. 3d 363, 408–09 (Fla. 2015), and tied that holding to the Court’s separate finding that the underlying configuration was drawn with unconstitutional intent to favor the Republican Party and to make CD-13 “more favorable to the Republican Party,” *id.* at 407. The Court further held that intent under Section 20(a) may be proved by direct evidence, by circumstantial evidence, or by inference from a map’s failure

to comply with tier-two standards when reasonable alternative configurations would have done so. *Id.* at 401–03.

50. Plaintiff refers to the compounded use of Tampa Bay and Boca Ciega Bay across Wave One and Wave Two as the Double-Cross-Bay Whipsaw. The term captures both the political double-cross and the double-bay geography. Defendants used Tampa Bay as a water barrier in Wave One to seize the first South Pinellas Coalition-voter bloc from CD-13 and place that bloc into Hillsborough-anchored CD-14. Defendants now use Tampa Bay and Boca Ciega Bay as water barriers in Wave Two to claw back that Wave-One bloc from current CD-14, snatch the remaining South Pinellas Coalition voters from current CD-13, and deport both blocs into Manatee-anchored CD-16.

51. The Section 20(b) violations of EOGPCRP2026 — the failure of compactness in CD-16; the failure to utilize the Pinellas County line, Pinellas municipal boundaries, and the BIG-C member-municipality boundaries; and the failure to utilize Tampa Bay and Boca Ciega Bay as the existing geographic boundaries that they are — are pleaded as violations of Section 20(b) and as attendant-circumstances evidence of Section 20(a) intent under Apportionment VII’s framework. Same Pinellas; same Tampa Bay; same governor; same partisan effect; inverse cross-Bay direction.

C. Louisiana v. Callais Does Not Displace Article III, Section 20

52. Defendant DeSantis and the Executive Office of the Governor have invoked *Louisiana v. Callais* and the changing federal racial-redistricting landscape to suggest that Florida’s Fair Districts Amendment is unenforceable in whole or in part.

53. That theory cannot defeat Plaintiff's claims. Plaintiff does not ask this Court to order race-based districting, preserve a race-based district, or adjudicate a minority-vote-dilution claim under Section 2 of the Voting Rights Act.
54. Plaintiff brings Florida constitutional claims under the independent anti-partisan and anti-incumbent protection commands of Article III, Section 20(a) and the independent geographic-boundary commands of Article III, Section 20(b). Those commands prohibit drawing any apportionment plan or individual district with intent to favor or disfavor a political party or incumbent, and require districts to be contiguous and, where feasible, to be compact and to utilize existing political and geographic boundaries.
55. Callais addressed race-conscious districting and the interaction between the Voting Rights Act and the Equal Protection Clause. It did not authorize partisan favoritism. It did not authorize incumbent-protection gerrymandering. It did not repeal Article III, Section 20 of the Florida Constitution.
56. Defendants cannot convert a federal racial-redistricting decision into a license to commit separate violations of Florida's independent anti-partisan and anti-incumbent redistricting commands and Florida's independent geographic-boundary commands. Even if federal law alters the State's ability to draw congressional districts for race-conscious Voting Rights Act compliance, that does not disable Florida's separate constitutional prohibitions against partisan favoritism, incumbent protection, or violation of Section 20(b)'s geographic-boundary commands.

VI. DEFINED TERMS

57. **"EOGPCRP2026"** means the congressional redistricting plan identified by the Florida Senate as EOGPCRP2026, drawn by the Executive Office of the Governor, transmitted to the Florida

Legislature on April 27, 2026, enacted by both chambers as House Bill 1-D on April 29, 2026, signed into law by Defendant DeSantis on May 4, 2026, with immediate effect, and challenged in this action.

58. **“Wave One”** means the 2022 DeSantis congressional redistricting plan and the resulting CD-13 / CD-14 configuration. Wave One used a Hillsborough-anchored CD-14 reaching west across Tampa Bay to seize the first South Pinellas Coalition-voter bloc from CD-13 and place that bloc into current CD-14.
59. **“Wave Two”** means EOGPCRP2026. Wave Two uses a Manatee-anchored CD-16 reaching north across Tampa Bay and Boca Ciega Bay into Pinellas County to claw back the Wave-One South Pinellas bloc from current CD-14, snatch the remaining South Pinellas Coalition voters from current CD-13, and deport both blocs into new CD-16.
60. **“Double-Cross-Bay Whipsaw”** means the compounded use of Tampa Bay and Boca Ciega Bay as water barriers across Wave One and Wave Two to seize, claw back, snatch, and deport South Pinellas voters from CD-13 into cross-Bay districts.
61. **“Pinellas Democratic-led Coalition voters”** (or **“Coalition voters”** used generally) means registered Democratic, No-Party-Affiliation, Independent, and minor-party voters in Pinellas County who, in the CD-13 context, form the bloc of voters historically arrayed in opposition to the Republican incumbent in CD-13.
62. **“South Pinellas Coalition voters”** means the subset of Pinellas Democratic-led Coalition voters located in the South Pinellas communities affected by EOGPCRP2026, including Gulfport, South Pasadena, Treasure Island, St. Pete Beach, Madeira Beach, the Redington beaches, southern and split Seminole, Lealman, mainland St. Petersburg including precincts split at or near Park Boulevard, the Boca Ciega Bay communities, and the Pinellas Bayway /

Tierra Verde corridor. Plaintiff uses these metrics as voter-file and campaign-analysis metrics and does not allege that every No-Party-Affiliation, Independent, or minor-party voter necessarily votes for a Democratic candidate.

