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**Pro hac vice pending*

Counsel for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

COMMISSIONERS AMELIA POWERS
GARDNER, a registered Utah voter and
elected official, *et al.*,

Plaintiffs,

v.

LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendant.

**DECLARATION OF
MIKE SMITH**

Case No. 2:26-cv-00084-RJS

District Judge Robert J. Shelby

**THREE-JUDGE PANEL
REQUESTED**

DECLARATION OF MIKE SMITH

I, Mike Smith, am a citizen of the State of Utah and the United States, at least 18 years of age, and competent to make this declaration, as follows:

1. I am a registered Utah voter.
2. I am currently serving as the sheriff for Utah County.
3. The selection of Map 1 has caused me uncertainty and confusion. The districts have shifted to the point that I do not know which congressional district I am supposed to be a part of, or whether I will be able to vote for the U.S. Representative who has been representing me.

4. In the normal redistricting process, I would be able to provide input to my representatives on the boundaries to be drawn. But Judge Gibson's selection of Map 1 cut me out of any ability to provide input into the boundaries in my district.

5. I have developed a valuable working relationship with my current representative that I wish to perpetuate. I am concerned that I will not be able to do so under Map 1. This relationship has allowed me to advance my federal policy goals and desires, including federal public land and water issues, business growth, regulatory barriers, homelessness, opioid addiction, and illegal immigration, to name but a few.

6. Map 1 ignores geographical concerns that I could have raised during a normal, constitutional redistricting process. For example, Map 1 crams seventeen counties and part of Utah County into one congressional district. For that part of

Utah County to achieve its federal legislative needs, we now must compete for attention with triple the number of counties than any other district contains. Map 1 also places many of the fastest growing cities in Utah—including Eagle Mountain, Lehi, Santaquin, and Saratoga Springs—in the same congressional district. By the time the next census is taken and a new map created in 2030, that district will likely be heavily lopsided compared to other districts, so the votes for the current Utah County residents will be diluted.

7. I believe that Judge Gibson’s selection of a map drawn by liberal voting groups will not result in a fair election race.

8. The selection process going into Map 1 has eroded my confidence in the congressional districting process and the 2026 election.

9. I joined this lawsuit to uphold my oath to “support, obey, and defend the Constitution of the United States and the Constitution of the State of Utah,” and to “discharge the duties” of my “office with fidelity.” I hold my oath sacred.

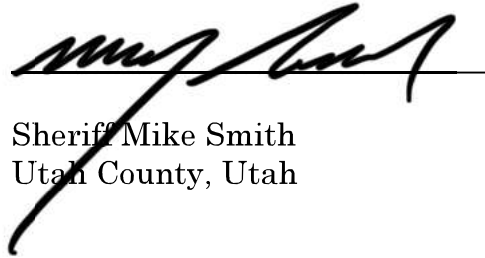
10. I believe that Map 1 is unconstitutional, because it was not selected by the Legislature, as the U.S. Constitution requires. Yet I am being coerced to violate my oath to implement it.

11. The unconstitutional nature of that map has deprived me of my right to choose my representative in accord with the U.S. and Utah Constitutions.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the above statements are true and correct.

2/7/26

Date

A handwritten signature in black ink, appearing to read "Mike Smith", is written over a horizontal line. The signature is stylized with a large, sweeping initial "M".

Sheriff Mike Smith
Utah County, Utah