

No. _____

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT

CHE AHN,

Petitioner,

v.

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO,

Respondent.

SHIRLEY N. WEBER, IN HER OFFICIAL CAPACITY AS THE
CALIFORNIA SECRETARY OF STATE,

Real Party in Interest.

Sacramento County Superior Court, Case No. 26WM000058
The Honorable Jennifer K. Rockwell, Judge

**PETITION FOR WRIT OF MANDATE AND REQUEST FOR
IMMEDIATE RELIEF; MEMORANDUM OF POINTS AND
AUTHORITIES**

PRIORITY ELECITON MATTER

**IMMEDIATE RELIEF REQUESTED NO LATER THAN
MARCH 26, 2026**

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March 24, 2026

**CERTIFICATE OF INTERESTED PARTIES OR ENTITIES
OR PERSONS**

There are no interested entities or persons to list in this
Certificate per California Rules of Court, rule 8.208.

March 24, 2026

/s/ Mark P. Meuser
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INTRODUCTION

On June 2, 2026, there will be a nonpartisan top two primary election to determine the top two candidates to advance to the California gubernatorial election on November 3, 2026. One such candidate seeking placement on the primary ballot is Petitioner, Dr. Che Ahn.

This Petition seeks to require the Secretary of State to place Dr. Ahn on the Certified List of Candidates.

It is Petitioner's understanding that the purported reason the Secretary of State's office gave for leaving Dr. Ahn off the ballot was that Dr. Ahn failed to file his tax returns with the Secretary of State by 5:00 p.m. on March 6, 2026, in violation of California Election Code § 8902.

This case presents a purely legal question of statewide importance. The California Constitution exclusively governs the qualifications for the office of Governor, and Dr. Ahn satisfies every constitutional qualification for that office.

When the Constitution governs the qualifications for an office, it is beyond the power of the Legislature to add qualifications. The Legislature exceeded its authority by adding the requirement that candidates for California Governor file tax returns with the Secretary of State.

The Secretary of State acted ultra vires in refusing to place Dr. Ahn from the primary ballot. By this petition for extraordinary relief, Petitioner asks this Court to intervene immediately to uphold the California Constitution's exclusive qualifications for Governor.

Petitioner filed a Writ with the Sacramento Superior Court on March 10, 2026. (App. at 14). The Secretary of State filed its opposition on March 18, 2026. (App. at 33). The Sacramento Superior Court heard oral arguments on March 23, 2026 and issued judgment the same day. (App. at 4). The court denied relief without written opinion and without a reporter's transcript.

Immediate intervention is necessary because the Secretary of State is scheduled to certify the official list of candidates on March 26, 2026. Absent writ relief, Dr. Ahn will be irreparable excluded from the June 2, 2026 primary ballot.

PARTIES

Petitioner Che Ahn is a resident of Los Angeles County, California.

Respondent is the Superior Court of Sacramento County, the Honorable Jennifer K. Rockwell, Department 4.

Real Party in Interest is Shirley N. Weber, in her official capacity as the California Secretary of State. The Secretary of State is the chief elections officer and is responsible for administering the provisions of the Elections Code.

JURISDICTION

This Court has jurisdiction over this action pursuant to California Constitution, Article VI, Section 10, Code Civ. Proc. § 1085; Cal. Rules of Court, rule 8.485 et seq.)

Extraordinary writ review is appropriate because the issues presented are purely legal, involve matters of statewide election

administration, and require immediate resolution before ballot certification.

QUESTIONS PRESENTED

Whether Election Code section 8902 is unconstitutional because it conditions ballot placement for Governor on compliance with a statutory requirement that adds to the exclusive constitutional qualifications for that office.

TIMELINESS OF PETITION

On or around March 7, 2026, the Real Party in Interest notified Petitioner that his name would not be placed on the ballot. On March 10, 2026, Petitioner filed an Emergency Verified Petition for Writ of Mandamus with the Sacramento Superior Court. On March 23, 2026, the Sacramento Superior Court denied Petitioner's Writ. (App. at 4-7).

Immediate review is required. The Secretary of State is scheduled to release the certified list of gubernatorial candidates on March 26, 2026. If Dr. Ahn's name does not appear on that list, he will be irreparably excluded from the June 2, 2026 primary election.