63. “**Ballotir**” means Plaintiff’s campaign-data and voter-file analysis system used to analyze official Florida Division of Elections voter-registration and voter-history files, including the April 2026 Florida Division of Elections voter-registration and voter-history files received by Plaintiff on DVD by United States mail in Plaintiff’s capacity as a declared congressional candidate.

64. “**PCSOE**” means the Pinellas County Supervisor of Elections, currently Defendant Julie Marcus, who is sued in her official capacity.

VII. FACTUAL ALLEGATIONS

A. The Protected Incumbent and the Injured Challenger

65. The protected incumbent is Republican Representative Anna Paulina Luna.

66. Plaintiff John W. Liccione is the injured challenger.

67. Plaintiff is a declared Democratic candidate for Congress in Florida’s 13th Congressional District and is running to unseat Representative Luna.

68. EOGPCRP2026 does not injure Plaintiff merely as a voter, observer, or generalized partisan participant. It injures Plaintiff as Luna’s declared Democratic challenger by altering the electorate in which Plaintiff must campaign, removing South Pinellas voters from the anti-Luna CD-13 electoral universe, and deporting those voters into a Manatee-anchored CD-16.

69. The injury is particularized because EOGPCRP2026 removes communities where Plaintiff has campaign history, voter relationships, name recognition, political identity, and accumulated non-monetary electoral value.

70. Plaintiff lived in Gulfport from January 2023 until July 2025. Plaintiff ran for Congress in CD-13 during the 2023–2024 election cycle and ran for Mayor of Gulfport in the March 11, 2025 municipal election.
71. Gulfport and the surrounding South Pinellas barrier-island and bayfront communities are not interchangeable precincts to Plaintiff. They are the communities where Plaintiff lived, campaigned, appeared on the ballot, developed voter relationships, and is best positioned to challenge Representative Luna in 2026.
72. EOGPCRP2026 removes those communities from Plaintiff’s CD-13 race.
73. The incumbent-protection structure is concrete. The protected incumbent is Luna. The injured challenger is Plaintiff. The redistricting weapon is EOGPCRP2026.

B. EOGPCRP2026 Is Wave Two

74. EOGPCRP2026 is the challenged congressional redistricting plan now before the Court.
75. The Florida Senate identified the plan as EOGPCRP2026. The Executive Office of the Governor drew the plan, transmitted it to the Florida Legislature on April 27, 2026, and the Legislature enacted it as House Bill 1-D on April 29, 2026. Defendant DeSantis signed EOGPCRP2026 into law on May 4, 2026, with immediate effect; the challenged map is now operative law and binds Defendants Byrd and Marcus, in their official capacities, to implement it absent injunctive relief.
76. Plaintiff refers to the 2022 DeSantis congressional map as Wave One.
77. Plaintiff refers to EOGPCRP2026 as Wave Two.
78. Wave One used a Hillsborough-anchored CD-14 to seize the first South Pinellas Coalition-voter bloc from CD-13 and move it across Tampa Bay into current CD-14.

79. Wave Two uses a Manatee-anchored CD-16 to reach north across Tampa Bay and Boca Ciega Bay into Pinellas County.
80. Wave Two claws back the Wave-One South Pinellas bloc from current CD-14.
81. Wave Two also snatches the remaining South Pinellas Coalition voters from current CD-13.
82. Wave Two then deports both blocs into new CD-16, a Manatee-anchored district where the removed South Pinellas Coalition voters are separated from the anti-Luna CD-13 contest.
83. EOGPCRP2026 is therefore not a neutral adjustment to congressional district lines. It is Wave Two of the same cross-Bay voter-deportation operation that began with the 2022 DeSantis map.
84. The challenged map and enrollment materials are Exhibit 1.

C. The Double-Cross-Bay Whipsaw

85. Plaintiff refers to the compounded use of Tampa Bay and Boca Ciega Bay across Wave One and Wave Two as the Double-Cross-Bay Whipsaw.
86. The Double-Cross-Bay Whipsaw captures both the political double-cross and the double-bay geography. Defendants use Tampa Bay and Boca Ciega Bay as the water barriers across which South Pinellas voters are seized, clawed back, snatched, and deported.
87. Wave One crossed Tampa Bay to seize the first South Pinellas Coalition-voter bloc from CD-13 and place that bloc into Hillsborough-anchored CD-14.
88. Wave Two crosses Tampa Bay again to claw back that same Wave-One South Pinellas bloc from current CD-14.
89. Wave Two also crosses Tampa Bay and Boca Ciega Bay to snatch the remaining current-CD-13 South Pinellas voters from Gulfport, South Pasadena, Treasure Island, St. Pete Beach, Madeira Beach, the Redington beaches, southern and split Seminole, Lealman, mainland St.

Petersburg including precincts split at or near Park Boulevard, Boca Ciega Bay communities, and the Pinellas Bayway / Tierra Verde corridor.

90. Wave Two then deports both blocs into Manatee-anchored CD-16.

91. The Double-Cross-Bay Whipsaw is not merely a geographic description. It is the factual mechanism of the redistricting and voter-deportation injury.

92. The mechanism identifies how Defendants remove South Pinellas Coalition voters from the anti-Luna CD-13 electoral universe and place them into cross-Bay districts where their votes no longer threaten Representative Luna.

93. The constitutional injury has two sides. CD-13 is made safer for Luna, while South Pinellas Coalition voters are removed from the district where their votes matter most against Luna and dumped into a receiving district anchored outside Pinellas County.

