

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA**

Phillip Callais, Lloyd Price, Bruce Odell,
Elizabeth Ersoff, Albert Caissie, Daniel
Weir, Joyce LaCour, Candy Carroll
Peavy, Tanya Whitney, Mike Johnson,
Grover Joseph Rees, Rolfe McCollister,

Plaintiffs,

v.

NANCY LANDRY, in her official
capacity as Secretary of State of the
State of Louisiana.

Defendant.

Civil Action: 3:24-cv-00122

Hon. Carl E. Stewart
Hon. Robert R. Summerhays
Hon. David C. Joseph

**THE STATE’S BRIEF EXPLAINING HOW IT IS COMPLYING WITH
THE SUPREME COURT’S OPINION AND THIS COURT’S INJUNCTION**

On April 29, 2026, the Supreme Court affirmed this Court’s judgment that SB8’s congressional map was an unconstitutional racial gerrymander and remanded to this Court for further proceedings. *Louisiana v. Callais*, No. 24–109, 2026 WL 1153054 (U.S. Apr. 29, 2026), *judgment entered*, 2026 WL 1209010 (U.S. May 4, 2026). The next day, this Court clarified that its prior “permanent Injunction ... prohibiting the State of Louisiana ‘from using SB8’s map of congressional districts for any election’ remain[ed] in effect.” ECF 261 at 1 (citation omitted). The Court then indicated that it would give the State an “opportunity to enact a Constitutionally compliant map consistent with the Supreme Court’s opinion ... and this Court’s Injunction” and ordered the State to “file a brief outlining how [it] intends” to enact such a map within three days of this Court’s receipt “of a certified copy of the Supreme

Court's Judgment." *Id.* Five days later, on May 5, this Court received that certified copy. *See* ECF 265. Accordingly, the State submits this brief to explain how it is complying with *Callais*, 2026 WL 1153054, and this Court's Injunction.

Following the Supreme Court's April 29 decision and this Court's April 30 order, State officials immediately sprung to action. Hours after this Court issued its April 30 order, the Secretary of State declared an election emergency under Louisiana Revised Statute § 18:401.1(B). *See* Ex. A (Secretary's emergency declaration), <https://perma.cc/4DKN-4Y6D>. And the Governor issued Executive Order JML 26-038 suspending the congressional primaries "until July 15, 2026 or until such time as determined by the Legislature." *See* Ex. B (Executive Order JML 26-038), <https://perma.cc/4VWK-LYJK>. All other elections are proceeding as scheduled.

The Governor has "encouraged" the Legislature "to enact new Congressional maps and schedule those elections as soon as practical, including laws governing qualification of candidates, in order to conduct the November 3, 2026 election." *Id.* The Governor is committed to signing into law any constitutionally compliant map that the Legislature enacts and in doing so in time for the congressional election to occur on November 3, 2026, as required by federal law. *See* 2 U.S.C. § 7.

The Legislature, for its part, is currently in regular session until June 1, 2026, and is already in the process of enacting a constitutionally compliant congressional map and scheduling elections accordingly. *See* La. Const. art. III, § 2(A)(3)(a); *id.* art. XI, §§ 1, 2 (empowering the Legislature to provide for the conduct of all elections, including counting of ballots and absentee voting); 2026 Regular Session Information

Bulletin, House Legislative Services, <https://perma.cc/26K9-JJNE>. Multiple “redistricting” bills are pending. *See* La. House Bill 642 (2026), <https://perma.cc/6SA2-WG3M>; La. Senate Bill 116 (2026), <https://perma.cc/NU4W-L247>. Tomorrow, the Senate and Governmental Affairs Committee will start hearing those bills. *See* <https://perma.cc/W7NJ-HMX9>; Lisa Combs, *New Congressional Map on Horizon as Black Caucus Joins Lawsuit Against State*, WAFB9 News, May 6, 2026, <https://perma.cc/WZF7-TXZJ> (“The Senate Governmental Affairs Committee will take public testimony on new map proposals at 9 a.m. on May 8, Sen. Boudreaux said. Options range from keeping two majority Black districts or none at all.”). And if needed, the Legislature may sit for up to thirty additional days as part of an extraordinary session, which a majority of the members of each chamber can call by petition or the Governor can call unilaterally. *See* La. Const. Art. III, § 2(B)–(C).

In past sessions, the Legislature has deliberated and produced congressional maps in as little as seven days and even overridden gubernatorial vetoes of those maps. *See* Senate Bill 8 (2024 First Extraordinary Session of 2024), <https://perma.cc/KCX9-N77R> (Map introduced on January 15, 2024, and signed into law on January 22, 2024); House Bill 1 (2022 First Extraordinary Session), <https://perma.cc/Y75A-XRM2> (Legislature passed map and overrode veto); House Bill 6 (2011 First Extraordinary Session), <https://perma.cc/3VLY-YD5N> (Legislature drew map in regular session and called extraordinary session to enact that map).