Because ballot certification is imminent, ordinary appellate review is neither plain, speedy, nor adequate. Extraordinary writ relief is therefore the only effective means to prevent the loss of Petitioner's candidacy and the corresponding deprivation of voters' rights.

AUTHENTICITY OF EXHIBITS

All exhibits of Petitioner's Appendix are true and correct copies of original documents on file with the superior court in *Che Ahn v. Shirley N. Weber*, Sacramento Superior Court, Case No. 26WM000058.

STATEMENT OF FACTS

California's gubernatorial primary election will be held on June 2, 2026, whereafter the top two candidates will advance to the California gubernatorial election on November 3, 2026.

Petitioner, Dr. Che Ahn is a declared candidate seeking placement on the gubernatorial primary ballot.

Dr. Ahn is a United States citizen and a resident of California who satisfies all constitutional qualifications for the office of Governor.

Che Ahn for Governor 2026 is Dr. Ahn's campaign committee. This campaign has raised approximately \$893,700.51 in campaign contributions. Declaration of Michelle Martinez, (App. at 28, ¶ 15).

Dr. Ahn relied on his campaign manager, Michelle Martinez, to ensure all documents were filed in connection with ballot qualification requirements. Mrs. Martinez reviewed the California Constitution to determine the qualifications for Dr. Ahn to be eligible for the office. *Id.* at ¶ 3. Nowhere in the California Constitution does it say that an individual must show their tax returns to run for California Governor. *Id.*

Mrs. Martinez, who was a candidate for California Assembly in 2022, is familiar with the process of visiting the

County Register of Voters office and turning in paperwork to be placed on the ballot. Martinez Dec., ¶ 4. Thus, on February 11, 2026, Mrs. Martinez accompanied Dr. Ahn to the Los Angeles County Register of Voters office for an 8:15 a.m. appointment for Dr. Ahn to file his paperwork to be a duly qualified candidate for Governor. Martinez Dec., ¶ 5. At this February 11, 2026 appointment, Dr. Ahn and Mrs. Martinez were told that Dr. Ahn had more than enough signatures to qualify to be on the ballot. *Id.* at ¶ 6. Mrs. Martinez also inquired about the candidate statement and was told that this was to be filed directly with the Secretary of State. *Id.* at ¶ 7. During this February 11, 2026 appointment, neither Dr. Ahn nor Ms. Martinez were told that Dr. Ahn was required to produce the last five years of tax returns directly to the Secretary of State. *Id.* ¶ 8.

That same day, Dr. Ahn's campaign manager contacted the Secretary of State and began to work with the Secretary of State to prepare the necessary paperwork for the candidate statement. *Id.* ¶ 9. Thereafter, on or about February 13, 2026, Mrs. Martinez received a call from the Secretary of State and was told that Dr. Ahn's candidate statement was accepted. *Id.* ¶ 10. During this phone conversation, Dr. Ahn's campaign manager inquired if the campaign had done everything needed to qualify and was told that the Secretary of State would contact the campaign if there were any issues. *Id.*

At no time during the campaign manager's conversations with the Secretary of State on February 11th or 13th was she told

that Dr. Ahn needed to turn in five years of tax returns to qualify to be on the ballot. *Id.* ¶ 11.

On March 3, 2026, at 6:22 p.m., the Secretary of State’s office notified the campaign of the requirement to produce the five most recent tax returns. *Id.* ¶ 12. The Secretary of State’s office sent this notice via email, but it was not seen by the campaign manager or the candidate until March 7, 2026, after the 88-day deadline in California Election Code § 8902. *Id.* On March 7, 2026, the Secretary of State’s office called Dr. Ahn’s campaign manager and told her that because Dr. Ahn did not produce his tax returns, his name would not be on the ballot. *Martinez Dec.*, ¶ 13.

On March 9, 2026, Dr. Ahn’s campaign manager personally delivered Dr. Ahn’s tax returns to the Secretary of State’s office. *Id.* ¶ 14. The Certified List of Candidates for the June 2, 2026, Primary Election will be posted on March 26, 2026.¹

IRREPARABLE INJURY/NECESSITY FOR RELIEF

Petitioner has no plain, speedy, and adequate remedy at law, other than the relief sought in this petition.

If relief is not granted immediately, Petitioner will be excluded from the primary ballot notwithstanding his satisfaction of all constitutional qualifications for Governor.