D. Ballotir Voter-Impact Analysis

94. Plaintiff's Ballotir voter-impact analysis proves that the Double-Cross-Bay Whipsaw is not politically neutral.

95. Plaintiff used Ballotir to analyze official Florida Division of Elections voter-registration and voter-history files.¹

96. Ballotir identifies the current Pinellas portion of CD-14 as the Wave-One South Pinellas bloc.

97. That current Pinellas CD-14 bloc contains 126,222 registered Pinellas voters.

98. The current Pinellas CD-14 bloc includes 55,108 Democratic voters, 34,869 Republican voters, 32,251 No-Party-Affiliation voters, 2,720 Independent voters, and 1,274 minor-party voters.

¹ Plaintiff's Ballotir voter-count analysis is based on the April 2026 Florida Division of Elections voter-registration and voter-history files received by Plaintiff on DVD by United States mail in April 2026 in Plaintiff's capacity as a declared congressional candidate.

99. Under Plaintiff's Democratic-led Coalition-voter metric, the bloc contains 91,353 Democratic-led Coalition voters and 34,869 Republican voters.
100. The Coalition advantage in the current Pinellas CD-14 bloc is therefore 56,484 voters.
101. That bloc is not politically neutral. It is a performing South Pinellas Coalition electorate that Wave One seized from CD-13 and submerged in Hillsborough-anchored CD-14.
102. Wave Two claws back that bloc from current CD-14 and combines it with remaining South Pinellas voters removed from current CD-13.
103. Ballotir shows that Wave Two deports 103,359 Pinellas voters from current CD-14 and current CD-13 into new CD-16.
104. Ballotir shows that Wave Two deports 63,448 Democratic-led Coalition voters.
105. Ballotir shows that Wave Two removes 23,537 more Coalition voters than Republican voters from the anti-Luna CD-13 electoral universe.
106. Ballotir further shows that Wave Two reduces the Coalition advantage in CD-13 from 74,710 to 51,173.
107. Ballotir also shows that CD-13's two-party registration shifts from 40.67% Democratic / 59.33% Republican to 38.98% Democratic / 61.02% Republican.
108. The receiving-district context confirms the vote-wasting injury. Manatee County alone has 138,346 Republican voters and 66,283 Democratic voters before the deported Pinellas voters are even added.
109. The result is functional disenfranchisement and vote-wasting. CD-13 is made safer for Luna, while South Pinellas Coalition voters are removed from the anti-Luna contest and placed into a Manatee-anchored CD-16 where their votes are designed not to affect the outcome.
110. The Ballotir voter-impact summary is Exhibit 2.

E. Article III, Section 20's Geographic-Boundary Commands Operate at Their Most Concentrated in Pinellas County, and Active Federal Disaster-Recovery Oversight Matters in the Deported Communities Confirm the Concrete Cost of EOGPCRP2026's Geographic Severance

111. Article III, Section 20's geographic-boundary requirements are not aesthetic, and they are not generic. The Fair Districts Amendment's geographic-boundary commands embed in Florida's Constitution the principle that representation is structurally effective only when the represented and the representative share the geographic, environmental, and disaster-experience realities that drive constituent need.
112. Florida is the most hurricane-exposed state in the United States. The state's representational geography is shaped by, and inseparable from, its disaster-recovery geography: peninsular exposure, barrier-island exposure, Gulf-facing versus Atlantic-facing coastline, bay versus open-water boundaries, and the sharply differentiated storm-surge-and-flood-recovery profiles those geographies produce among adjacent counties.
113. Florida voters ratified Article III, Section 20 in 2010 by approximately 63%, exceeding the 60% supermajority threshold for constitutional amendment. The geographic-boundary commands of that amendment exist because, in this state more than in any other in the Union, geography determines lived experience, lived experience determines constituent need, and constituent need determines whether congressional representation is real or nominal.
114. Within Florida, Pinellas County is the apex case for Article III, Section 20's geographic-boundary commands. Pinellas is a peninsula on a peninsula — bounded on three sides by water (Tampa Bay, Old Tampa Bay, Boca Ciega Bay, and the Gulf of Mexico), connected to

- the mainland by a single narrow neck at its north end, and fronted on the Gulf side by a chain of barrier-island municipalities that form a second peninsular tier extending out into the Gulf.
115. The county's only southern egress is a single bridge — the Sunshine Skyway Bridge — spanning approximately four to seven miles of open Tampa Bay water and routinely closed by the Florida Department of Transportation during high-wind events, including the very tropical-weather conditions that drive Pinellas's storm-surge and FEMA-recovery needs.
116. Pinellas's peninsular, barrier-island, and bayfront geography produces a storm-surge and federal-disaster-recovery exposure profile that varies materially from that of inland and mainland-anchored Florida counties. Hurricane wind-field geometry, storm-surge dynamics, coastline angle, and barrier-island shielding produce sharply differentiated damage outcomes among adjacent Florida counties depending on each storm's track, size, and intensity.
117. Hurricane Helene in September 2024 illustrates Pinellas's apex-case exposure in concrete terms. Helene's eye did not cross Pinellas — it made landfall in Florida's Big Bend approximately 150 miles to the north — yet Helene's wind-field and counterclockwise circulation produced storm-surge water levels at the National Ocean Service's Clearwater tide gauge that surpassed the previous record at that station, dating to 1973.
118. University of South Florida coastal researchers have characterized Helene as the strongest storm to impact the Pinellas County coast in approximately eighty years, with storm-surge water levels at Clearwater Beach and St. Pete Beach more than two feet higher than previously recorded.² The catastrophic surge ran through the South Pinellas barrier-island and bayfront

