




FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

MEMORANDUM

To: Supervisors of Elections

From: Ken Detzner 
Florida Secretary of State

Date: November 15, 2018

Subject: Directive 2018-05 – Cure of Mismatched-Signature Ballots

1. In a directive issued earlier today, Directive 2018-04, I noted that the U.S. District Court for the Northern District of Florida's Order Granting Motion for Preliminary Injunction in *Democratic Executive Committee of Florida v. Detzner*, No. 4:18-CV-520-MW/MJF (N.D. FL., Nov. 15, 2018), required me to notify you of the following:

- a. "Florida's statutory scheme as it relates to curing mismatched-signature ballots has been applied unconstitutionally;" and
- b. "In light of [the] Court's order, they are required to allow voters who have been belatedly notified they have submitted a mismatched-signature ballot to cure their ballots by November 17, 2018, at 5:00 p.m. The supervisors of elections shall allow mismatched-signature ballots to be cured in the same manner and with the same proof a mismatched-signature ballot could have otherwise been cured before November 5, 2018, at 5:00 p.m."

2. I also noted in Directive 2018-04 that I would update you of any relevant developments concerning the District Court's Order as expeditiously as possible. This directive provides the requisite update.

3. Late today, the U.S. Court of Appeals for the Eleventh Circuit denied a stay of the District Court's Order. You are to comply with the attached Order from the U.S. Court of Appeals for the Eleventh Circuit because the Eleventh Circuit provided further direction relevant to the District Court's instructions.

Division of Elections

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4. Please note that neither the District Court's Order nor the Eleventh Circuit's Order affects any other applicable deadline. You must, therefore, continue with recounts. The deadlines for official results is still Sunday, November 18, 2018 at 12:00 p.m.

Attachment