¹ California Secretary of State Key Dates and Deadlines, Primary Election – June 2, 2026. Last visited on March 23, 2026: <https://www.sos.ca.gov/elections/upcoming-elections/primary-election-june-2-2026/key-dates-and-deadlines>

Once the certified list of candidates is finalized on March 26, 2026, the loss of ballot access will be effectively irreversible.

Extraordinary writ relief is therefore necessary to prevent imminent and irreparable harm to both Petitioner and California voters.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

(a) Immediately issue an order directing the Secretary of State to include Petitioner on the Certified List of Candidates pending resolution of this petition, and issue an Order to Show Cause why a preemptory writ should not issue.

(b) Alternatively, issue a preemptory writ of mandate in the first instance directing the Secretary of State to place Petitioner's name on the Certified List of Candidates and all official ballot materials;

(c) Award attorneys' fees pursuant to Code Civ. Proc., § 1021.5;

(d) Award costs of suit; and

(e) Grant such other relief as this Court deems just and proper.

March 24, 2026

/s/ Mark P. Meuser
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VERIFICATION

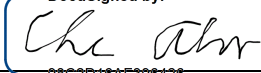
I, Che Ahn, declare as follows:

1. I am Petitioner in this Action.

2. I have read the foregoing Emergency Verified Petition for Writ of Mandamus and know the contents thereof. I have personal knowledge of myself, my activities, and my intentions, including those set out in the foregoing Petition, and if called on to testify I would competently testify as to the matters stated herein.

3. As to all other matters stated in the Petition, I am informed and believe them to be true.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 23, 2026, at Pasadena, California.

DocuSigned by:

98C2D16AF396426...

Che Ahn

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MEMORANDUM OF POINTS AND AUTHORITIES

The right to vote freely for the candidate of one's choice
is of the essence of a democratic society,
and any restrictions on that right
strike at the heart of representative government.
Reynolds v. Sims, 377 U.S. 533, 555 (1964).

[T]he right to vote would be empty indeed if it did not
include the right of choice for whom to vote But it
does mean that in judging the validity of a restraint
upon eligibility for elective office, we must be mindful
that the restraint is upon the right to vote as well....

Far from being unrestricted, **the power to
prescribe qualifications for elective office is
sharply limited by the constitutional guaranty
of a right to vote....**

Thomas v. Mellon, 9 Cal.3d 96, 99 (1973) quoting
Zeilenga v. Nelson, 4 Cal.3d 716, 721 (1971).
(Emphasis added).

**I. This Court Should Issue Extraordinary Writ Relief
Because the Superior Court Erroneously Upheld
an Unconstitutional Ballot-Exclusion Statute.**

Petitioner seeks extraordinary writ relief following the
superior court's denial of mandate without written opinion and in
light of the imminent certification of the gubernatorial ballot.
Because ordinary appellate review is inadequate and the issues
presented are purely legal and of statewide importance,
immediate intervention by this Court is warranted.

This case turns on a single dispositive constitutional
question: whether Election Code section 8902 operates as a
permissible procedural ballot-access regulation or instead

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imposes an unconstitutional additional qualification for the office of Governor.

a. The Disclosure Act Conditions Ballot Access on Tax-Return Disclosure.

At the heart of this case is Cal. Elec. Code § 8900 et seq., commonly referred to as the “Disclosure Act.” The Disclosure Act provides, in relevant part:

Notwithstanding any other law, the name of a candidate for Governor shall not be printed on a ballot, unless the candidate, at least 88 days before the election . . . files with the Secretary of State copies of every income tax return the candidate filed with the Internal Revenue Service in the five most recent taxable years, in accordance with the procedure set forth in Section 8903.
Cal. Elec. Code § 8902(a).

In passing the Disclosure Act, the legislature declared that the statute was intended to further voter informational interests:

The Legislature finds and declares that the State of California has a strong interest in ensuring that its voters make informed, educated choices in the voting booth.
Cal. Elec. Code § 8900.

b. Section 8902 Imposes an Unconstitutional Additional Qualification for Governor.

The California Constitution itself sets forth the qualifications for California Governor. Specifically, the California Constitution provides that “[t]he Governor shall be an elector who has been a citizen of the United States and a resident of this State for 5 years immediately preceding the Governor’s election.

The Governor may not hold other public office. No Governor may serve more than 2 terms.” CA. Const., Art. V, § 2. The Constitution does not require a candidate for Governor to disclose personal tax returns.