As this legislative process unfolds, Defendants commit to keeping the Court informed of any material developments. Defendants will notify the Court (and submit

copies of any final legislation if applicable) within twenty-four hours of (a) the Governor's signing into law any legislation related to the 2026 congressional election, (b) a call for any extraordinary "redistricting" session, and/or (c) the Legislature's adjournment sine die without passing relevant legislation. Defendants are committed to a constitutional congressional election in Louisiana in 2026 and have opened the way for the Legislature "to enact a Constitutionally compliant map consistent with the Supreme Court's opinion ... and this Court's Injunction." ECF 261 at 1.

Dated: May 7, 2026

Respectfully Submitted,

ELIZABETH B. MURRILL
Attorney General of Louisiana

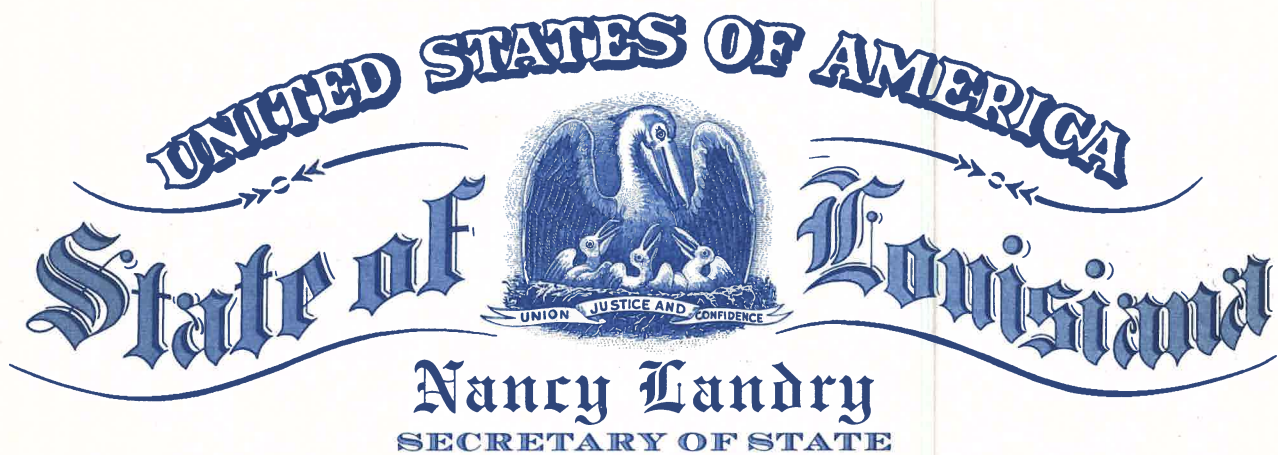
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EXHIBIT A



EMERGENCY CERTIFICATION

WHEREAS, the State of Louisiana currently has a Party Primary and Municipal Primary Election scheduled to be held on May 16, 2026 for various offices, including the offices of U.S. Representative, Congressional Districts 1 through 6;

WHEREAS, the early voting period for the May 16, 2026 Party Primary and Municipal Primary Election is scheduled to begin on Saturday, May 2, 2026, at 8:30 a.m. and end on Saturday, May 9, 2026, at 6:00 p.m. (excluding Sunday, May 3, 2026);

WHEREAS, the Second Party Primary and Municipal General Election is scheduled to be held on June 27, 2026;

WHEREAS, the early voting period for the June 27, 2026 Second Party Primary and Municipal General Election is scheduled to begin on Friday, June 12, 2026, at 8:30 a.m. and end on Saturday, June 20, 2026, at 6:00 p.m. (excluding Sunday, June 14, 2026 and Friday, June 19, 2026);

WHEREAS, the Congressional General and Open Primary Election is scheduled to be held on November 3, 2026;

WHEREAS, on April 29, 2026, the United States Supreme Court issued an opinion in the case, *Louisiana v. Callais, et al.*, No. 24-109;

WHEREAS, the Supreme Court ruled that the map adopted by SB 8 of the 2024 First Extraordinary Session of the Louisiana Legislature is unconstitutional and its use for the offices of U.S. Representative, Congressional Districts 1 through 6 in the 2026 Party Primary Election cycle would violate the law;

WHEREAS, La. R.S. 18:401.1(A) provides that "Due to the possibility of an emergency or common disaster occurring before or during a regularly scheduled or special election, and in

order to ensure maximum citizen participation in the electoral process and provide a safe and orderly procedure for persons seeking to qualify or exercise their right to vote, to minimize to whatever degree possible a person's exposure to danger during declared states of emergency, and to protect the integrity of the electoral process, it is hereby found and declared to be necessary to designate a procedure for the emergency suspension or delay and rescheduling of qualifying, early voting, and elections.”; and

WHEREAS, La. R.S. 18:401.1(B) allows the Secretary of State to certify to the Governor that a state of emergency exists.