² National Hurricane Center, Tropical Cyclone Report: Hurricane Helene (AL092024), https://www.nhc.noaa.gov/data/tcr/AL092024_Helene.pdf (reporting that the National Ocean Service's Clearwater tide gauge measured 6.67 feet above MHHW during Helene, surpassing the previous record from the Superstorm of March 1993, with station record dating to 1973; deployed USGS water sensors along Pinellas barrier islands measured water levels of 7.23 feet at Fred Howard Park, 6.75 feet at Clearwater Beach, and 7.26 feet at Madeira Beach above MHHW with significant waves on top); Steve Newborn, Researcher: Helene worst storm to impact Pinellas coast in 80 years, WUSF (Oct. 21, 2024), <https://www.wusf.org/environment/2024-10-21/helene-strongest->

communities EOGPCRP2026 now deports — including Gulfport and the Boca Ciega Bay-fronting communities of South Pinellas, the Redington beaches, St. Pete Beach, Treasure Island, Madeira Beach, southern Seminole, and adjacent bayfront and beach communities of southern St. Petersburg.

119. Pinellas County’s Emergency Operations Center was activated for approximately 154 days during the 2024 hurricane season. In 2025, Pinellas County was awarded \$813,783,000 in federal Community Development Block Grant Disaster Recovery funds — comprising \$707,637,000 for unmet needs and \$106,146,000 for mitigation — to address remaining recovery needs from Hurricanes Idalia, Helene, and Milton, and the County established the People First Hurricane Recovery Programs to administer those funds for unincorporated Pinellas County and all Pinellas municipalities other than the City of St. Petersburg, which received its own separate CDBG-DR allocation.³

120. No other Florida county shares this geographic configuration. Pinellas’s geographic coherence as a single representational unit is therefore not a matter of preference or convenience — it is the most concentrated case in the State of the very condition Article III, Section 20’s geographic-boundary commands were written to protect.

121. The Florida Supreme Court has already applied that principle to this geography. In *Apportionment VII*, the Court held, with specific reference to the Tampa Bay crossing, that

storm-impact-pinellas-coast-80-years-usf-researcher (citing University of South Florida coastal geosciences professor Ping Wang).

³ Pinellas County, 2024 Hurricane Season Hurricanes Debby, Helene, and Milton After-Action Report Overview (2025), <https://pinellas.gov/wp-content/uploads/2025/07/Pinellas-County-2024-Hurricane-Season-AAR-Overview.pdf> (reporting that Pinellas County’s Emergency Operations Center was activated for approximately 154 days during the 2024 hurricane season); Pinellas County, People First Hurricane Recovery Programs / Pinellas Recovers, <https://recover.pinellas.gov/people-first-hurricane-recovery-programs/> and <https://recover.pinellas.gov/faqs/> (Pinellas County’s \$813,783,000 federal Community Development Block Grant Disaster Recovery award, comprising \$707,637,000 for unmet needs and \$106,146,000 for mitigation, to address remaining recovery needs from Hurricanes Idalia, Helene, and Milton; see also Federal Register notice, 90 FR 4759).

“Districts 13 and 14 must be redrawn to avoid crossing Tampa Bay.” 172 So. 3d at 408–09. The Court’s holding was directional — *avoid crossing Tampa Bay* — and was issued against a 2012 configuration the Court had separately found to have been drawn with unconstitutional intent to favor the Republican Party and to make District 13 “more favorable to the Republican Party.” *Id.* at 407.

122. The Tampa Bay crossing the Florida Supreme Court condemned eleven years ago is the same geographic separation that defines this case today. EOGPCRP2026 crosses it again, in the inverse direction, with a Manatee-anchored District 16 reaching north across Tampa Bay and across the same single-bridge southern egress that closes under hurricane conditions, to deport approximately 252,234 Pinellas residents into a district whose own constituents, by reason of geography, do not share the deported communities’ active federal-disaster-recovery-oversight needs.

123. That representational injury is not abstract. It is presently materializing in the South Pinellas barrier-island and bayfront communities EOGPCRP2026 deports. In the months following Hurricanes Helene and Milton, a Florida disaster-recovery contractor — Tidal Basin Group — performed FEMA Substantial Damage Assessments on storm-affected homes across South Pinellas under contracts with the State of Florida and Pinellas County, generating thousands of substantial-damage determination letters that triggered FEMA-program rebuilding obligations on individual homeowners.

124. The Tampa Bay Times subsequently investigated Tidal Basin’s South Pinellas assessments and reported, on April 26, 2025, that the contractor’s reports were “rife with flaws.” The Times reported that it had reviewed Tidal Basin’s initial assessment data for thousands of properties across seven Pinellas County communities, that the Times had spoken with

homeowners across six Pinellas cities who had been flagged for damages that did not exist, and that the affected municipalities included Gulfport, Madeira Beach, Treasure Island, Redington Beach, Redington Shores, and other South Pinellas barrier-island and bayfront communities — the same municipalities EOGPCRP2026 departs from CD-13 to a Manatee-anchored CD-16. Pinellas County Commissioner Kathleen Peters is reported to have publicly criticized the contractor for performing assessments without entering homes. A former Tidal Basin appraiser, identified as a certified Florida appraiser, is reported to have stated that the cost data underlying the assessments was “in the stratosphere.” The same Tampa Bay Times report disclosed that Tidal Basin Group contributed \$25,000 to Defendant DeSantis’s second inauguration.⁴

125. The federal-advocacy severance follows from the geography. FEMA Substantial Damage Assessments are a federal-program determination administered through a federal-state-local framework. Federal congressional representation — including FEMA correspondence, agency oversight, committee leverage, appropriations advocacy, federal-disaster-fraud referrals, and constituent casework on FEMA Public Assistance and Individual Assistance matters — is a primary channel through which homeowners and municipalities in affected communities bring federal weight to bear on contractor performance, agency oversight, and program administration.