When the Constitution exclusively prescribes the qualifications for an office, as it does for Governor, the Legislature may not impose additional substantive eligibility requirements. *See Wallace v. Superior Ct. In & For Placer Cnty.*, 141 Cal. App. 2d 771, 776 (1956), *disapproved* on other grounds by *Knoll v. Davidson*, 12 Cal. 3d 335 (1974).

The Disclosure Act does precisely that. By categorically barring otherwise qualified candidates from appearing on the ballot unless they satisfy a tax-return disclosure mandate found nowhere in the Constitution, the statute operates as a functional disqualification from the office itself.

Any other rule would reduce Article V, section 2 to a constitutional floor that the Legislature could supplement at will. But constitutional qualifications are fixed by the Constitution itself; they cannot be expanded by ordinary legislation. If additional qualifications are to be imposed for Governor, that must occur by constitutional amendment, not statute. Otherwise, there would be no limiting principle. The Legislature could impose any number of additional prerequisites for Governor so long as they did not literally contradict the constitutional text. That is incompatible with a written constitution that expressly defines the qualifications for office.

The California Supreme Court has already recognized that conditioning ballot placement on compliance with an extra-constitutional disclosure requirement raises serious constitutional concerns. *See Patterson v. Padilla*, 8 Cal.5th 220, 251 (2019). There, the Court invalidated a similar disclosure requirement because it conditioned ballot placement on compliance with an extraconstitutional criterion. *Id.* at 233. The same structural principle applies here: ballot exclusion tied to personal financial disclosure operates as an additional qualification for office.

Because the California Constitution expressly provides the requirements for California Governor the Legislature lacked authority to make tax-return disclosure a prerequisite to candidacy. The Disclosure Act is therefore unconstitutional, and Petitioner who satisfies all constitutional qualifications is entitled to placement on the ballot.

II. The State’s “Plenary Power” Argument Fails Because the Constitution is Not Silent.

The State’s reliance below on *Marine Forests Society v. California Coastal Commission*, 36 Cal.4th 1 (Cal. 2005) is misplaced. That decision, contrary to the State’s argument, does not stand for the proposition that the Legislature may impose additional qualifications for constitutional offices so long as they do not directly “conflict” with enumerated constitutional criteria. Rather, it reaffirms the unremarkable proposition that the Legislature possesses plenary power “unless there is an explicit prohibition of legislative action in the Constitution itself.” *Id.* at

56. But that principle applies only where the Constitution is silent. On the subject at issue. Here, Article V, section 2 directly addresses qualifications for Governor.

However, California’s Constitution is not silent on the question of qualifications for the office of Governor. Article V, section 2 speaks directly to that issue. Where the Constitution speaks, legislative power is correspondingly constrained.

The State also argues “the Legislature may impose [additional] qualifications [to hold office] by statute so long as they do not conflict with the qualifications set out in the Constitution” by pointing to the “numerous restrictions [contained in the Elections Code] on who may hold elective office that go beyond the qualifications enumerated in the Constitution.” *Respondent’s Opposition* (App. at 45-46). But the existence of other statutes does not establish their constitutionality, much less answer the separate question presented here.

More importantly, the only two statutes to which the State cited in its response brief below in support of this assertion, sections 20 and 201 of the Elections Code, do not save section 8902. Section 201 provides that “no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office” while section 20 prohibits a person from being “considered a candidate for [or] eligible to be elected to, any state or local elective office if the person has been convicted of” certain felonies like embezzlement, extortion or theft of public money or perjury.

At least as applied to Governor, those provisions can be understood as implementing the constitutional requirement that the Governor be an elector. Section 8902 is different. Tax-return disclosure is not an implementation of any textual qualification found in Article V, section 2; it is a new one.

III. Section 8902 is a Substantive Qualification, Not a Mere Ballot-Access Rule.

Contrary to the Superior Court's determination, Section 8902 is not a "ballot access" restriction. While states do indeed have substantial authority to regulate the conduct of elections, that authority extends to procedural rules governing elections, not to new substantive qualifications for office.