NOW, THEREFORE, Nancy Landry, in her capacity as Secretary of State, does hereby certify that a state of emergency exists as it relates to the map for the election of officials for the offices of U.S. Representative, Congressional Districts 1 through 6, which has been held to be unconstitutional by the Supreme Court of the United States so that the Governor may take such action as is necessary pursuant to La. R.S. 18:401.1 with respect to the election for the offices of U.S. Representative, Congressional Districts 1 through 6.

*In testimony whereof, I have hereunto set
my hand and caused the seal of my office
to be affixed at the City of Baton Rouge on,
this, the 30th day of April, 2026.*

Nancy Landry

Secretary of State



EXHIBIT B



**EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER JML 26-038**

***STATE OF EMERGENCY -
SUSPENSION OF CLOSED PARTY PRIMARY ELECTIONS FOR
THE OFFICES OF REPRESENTATIVE IN THE UNITED STATES
CONGRESS***

WHEREAS, the State of Louisiana currently has a Party Primary and Municipal Primary Election scheduled to be held on May 16, 2026 for various offices, including the offices of U.S. Representative, Congressional Districts 1 through 6;

WHEREAS, the early voting period for the May 16, 2026 Party Primary and Municipal Primary Election is scheduled to begin on Saturday, May 2, 2026, at 8:30 a.m. and end on Saturday, May 9, 2026, at 6:00 p.m. (excluding Sunday, May 3, 2026);

WHEREAS, the Second Party Primary and Municipal General Election is scheduled to be held on June 27, 2026;

WHEREAS, the early voting period for the June 27, 2026 Second Party Primary and Municipal General Election is scheduled to begin on Friday, June 12, 2026, at 8:30 a.m. and end on Saturday, June 20, 2026, at 6:00 p.m. (excluding Sunday, June 14, 2026 and Friday, June 19, 2026);

WHEREAS, the Congressional General and Open Primary Election is scheduled to be held on November 3, 2026;

WHEREAS, on April 29, 2026, the United States Supreme Court issued its decision in *Louisiana v. Callais, et al.*, No 24-109;

WHEREAS, in the case of *Louisiana v. Callais et al.*, plaintiffs challenged Louisiana's map of Congressional districts for the United States House of Representatives, as enacted by SB 8 of the 2024 First Extraordinary Session of the Louisiana Legislature, challenging the map as an unconstitutional gerrymander;

WHEREAS, the United States Supreme Court held that the map is an unconstitutional gerrymander, and its use would violate the plaintiffs' constitutional rights;

WHEREAS, the *Louisiana v. Callais et al.* decision effectively revives a district court injunction barring Louisiana from conducting any congressional elections under SB 8 of the 2024 First Extraordinary Session of the Louisiana Legislature;

WHEREAS, R.S. 18:401.1(A) provides a process, “to ensure maximum citizen participation in the electoral process and provide a safe and orderly procedure for persons seeking to qualify or exercise their right to vote, to minimize to whatever degree possible a person’s exposure to danger during declared states of emergency, and to protect the integrity of the electoral process”;

WHEREAS, R.S. 18:401.1(B) provides, in pertinent part, “[t]he governor may, upon issuance of an executive order declaring a state of emergency or impending emergency, suspend or delay any qualifying of candidates, early voting, or elections. The governor shall take such action only upon the certification of the secretary of state that a state of emergency exists”;

WHEREAS, on April 30, 2026, the Secretary of State certified to the Governor that a state of emergency exists that would affect the electoral process, pursuant to R.S. 18:401.1;

WHEREAS, as Governor, I concur that an emergency exists, as electing members to Congress under an unconstitutional map flies in the face of the United States Constitution and subjects Louisiana voters to representatives that are impermissibly elected as determined by the United States Supreme Court, in a 6-3 decision;

WHEREAS, nothing in this Order alters the date fixed by Congress for the election of United States Representatives pursuant to 2 U.S.C. § 7, and the congressional election identified herein shall be held on the date prescribed by federal law; this Order affects only the closed party primaries scheduled for May 16, 2026 and June 27, 2026 for those offices.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Due to the election emergency of unconstitutional maps as determined by the United States Supreme Court in *Louisiana v. Callais et al.*, the closed party primary elections for the offices of representative in the United States Congress are hereby suspended for the duration of the May 16, 2026 and June 27, 2026 election cycles and until July 15, 2026 or until such time as determined by the Legislature.

Section 2: The Legislature is hereby encouraged to pass legislation to enact new Congressional maps and schedule those elections as soon as practical, including laws governing qualification of candidates, in order to conduct the November 3, 2026 election.

Section 3: No other race or proposition on the ballot for May 16, 2026 and June 27, 2026 shall be affected by this Order.

Section 4: This Order is effective upon signature and shall remain in effect from Thursday, April 30, 2026, until Saturday, May 30, 2026, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 30th day of April 2026.



Jeff Landry
GOVERNOR OF LOUISIANA

ATTEST BY THE
SECRETARY OF STATE



Nancy Landry
SECRETARY OF STATE