

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

LEAGUE OF WOMEN VOTERS OF
SOUTH DAKOTA and JAYSEN HILL,

Plaintiffs,

v.

MONAE JOHNSON, in her official
capacity as Secretary of State of the State of
South Dakota, and SCOTT D.
MCGREGOR, LINDLEY HOWARD,
KENT ALBERTY, JAMALIA FRANZEN,
KRISTIN MATSUDA, and AUSTIN
HOFFMAN, in their official capacities as
members of the State Board of Elections of
South Dakota,

Defendants.

Case No. 4:26-cv-04162-ECS

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs League of Women Voters of South Dakota ("LWVSD") and Jaysen Hill move for a preliminary injunction against all Defendants to enjoin aspects of their implementation of Senate Bill 175, codified at SDCL §§ 12-4-1, 12-4-1.3, 12-4-1.4. For the reasons explained in Plaintiffs' accompanying Memorandum of Law, they seek to preliminarily enjoin Defendants from registering individuals as federal-only voters on the basis of a lack of documentary proof of citizenship without providing affected voters with adequate and meaningful notice and an opportunity to cure their application, and further, to require Defendant Monae Johnson to issue guidance to South Dakota's county auditors instructing them to provide all voters with adequate and meaningful notice and an opportunity to cure before

registering them as federal-only voters because of failure to provide documentary proof of citizenship or errors with such documentation.

Additionally, due to the urgent nature of this matter and fast-approaching election deadlines, Plaintiffs request that the Court expedite the normal briefing requirements for this motion. Local Rule 7.1(B) provides that a party has 21 days to respond to a motion unless “otherwise specifically ordered by the court,” and that the moving party then has 14 days to reply. Plaintiffs request that the Court order Defendants to file their response within 10 days (that is, by September 3, 2026) and Plaintiffs file their reply within five days (that is, by September 8, 2026).

Plaintiffs request this expedited briefing scheduling to resolve this matter in advance of upcoming election deadlines in South Dakota. Voting will soon be underway, with absentee voting starting on September 18, 2026, and the deadline to register to vote approaching on October 19, 2026. *See* S.D. Sec’y of State, *2026 Election Information*, <https://perma.cc/6PJQ-8JAC> (last visited Aug. 24, 2026). District courts have the “power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Rosenbauer Am., LLC v. Advantech Serv. & Parts, LLC*, 437 F. Supp. 2d 1081, 1084 (D.S.D. 2006). This includes the ability to expedite the preliminary injunction briefing schedule. *See, e.g., Libertarian Party of S.D. v. Krebs*, No. 4:15-CV-04111-KES, 2016 WL 11608492 (D.S.D. Dec. 12, 2016).

ORAL ARGUMENT

Pursuant to Local Rule 7.1(c), Plaintiffs request oral argument in support of this motion.

Respectfully submitted on this 24th day of August, 2026.

/s/ Matthew Tysdal

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**pro hac vice application forthcoming*