Failure to comply with the Disclosure Act precludes an otherwise qualified candidate from having his name printed on the ballot. Section 8902 operates as a substantive condition on eligibility for office, not merely a procedural step in the election process. Unlike ballot-access requirements such as the submission of nomination papers, the collection of signatures and the payment of a filing fee, Section 8902 does not regulate *how* a candidate qualifies for the ballot; instead, it conditions eligibility for office on the candidate's willingness and ability to disclose five years of personal tax returns. That requirement bears no relationship to the mechanics of conducting an election. It imposes a personal prerequisite that must be satisfied before an otherwise constitutionally qualified candidate may appear on the ballot at all.

A candidate who meets every other constitutional qualification contained in Article V, Section 2 is still rendered ineligible solely for failing to satisfy this additional statutory condition. The Disclosure Act does not merely structure the electoral process, it screens candidates based on a substantive policy judgment, that only those willing and able to disclose certain personal financial information should be *permitted* to seek the office. That judgment is external to the Constitution's specified criteria and is not tied to election administration. Accordingly, the Disclosure Act is best understood, and must be evaluated, as an impermissible additional qualification for office.

That distinction is consistent with the United States Supreme Court's explanation of what counts as permissible election "manner" regulation. In *Cook v. Gralike*, the Court explained that Missouri Constitutional Amendment was not a procedural regulation because it did not control the "manner" of elections, a term that encompasses matters such as "notices, registration, supervision of voting, and other requirements as to procedure and safeguards which experience shows are necessary to enforce the fundamental right involved." 531 U.S. 510, 523-24 (2001), quoting *Smiley v. Holm*, 285 U.S. 355, 366 (1932). Section 8902 fits none of those categories. Requiring five years of tax returns is not a notice rule, a registration rule, a supervision-of-voting rule, or any other procedural safeguard governing the mechanics of an election. It regulates who may run.

Cook is instructive for a second reason as well. There, the Court rejected an attempt to characterize a ballot notation

regime as mere election procedure where the law was actually designed to influence electoral choice. *Id.* at 523-26. Section 8902 serves the same kind of substantive function. By conditioning ballot appearance on tax-return disclosure, it reflects a legislative judgment about which candidates voters should be permitted to consider, rather than regulate the mechanics of the election itself.

IV. The State’s Reliance on *Storer* Undermines, Rather Than Supports, the Disclosure Act.

A closer examination of the State’s brief underscores the weakness of its argument. The State cites to *Storer v. Brown*, 415 U.S. 724 (1974), to point out that “[s]tates have a significant interest in controlling ballot access, as doing so allows states ‘to prevent the clogging of its election machinery, avoid voter confusion, and assure that the winner is the choice of a majority, or at least a strong plurality, of those voting.’” But none of those interests overlap with California’s stated rationales for enacting Section 8902.

Section 8900 states that California’s interest is in ensuring that voters make “informed educated choices in the voting booth.” Cal. Elec. Code § 8900. That is an informational objective. An informational objective may justify disclosure regimes; it does not justify categorical ballot exclusion. It is not an election-administration objective of the kind recognized by *Storer*. As the Supreme Court recognized in *U.S. Term Limits, Inc. v. Thornton*, state election provisions will be upheld as a valid ballot-access provision when they “regulate election *procedures*” that serve “the

state interest in protecting the integrity and regularity of the election process.” 514 U.S. 779, 835 (1995).

Indeed, there is no record of legislative intent or argument offered by the State below to suggest that requiring income tax returns will “prevent the clogging of [California’s] election machinery [or] avoid voter confusion.” And Section 8902 does nothing to ensure that the winner is the choice of a majority or strong plurality of voters. If anything, excluding an otherwise qualified candidate from the ballot makes that objective harder to achieve.

Nor is the Disclosure Act aimed at screening out frivolous or fraudulent candidates. The State does not contend otherwise, and no one suggests Dr. Ahn is such a candidate. As the evidence shows, as of March 10, 2026, his campaign finance committee raised \$ 893,700.51 to support Dr. Ahn’s run for governor.

Conversely, all of the other “statutory requirements on gubernatorial candidates who wish to be included on a state ballot” to which the State cites in its brief below are in fact examples of the reasons the Supreme Court lists in *Storer* for why states might enact ballot-access rules. The required submission of nomination papers, the collection of signatures, and the payment of a filing fee all relate to election administration and ballot management. Requiring five years of tax returns does not.

The State cannot simultaneously argue that Section 8902 is aimed at helping voters assess a candidate’s risk of corruption, emoluments, or insider trading, while also insisting that statute

has nothing to do with candidate qualifications. A statute designed to screen candidates based on a legislative preferred measure of fitness for office is a qualification by another name.

