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April 28, 2026

The Honorable Jorge E. Navarrete
Clerk and Executive Officer
Supreme Court of California
350 McAllister Street
San Francisco, California, 94102

Re: *Cervantes et al. v. Bianco et al.*- Case No. S295866

Dear Clerk Navarrete:

Pursuant to California Rules of Court 8.254(a) and 8.520(d)(1), Petitioners Clarissa Cervantes, Oscar Ortiz, Rebecca Robinson, and Nathan Kempe (“Petitioners”) submit this letter to inform the Court of events not discovered until after the parties completed briefing on March 30, 2026.

Petitioners bring to the attention of the Court a breach in election security and possible additional Elections Code violations associated with Sheriff Bianco’s seizure of ballots while this case has been pending. On information, the Sheriff’s counsel has notified the Riverside Registrar of Voters that he created a public link that allowed public access to at least some of the seized election materials. If this is true, this publication is a violation of the Elections Code. (*See e.g.*, Elec. Code § 2194.) Apparently, this confidential material was public for five days, meaning that any person with the link from the court filing could access this confidential material.

Even if the investigation by the Sheriff was properly authorized, the Secretary of State, as the chief elections official of the state of California, should oversee these matters. Setting this precedent is important for any future criminal investigations that may be triggered at another time or in another place. It is a critically important principle that under no circumstances should a county sheriff take possession of ballots with the exclusion of participation by the local elections official *and* the Secretary of State, as is the case here. The Elections Code carefully prescribes procedures to ensure trained non-partisan career professionals are tasked with ballot access, security, and counting. This Court should affirm the principles that guided the Legislature in adopting these procedures.

It is important that this Court address the election law issues however it decides the criminal law supervision issues that are presented in the Attorney General’s petition. For one, Sheriff Bianco has made clear publicly that he would seize ballots again. He told the Washington Post that “he would consider seizing ballots in the primary as well if questions are raised about how it is conducted.” *See* Patrick Marley, *California’s Top Court Halts Sheriff’s Seizure of Half a Million Ballots*, WASHINGTON POST (April 8, 2026),

<https://www.washingtonpost.com/politics/2026/04/07/chad-bianco-riverside-ballot-seizure/>. In addition, this Court should be concerned that actions of this Sheriff will be repeated by another.

These continued events are irreparably harming the integrity of the electoral process in California and serve to dissuade the public from participating in elections and having confidence in the reported outcome. Ballots for the 2026 Primary Election will start being mailed in one week. (See <https://www.sos.ca.gov/elections>). Every day these election materials remain out of the custody of trained and qualified election personnel, causes damage. Petitioners respectfully request the Court assert its jurisdiction over these events and resolve this matter quickly.

Sincerely,

By s/Sonni Waknin
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