126. Federal congressional advocacy in disaster-recovery matters operates in two parallel institutional lanes, both of which depend on a representative whose constituency aligns with the affected communities. The first lane is programmatic: FEMA correspondence, FEMA

⁴ Teghan Simonton, Emily L. Mahoney & Rebecca Liebson, Pinellas post-hurricane home assessments rife with flaws, Tampa Bay Times (Apr. 26, 2025), <https://www.tampabay.com/news/business/2025/04/26/tidal-basin-florida-pinellas-hurricane-milton-helene/> (additional contributions by Colbi Edmonds and Lawrence Mower).

Substantial Damage Assessment review, FEMA Individual Assistance and Public Assistance casework, HUD Community Development Block Grant Disaster Recovery program oversight, and constituent service on rebuilding obligations and unmet-needs determinations.

127. The second lane is enforcement: disaster-fraud referrals to the United States Attorney for the Middle District of Florida, the Federal Bureau of Investigation's Tampa Field Office, the Department of Justice's Criminal Division (under federal criminal statutes including 18 U.S.C. §§ 287, 1001, and 1031), the Department of Justice's Civil Division (which reviews qui tam actions under seal under 31 U.S.C. § 3730(b)(2) and litigates intervened civil False Claims Act actions under 31 U.S.C. § 3729), the Department of Homeland Security Office of Inspector General, the Department of Housing and Urban Development Office of Inspector General, and the Federal Emergency Management Agency Office of Inspector General — each of which has independent authority to investigate and pursue disaster-fraud matters involving federally-funded recovery programs.

128. The Tidal Basin substantial-damage-assessment record in South Pinellas — including at-scale determinations submitted through the Pinellas County FEMA portal hosted by Pinellas County government — centralizes active federal oversight subject matter in Pinellas County and engages both lanes simultaneously. The alleged contractor-performance defects, including assessments on homes the contractor never entered, are programmatic-oversight subject matter and present oversight subject matter under both federal criminal false-claims **and** false-statements authority and the civil False Claims Act.

129. A congressional representative whose own constituency lies outside Pinellas County is structurally severed from oversight subject matter centralized in Pinellas County government

channels and arising from determinations affecting the very South Pinellas communities
[REDACTED] removes from CD-13.

130. EOGPCRP2026 removes the South Pinellas barrier-island and bayfront communities from CD-13 and assigns them to a Manatee-anchored CD-16 whose congressional representative answers to a different geographic constituency centered roughly 46 to 50-plus driving miles away across Tampa Bay and across the same single Skyway crossing. A representative whose own electoral base centers in a different county, with different storm-exposure geography, different barrier-island municipal-recovery profile, and different federal-program-administration burdens, has materially less political incentive to deploy federal-advocacy tools on behalf of out-of-base, cross-Bay constituents whose disaster-recovery experience the representative's core constituents do not share at the same scale.

131. The same Tampa Bay barrier that the Florida Supreme Court condemned in *Apportionment VII* as the geographic tool of partisan favoritism is here also the geographic tool of federal-advocacy abandonment. The constitutional defect Article III, Section 20 was written to prevent is the precise defect EOGPCRP2026 imposes — and in Pinellas County, on this peninsula on a peninsula, with its single Skyway southern egress and its uniquely concentrated hurricane-exposure profile, it is the defect Article III, Section 20 was most pointedly designed to prevent.

F. EOGPCRP2026 Fractures the Pinellas Barrier-Island Municipal Community of Interest

132. The beach-municipality injury is related to, but distinct from, the Helene/Milton disaster-recovery injury. South Pinellas is part of an existing Pinellas barrier-island municipal community of interest that already coordinates around coastal, infrastructure, tourism, storm-surge, beach, access, and governmental issues.

133. The Barrier Islands Government Council, commonly known as BIG-C, is a governmental council incorporated in 1990 that includes eleven Pinellas barrier-island municipalities from St. Pete Beach to Clearwater: St. Pete Beach, Treasure Island, Madeira Beach, North Redington Beach, Redington Beach, Redington Shores, Indian Shores, Indian Rocks Beach, Belleair Beach, Belleair Shore, and Clearwater.⁵
134. BIG-C exists because the Pinellas barrier-island municipalities share common problems and need a unified governmental voice. Its stated purpose is to stimulate communications between the barrier-island municipalities on problems common to all, including beach preservation, beach renourishment and access, tourism, marine environment, air and water quality, public safety, public transportation, density management, recycling, waterway regulation, and related governmental concerns, and to unite the municipalities to address County, State, and Federal governments while respecting each city's individuality.⁶
135. EOGPCRP2026 fractures that existing municipal community of interest. It separates the southern BIG-C municipalities — including St. Pete Beach, Treasure Island, Madeira Beach, North Redington Beach, Redington Beach, and Redington Shores — from their northern Pinellas barrier-island counterparts for congressional-representation purposes and assigns the southern beach communities to a Manatee-anchored CD-16 across Tampa Bay.
136. That split matters because the beach towns' federal interests are shared across the barrier islands. Beach preservation, beach renourishment, public access, storm-surge recovery, evacuation, infrastructure, tourism, FEMA recovery, and coastal funding do not stop at the new CD-13/CD-16 line drawn by EOGPCRP2026.

