

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
SANGAMON COUNTY, ILLINOIS

LESTER LEAVITT,
Plaintiff,

Case No. 2026CH000024

Hon. Robin Schmidt

v.

ILLINOIS STATE BOARD OF ELECTIONS;
LAURA K. DONAHUE, Chair;
RICK S. TERVEN, SR., Vice Chair;
JENNIFER M. BALLARD CROFT;
CRISTINA D. CRAY;
TONYA L. GENOVESE;
CATHERINE S. McCRORY;
JACK VRETT; and
CASANDRA B. WATSON,
*in their official capacities as Members of
the Illinois State Board of Elections,*
Defendants.

**SECOND SUPPLEMENTAL DECLARATION OF PLAINTIFF IN SUPPORT OF
EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

I, Lester Leavitt, declare as follows:

I. INTRODUCTION

1. I am the Plaintiff in the above-captioned action. I am over the age of eighteen, am competent to testify, and have personal knowledge of the matters set forth herein, except where stated on information and belief, and as to those matters I believe them to be true.

2. I submit this Second Supplemental Declaration in further support of Plaintiff's Emergency Motion for Temporary Restraining Order and Preliminary Injunction filed April 29, 2026, and currently set for hearing before this Court on May 15, 2026, at 10:00 a.m.
3. The purpose of this Declaration is to update the Court on (i) the practical filing deadline compression created by the intervening Memorial Day federal holiday, (ii) the current operational status of the Plaintiff's petition signature drive, and (iii) the Plaintiff's intended course of action on May 22, 2026.

II. THE PRACTICAL FILING DEADLINE

4. The statutory filing deadline for independent candidate nominating petitions for the November 3, 2026 general election is Tuesday, May 26, 2026, as set forth in 10 ILCS 5/10-6 and as referenced in paragraph 13 of the Verified Complaint.
5. Memorial Day in 2026 falls on Monday, May 25. The State Board of Elections offices in Springfield will be closed that day. The two preceding days, Saturday May 23 and Sunday May 24, are not business days. The last functional business day on which any petition page may be lawfully notarized prior to the statutory filing deadline is therefore Friday, May 22, 2026. This date is identified in Exhibit 3 to Plaintiff's Emergency Motion as the "last business day for notaries."
6. The functional deadline by which the Plaintiff's petition operation must be complete in order to file lawfully notarized pages with the State Board of Elections before the statutory deadline is therefore not eleven calendar days after the May 15 hearing, but seven business days. After Friday May 22, no further notarization is operationally possible before the statutory deadline expires.

III. THE SUSPENSION OF PETITION OPERATIONS

7. As described in paragraph 22 of the Verified Complaint, the Plaintiff had organized House District 89 into twelve volunteer zones, each anchored by congregations of anticipated institutional partners, with a planned recruitment of approximately three hundred volunteers committed to gather between ten and fifteen signatures each across the then-remaining petition circulation window (per Exhibits 1-3).
8. Approximately sixty signatures had been verbally affirmed on six petition pages by volunteers and by the Plaintiff personally during the period preceding April 19, 2026, the date on which the Plaintiff discovered the Section 7-43 bar (Verified Complaint ¶ 16). No additional signatures have been verbally affirmed after that date.
9. As of the date of this Declaration, no petition page has been reported to the Plaintiff as having been submitted for notarization. Under Illinois law, each petition sheet must bear the notarized affidavit of its circulator in order to be valid for filing with the State Board of Elections. The current count of legally fileable signatures collected on behalf of the Plaintiff's candidacy is therefore zero.
10. The Plaintiff personally halted the gathering of additional signatures from his neighbors after collecting approximately three pages. The Plaintiff also instructed circulators in the Town of Galena, Jo Daviess County, not to proceed with notarization of any pages then in their possession. The Plaintiff thereafter extended the same instruction to volunteers across the remaining eleven zones of House District 89: to retain in their possession any petition pages on which signatures had been collected, and not to seek notarization, pending this Court's ruling on the pending Motion.
11. The Plaintiff's determination to suspend petition operations at every stage — collection, circulator commitment, and notarization — was based on the Plaintiff's conclusion that he could not in good conscience continue to ask volunteers to commit time, travel costs, paper, and personal sworn affidavits to a petition drive whose underlying legal foundation remained contingent on the outcome of this litigation. This determination is

consistent with the position pleaded in paragraphs 22 through 24 of the Verified Complaint and reaffirmed in Section C(1) of the Emergency Motion.

