FILED
5th JUDICIAL DISTRICT COURT
Chaves County
11/2/2026 5:03 PM
STACY L. MORA
CLERK OF THE COURT
Stacy Mora

STATE OF NEW MEXICO
COUNTY OF CHAVES
FIFTH JUDICIAL DISTRICT COURT

THE REPUBLICAN NATIONAL COMMITTEE, THE REPUBLICAN PARTY OF NEW MEXICO, and LARRY E. MARKER, Candidate for United States Senate,

Plaintiffs,

vs.

No. D-504-CV-2026-01071

MAGGIE TOULOUSE OLIVER, in her official capacity as New Mexico Secretary of State,

Defendant.

PRELIMINARY INJUNCTION

THIS MATTER comes before the Court on the *Emergency Motion of the Plaintiffs for a Preliminary Injunction or Temporary Restraining Order*, and the *Verified Complaint for Injunctive Relief Against Unlawful Electioneering in Polling Places*, filed on Friday October 30, 2026 and over the following weekend. The Court held a hearing on the Motion on Monday, November 2, 2026. The Court, having reviewed the Motion, being fully advised in the premises, and for the reasons stated on the record at the hearing, finds that the Motion is well-taken and grants it. The Plaintiffs have set forth in their Motion the irreparable injury of factually false and unlawful campaign literature being allowed in and within 100 feet of polling places, in contravention of NMSA 1978, § 1-20-16. Given that neither money damages nor any other post-Election Day judicial remedy can alter votes cast, vote totals, or the winner of an election, such injury is irreparable under the meaning of Rule 1-066(B)(2) NMRA. The Defendant does not oppose the Motion or the entry of this order.

IT IS ORDERED that the *Emergency Motion of the Plaintiffs for a Preliminary Injunction or Temporary Restraining Order* is **GRANTED**.

IT IS FURTHER ORDERED that the Defendant Maggie Toulouse Oliver or those working in her office, on November 2, 2026, send an email or other written communication to the county clerk (and, in the event of a clerk's incapacity or recusal, the acting chief election officer in the county) in each of New Mexico's 33 counties, and additionally post a notice on her official website, including the text of or linking to this injunction, and stating the following:

1. voter guides produced by the League of Women Voters for the 2026 election should not be supplied to voters, posted visibly, or stored in a location visible to voters either inside or within 100 feet of any polling place in New Mexico; and

2. this order does not preclude individual voters from bringing a voter guide with them to the polls for their own personal use or reference.

The communication should be marked as urgent and delivered in a manner consistent with the Defendant's past communication of directives requiring next-day action.

IT IS FURTHER ORDERED that if Defendant Maggie Toulouse Oliver or anyone working in her office is questioned about the legality, allowability, or advisability of allowing the League of Women Voters' voter guides into polling places, they shall refer the person to this injunction.

IT IS FURTHER ORDERED that the posting of security shall be waived, given the lack of monetary injury to the Defendant and because this is an election case.

IT IS FURTHER ORDERED that this injunction shall expire at the conclusion of Election Day, specifically, after 11:59 p.m. on November 3, 2026.

IT IS SO ORDERED.

THE HONORABLE JARED G. KALLUNKI
FIFTH JUDICIAL DISTRICT JUDGE