⁵ Barrier Islands Government Council, The BIG-C, <https://www.barrierislandscouncil.com/>; Town of Indian Shores, Big C, describing BIG-C as incorporated in 1990 and including eleven municipalities from St. Pete Beach to Clearwater, <https://www.myindianshores.com/2191/Big-C>.

⁶ Barrier Islands Government Council, By-Laws, Object clause, <https://www.barrierislandscouncil.com/by-laws.php>.

137. The burden is not merely political. It is physical, geographic, and practical. Northern Redington beaches and southern Seminole voters assigned to Manatee-anchored CD-16 would be represented through a district office roughly 46 to 50-plus driving miles away in the Bradenton / Lakewood Ranch area, requiring those voters first to cross Pinellas County on surface roads to reach I-275, then cross Tampa Bay, and then continue into Manatee County.⁷
138. The BIG-C injury therefore reinforces the map's broader county-representation defect. EOGPCRP2026 does not merely remove voters from Plaintiff's race. It splits an existing Pinellas coastal municipal coordination structure, separates southern beach towns from their northern Pinellas beach counterparts, and weakens coherent federal advocacy for the same barrier-island issues that the municipalities already coordinate together.
139. The fracture of BIG-C also reinforces the Section 20(b) defects in compactness and use of existing political and geographic boundaries. Pinellas County's Gulf-front beach municipalities are a concrete, organized, and geographically definable community of interest. Splitting that community for the purpose and effect of making CD-13 safer for Luna confirms that the challenged map is not neutral.

VIII. CLAIMS FOR RELIEF

COUNT I — Violation of Article III, Section 20(a) of the Florida Constitution — Incumbent Protection and Partisan Favoritism

140. Plaintiff re-alleges and incorporates by reference the allegations set forth in all preceding paragraphs.

⁷ Representative Vern Buchanan, Bradenton Office, 8433 Enterprise Circle, Suite 210, Bradenton, Florida 34202, <https://buchanan.house.gov/lakewood-ranch-office>; Distance-Cities.com, Redington Shores to Lakewood Ranch driving distance (47 miles) and Seminole to Lakewood Ranch driving distance (46 miles), <https://www.distance-cities.com/distance-redington-shores-fl-to-lakewood-rch-fl> and <https://www.distance-cities.com/distance-seminole-fl-to-lakewood-rch-fl>.

141. Article III, Section 20(a) of the Florida Constitution provides, in relevant part: “No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent.”
142. EOGPCRP2026 was drawn with the intent to favor a specific incumbent — Republican Representative Anna Paulina Luna — and to favor the Republican Party in CD-13.
143. EOGPCRP2026 protects Representative Luna by removing from CD-13 the South Pinellas barrier-island and bayfront communities most likely to vote against her, and by completing through Wave Two the cross-Bay voter-deportation operation begun in Wave One.
144. EOGPCRP2026 protects Representative Luna from Plaintiff specifically by removing from Plaintiff’s race the communities where Plaintiff has campaign history, voter relationships, name recognition, and political identity — including Gulfport, where Plaintiff lived from January 2023 through July 2025 and ran for Mayor in March 2025.
145. EOGPCRP2026 favors the Republican Party by removing 23,537 more Coalition voters than Republican voters from CD-13, reducing the Coalition advantage in CD-13 from 74,710 to 51,173, and shifting CD-13’s two-party registration from approximately 40.67% Democratic / 59.33% Republican to approximately 38.98% Democratic / 61.02% Republican.
146. The Section 20(b) defects alleged in Count II are also attendant-circumstances evidence of Section 20(a) intent under the framework set out in *League of Women Voters of Florida v. Detzner*, 172 So. 3d 363, 401–03, 407–09 (Fla. 2015).⁸ EOGPCRP2026’s disregard of Pinellas County’s geography, Tampa Bay, Boca Ciega Bay, municipal boundaries, the BIG-C barrier-island community of interest, and the Manatee-anchored CD-16 receiving-district structure shows that the challenged map was not neutral. The geographic defects alleged in

⁸ *League of Women Voters of Florida v. Detzner*, 172 So. 3d 363 (Fla. 2015) (“Apportionment VII”).

Count II are the mechanism by which Defendants removed South Pinellas Coalition voters from CD-13 and protected Representative Luna.

147. Plaintiff seeks no federal partisan-gerrymandering remedy and no race-based Voting Rights Act remedy. Plaintiff's claims are state-constitutional only. *Louisiana v. Callais* does not authorize partisan gerrymandering, does not authorize incumbent-protection gerrymandering, and does not displace Article III, Section 20.⁹

148. Defendant DeSantis caused EOGPCRP2026 to be drawn, transmitted, enacted, and signed into law with immediate effect; Defendant Byrd will supervise statewide implementation of EOGPCRP2026; and Defendant Marcus will implement EOGPCRP2026 in Pinellas County. Plaintiff is entitled to declaratory and injunctive relief against each Defendant under Count I according to that Defendant's official role.

**COUNT II — Violation of Article III, Section 20(b) of the Florida Constitution —
Compactness and Political/Geographic Boundaries**

149. Plaintiff re-alleges and incorporates by reference the allegations set forth in all preceding paragraphs.

150. Count II is pleaded both as an independent violation of Article III, Section 20(b) and as evidence reinforcing Count I's Article III, Section 20(a) intent allegations.

151. Article III, Section 20(b) of the Florida Constitution requires congressional districts to be contiguous and, where feasible, to be compact and to utilize existing political and geographic boundaries.