12. Galena is the Plaintiff's home town. Jo Daviess County and Carroll County are the only two of seven counties in House District 89 that are fully contained within the District. The Plaintiff has an extensive network of connections with service-oriented organizations in Jo Daviess County and his attendance had been placed on the agenda of the Democratic Central Committee of Carroll County meeting for April 21, 2026 in anticipation of kicking of the volunteer efforts there. The Plaintiff's instruction to halt petition operations was issued first in his own community before being extended in-person to the Carroll County Central Committee on April 21, 2026. An email was sent to all other contacts shortly thereafter.

IV. INTENDED FILING ON MAY 22, 2026

13. The Plaintiff intends, contingent upon this Court's ruling on the pending Motion, to deliver to the State Board of Elections in Springfield on Friday, May 22, 2026, such petition pages as may be lawfully notarized in the period between any such ruling and that date.
14. The Plaintiff cannot now state with certainty what number of pages or signatures will be available for that filing. The number depends upon factors that are not within the Plaintiff's control, including: whether this Court grants the relief requested in Plaintiff's pending Motion; whether circulators currently holding petition pages can be reassembled and made available for the notarization step in the days following any such ruling; and whether notaries can be secured for those circulators within the available time.
15. The Plaintiff intends to make this filing on Friday, May 22, 2026, regardless of the number of pages available, in order to preserve the candidate-of-record status that filing creates and to permit any deficiency in the count to be addressed through whatever mechanism this Court's ruling makes available.

V. RELATION TO THE RELIEF SOUGHT

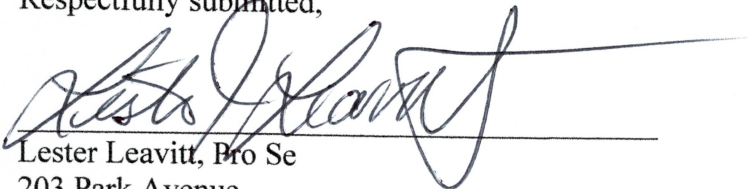
16. The facts set forth in this Declaration do not alter the relief requested in the Emergency Motion. They bear upon the Buzz Barton irreparable-harm and balance-of-equities factors as follows.
17. As to irreparable harm: the practical foreclosure of petition operations across the District is now complete and documented at every operational step. The collection step is suspended. The circulator commitment step is suspended. The notarization step is suspended. The current count of fileable signatures is presumed to be zero. Without injunctive relief from this Court before the practical May 22 deadline, the Plaintiff's candidacy for the November 3, 2026 general election ballot will be foreclosed not by any failure of effort but by the operational reality that the period required to lawfully reconstitute a 120-precinct petition drive across seven counties cannot be compressed into the seven business days remaining after the hearing.
18. As to balance of equities: the Plaintiff has personally borne the cost of the suspension. Volunteers across the District remain in possession of petition pages they have neither completed nor returned. The anticipated institutional partners who anchored the twelve volunteer zones — congregations of the United Methodist Church, the Lutheran Church (ELCA), the Episcopal Church, the Presbyterian Church, and the Unitarian Universalist denomination — remain available, but the operation cannot be reactivated without the legal certainty this Court's ruling will provide. Defendants bear no comparable burden from the relief requested.
19. As to the alternative-relief request set forth in Section C of the Emergency Motion: the facts set forth in this Declaration confirm that any threshold above a de minimis number cannot be satisfied operationally within the seven business days remaining after the hearing, regardless of the Plaintiff's effort. The first-tier preference (full waiver of the 2,957-signature requirement) and the second-tier preference (proportional reduction reflecting the time available after the Court's ruling) remain the only forms of alternative relief that align with the operational reality this Declaration documents.

VI. VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, 735 ILCS 5/1-109, the undersigned certifies that the statements set forth in this Second Supplemental Declaration are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated: May 7, 2026

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lester Leavitt", written over a horizontal line.

Lester Leavitt, Pro Se
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