152. EOGPCRP2026 violates Article III, Section 20(b) by failing to be compact in CD-16; by failing to utilize the Pinellas County line and Pinellas municipal boundaries; by failing to

⁹ *Louisiana v. Callais*, Nos. 24-109 and 24-110, 608 U.S. ____ (Apr. 29, 2026).

utilize Tampa Bay and Boca Ciega Bay as the existing geographic boundaries that they are; and by fracturing the BIG-C barrier-island municipal community of interest.

153. The Florida Supreme Court applied Article III, Section 20(b) to this geography in *Apportionment VII*, holding that “Districts 13 and 14 must be redrawn to avoid crossing Tampa Bay.” 172 So. 3d at 408–09. EOGPCRP2026 crosses Tampa Bay again, in the inverse direction, with a Manatee-anchored CD-16 reaching north into Pinellas to deport South Pinellas voters across the same single Skyway crossing the Florida Supreme Court condemned eleven years ago.

154. Defendant DeSantis caused EOGPCRP2026 to be drawn, transmitted, enacted, and signed into law with immediate effect; Defendant Byrd will supervise statewide implementation of EOGPCRP2026; and Defendant Marcus will implement EOGPCRP2026 in Pinellas County. Plaintiff is entitled to declaratory and injunctive relief against each Defendant under Count II according to that Defendant’s official role.

IX. IRREPARABLE HARM

155. Election injury cannot be fully remedied after an election occurs.

156. Plaintiff’s candidacy is active now. Plaintiff’s campaign strategy, voter outreach, fundraising, ballot-access planning, message development, voter relationships, and campaign operations are being distorted now by the threatened implementation of EOGPCRP2026.

157. South Pinellas voters are deported from a Pinellas-centered CD-13 and functionally disenfranchised in a Manatee-anchored CD-16 where their votes are designed not to affect the anti-Luna contest.

158. The 2026 congressional candidate qualifying period is scheduled for June 8 through 12, 2026; the 2026 primary is scheduled for August 18, 2026; and the 2026 general election is scheduled for November 3, 2026.
159. Under Florida Administrative Code Rule 1S-2.043, the first mandatory statewide vote-by-mail ballot request information file for the 2026 primary cycle must be transmitted to the Florida Division of Elections sixty days before the August 18, 2026 primary election. That date is June 19, 2026. Any Pinellas County implementation of EOGPCRP2026 — including voter reassignment, congressional-district designation updates, precinct-split handling, ballot-style generation, and vote-by-mail reporting field configuration — must be substantially complete by June 19, 2026 in order to satisfy that mandatory daily reporting framework, which makes the threatened implementation of EOGPCRP2026 a present-tense election-administration emergency rather than a deferred concern.
160. Defendant Marcus’s Pinellas-situs implementation of EOGPCRP2026 — including voter reassignment, election-definition build, precinct-split handling, ballot-style generation, voter notifications under sections 98.0981 and 101.001, Florida Statutes, congressional-candidate qualifying processing, and poll-worker training — is imminent if the map is not enjoined.
161. No money damages can compensate for the loss of Plaintiff’s opportunity to campaign in a constitutional district, the loss to South Pinellas voters of representation in a Pinellas-centered congressional district, or the loss of the existing organized BIG-C municipal coordination structure as a unified federal-advocacy voice.
162. Once an election is administered under EOGPCRP2026, the harm cannot be undone.

X. PUBLIC INTEREST AND BALANCE OF EQUITIES

163. The public has an interest in constitutional congressional maps.
164. The public has an interest in geographic-coherent congressional representation, particularly in the most hurricane-exposed state in the Union.
165. The public has an interest in Article III, Section 20's geographic-boundary commands being enforced at the point of their most concentrated application — Pinellas County.
166. The public has an interest in unified federal-disaster-recovery advocacy for affected communities, including unified federal oversight of FEMA Substantial Damage Assessment contractor performance in the South Pinellas barrier-island and bayfront communities EOGPCRP2026 deports.
167. The public has an interest in maintaining existing organized municipal communities of interest, including BIG-C, as coherent units for federal-representation purposes.
168. Defendants have no legitimate interest in enforcing an unconstitutional map, in protecting an incumbent through redistricting, or in fracturing existing organized communities of interest for partisan purposes.
169. The balance of equities favors Plaintiff and the public. The modest cost of restoring a Pinellas-centered CD-13 is far outweighed by the constitutional injury of conducting the 2026 congressional elections under EOGPCRP2026.

XI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff John W. Liccione respectfully requests that this Court enter judgment in his favor and against Defendants, granting the following relief:

- A.** A declaratory judgment that EOGPCRP2026 violates the **incumbent-protection prong** of Article III, Section 20(a) of the Florida Constitution because it was drawn with the intent

to favor Republican Representative Anna Paulina Luna and to disfavor Plaintiff as Luna's declared Democratic challenger in CD-13;

- B.** A declaratory judgment that EOGPCRP2026 violates the **partisan-favoritism prong** of Article III, Section 20(a) of the Florida Constitution because it was drawn with the intent to favor the Republican Party and to disfavor Democratic and Coalition voters in CD-13;
- C.** A declaratory judgment that EOGPCRP2026 violates Article III, Section 20(b) by failing to utilize existing political and geographic boundaries and by failing to be compact in CD-16, including by reaching across Tampa Bay and Boca Ciega Bay into Pinellas County and by fracturing the BIG-C barrier-island municipal community of interest;
- D.** A declaratory judgment that the anti-partisan, anti-incumbent, and geographic-boundary commands of Article III, Section 20 remain fully enforceable as a matter of Florida constitutional law after *Louisiana v. Callais* and notwithstanding any severability or nullification theory;
- E.** A temporary and permanent injunction prohibiting Defendant DeSantis, in his official capacity as Governor, from giving effect to, implementing, or enforcing EOGPCRP2026 and from giving effect to any substantially similar congressional redistricting plan that removes the South Pinellas barrier-island and bayfront communities from CD-13 for partisan or incumbent-protection purposes;
- F.** A temporary and permanent injunction prohibiting Defendant Byrd, in his official capacity as Secretary of State and Chief Elections Officer, from implementing, administering, supervising, or enforcing EOGPCRP2026 in any congressional election;
- G.** A temporary and permanent injunction prohibiting Defendant Marcus, in her official capacity as Pinellas County Supervisor of Elections, from taking any action to implement

EOGPCRP2026 within Pinellas County, including building or modifying any 2026 election definition reflecting EOGPCRP2026 boundaries, loading or processing GIS boundary files derived from EOGPCRP2026, reassigning any Pinellas County voter's congressional district designation on the basis of EOGPCRP2026, generating ballot styles based on EOGPCRP2026, issuing voter notifications reflecting EOGPCRP2026, processing congressional candidate qualifying petitions under EOGPCRP2026, or administering any 2026 congressional primary or general election under EOGPCRP2026 boundaries;

- H.** An order directing Defendants to administer the 2026 congressional elections under a congressional map that complies with Article III, Section 20 and remedies both waves of the cross-Tampa-Bay manipulation by restoring the Wave-One South Pinellas voters previously placed in CD-14 and the Wave-Two South Pinellas voters assigned to CD-16 to a Pinellas-centered CD-13, to the maximum extent consistent with equal population, federal law, and Article III, Section 20;
- I.** In the alternative, if emergency timing prevents adoption of a full remedial map before the 2026 election cycle, an order requiring any interim congressional configuration to avoid placing Pinellas County voters into districts anchored across Tampa Bay or Boca Ciega Bay in Hillsborough, Manatee, Sarasota, DeSoto, Hardee, or Polk Counties unless no lawful alternative exists;
- J.** An order setting an emergency hearing on Plaintiff's contemporaneous Emergency Motion for Temporary Injunction and Expedited Hearing;
- K.** An order requiring expedited discovery, including map-drawing files, district-performance data, partisan-performance analyses, and communications concerning CD-13, CD-16,

Representative Luna, South Pinellas, Gulfport, St. Petersburg, and the choice to move South Pinellas voters into CD-16;

- L. Retention of jurisdiction to ensure compliance with the Court's orders;
- M. An award of Plaintiff's costs as may be available under applicable law; and
- N. Such other and further relief as this Court deems just and proper.

Dated May 4, 2026

/s/ John W. Liccione
John William Liccione
Plaintiff, Pro Se
1497 Main St., Suite 196
Dunedin, Florida 34698
Phone: 443-698-8156

VERIFICATION

I, John William Liccione, declare under penalty of perjury that I am the Plaintiff in this action; that I have read the foregoing Emergency Verified Complaint; that the facts stated in the Complaint are true and correct to the best of my personal knowledge where based on my own acts, records, and observations; and that allegations stated on information and belief are believed by me to be true based on the sources, records, maps, voter files, public materials, and reported materials described herein.

Pursuant to Section 92.525, Florida Statutes, I declare under penalty of perjury that the foregoing facts are true.

Executed on this 4th day of May, 2026, in Pinellas County, Florida.

/s/ John W. Liccione

PLAINTIFF’S LIST OF EXHIBITS

- Exhibit 1.** EOGPCRP2026 / House Bill 1-D map and enrollment materials, including the Florida Senate redistricting page, the EOGPCRP2026 map viewer, the data packet, and the city/county population tables, available through <https://www.flsenate.gov/Session/Redistricting/Congressional>.
- Exhibit 2.** Plaintiff’s Ballotir CD-13 / CD-14 / CD-16 voter-impact summary, using April 2026 Florida Division of Elections voter-registration and voter-history files received by Plaintiff on DVD by United States mail in Plaintiff’s capacity as a declared congressional candidate, including a map of the deported precincts and South Pinellas barrier-island and bayfront communities.
- Exhibit 3.** National Hurricane Center, Tropical Cyclone Report: Hurricane Helene (AL092024), available at https://www.nhc.noaa.gov/data/tcr/AL092024_Helene.pdf, including Pinellas-specific storm-surge measurements at the National Ocean Service Clearwater tide gauge and at deployed USGS water sensors along the Pinellas barrier islands.
- Exhibit 4.** Pinellas County, 2024 Hurricane Season Hurricanes Debby, Helene, and Milton After-Action Report Overview (2025), available at <https://pinellas.gov/wp-content/uploads/2025/07/Pinellas-County-2024-Hurricane-Season-AAR-Overview.pdf>, together with the Pinellas County People First Hurricane Recovery Programs description at <https://recover.pinellas.gov/people-first-hurricane-recovery-programs/>.
- Exhibit 5.** Teghan Simonton, Emily L. Mahoney & Rebecca Liebson, Pinellas post-hurricane home assessments rife with flaws, Tampa Bay Times (Apr. 26, 2025), available at <https://www.tampabay.com/news/business/2025/04/26/tidal-basin-florida-pinellas-hurricane-milton-helene/>.
- Exhibit 6.** Barrier Islands Government Council (“BIG-C”) charter, by-laws, and member-municipality materials, available through <https://www.barrierislandscouncil.com/> and <https://www.myindianshores.com/2191/Big-C>, identifying the eleven member municipalities and the Object clause governing the Council’s governmental purpose.