V. Even if Section 8902 is Treated as a Ballot-Access Rule, it Fails Under the *Anderson-Burdick* Framework.

Even if this Court concludes that section 8902 is not an additional qualification for office, the statute still cannot stand. California courts follow the United States Supreme Court’s framework for evaluating constitutional challenges to election laws. *See Edelstein v. City & Cnty. of San Francisco*, 29 Cal. 4th 164, 168 (2002) (“[I]n analyzing constitutional challenges to election laws, this court has followed closely the analysis of the United States Supreme Court.”). Under that framework, a court must weigh “the character and magnitude” of the injury to constitutional rights against the precise interests asserted by the State and the extent to which the challenged rule is necessary to serve those interests. *Anderson v. Celebrezze*, 460 U.S. 780, 789 (1983). Severe burdens are subject to strict scrutiny; lesser burdens must still be justified by sufficiently weighty and properly tailored state interests. *Burdick v. Takushi*, 504 U.S. 428, 434 (1992).

a. Section 8902 Imposes a Severe Burden Because It Entirely Excludes an Otherwise Qualified Candidate from the Ballot.

The burden imposed by section 8902 is severe. This is not a case involving a modest filing requirement, a minor

administrative deadline, or a disclosure rule that leaves candidacy intact. Section 8902 operates as a complete bar to ballot access for an otherwise constitutionally qualified gubernatorial candidate. If the statute applies, Dr. Ahn is excluded from the ballot altogether. That exclusion burdens not only Petitioner's right to seek office, but also the right of California voters to cast ballots for the candidate of their choice. See *Thomas v. Mellon*, 9 Cal.3d 96, 99 (1973).

That severe burden is dispositive. Ballot exclusion in a statewide election is not a marginal limitation on candidacy; it is a complete denial of electoral participation. The difference between appearing on the ballot and being excluded from it is not slight. For a candidate for statewide office in an imminent election, ballot exclusion is effectively dispositive. Under *Anderson-Burdick*, that kind of burden requires the most exacting review.

b. California's Asserted Interest Is Informational, Not Regulatory in the Sense Required for Ballot-Access Restrictions.

California's stated interest in the Disclosure Act is not ballot integrity, fraud prevention, election administration, or any of the interests typically associated with valid ballot-access regulations. Whatever the merits of that objective as a matter of policy, it is not the kind of election-administration interest that justifies excluding an otherwise qualified candidate from the ballot.

Requiring five years of tax returns does not prevent overloaded ballots, reduce frivolous candidacies, regulate voting procedures, or protect the counting and tabulation of votes. It instead reflects a legislative judgment that voters should receive and prioritize a particular category of personal financial information before they may vote for a candidate for Governor.

That is an informational objective, not a procedural or regulatory one. And it is too weak a justification for total ballot exclusion. A State may not transform a desire to influence or improve voter decision making into a power to keep otherwise qualified candidates off the ballot.

c. Section 8902 Is Not Properly Tailored Because Less Restrictive Alternatives Are Obvious.

Even assuming California's informational interest is legitimate, section 8902 is not properly tailored to serve it. The statute uses the most restrictive mechanism available: total exclusion from the ballot. But the same interest could be pursued through far less restrictive means. California may pursue disclosure through reporting regimes, voter-information materials, or post-qualification enforcement mechanisms. What it may not do is condition the franchise itself on compliance with an extra-constitutional prerequisite.

The Supreme Court has repeatedly held that states may not pursue legitimate interests through unnecessarily restrictive ballot-access rules. See, e.g., *Illinois State Bd. of Elections v. Socialist Workers Party*, 440 U.S. 173, 185–86 (1979); *Lubin v. Panish*, 415 U.S. 709, 716 (1974). That principle applies here. If

California wants more financial disclosure from gubernatorial candidates, it has tools available short of disenfranchising candidates and voters alike.

Accordingly, even if the Disclosure Act is analyzed as a ballot-access regulation rather than an additional qualification for office, it fails under *Anderson-Burdick* because it imposes a severe burden that is not justified by a sufficiently weighty and properly tailored state interest.

CONCLUSION

For the foregoing reasons, this Court should grant immediate extraordinary relief and direct the Secretary of State to include Petitioner on the Certified List of Candidates. Because Elections Code section 8902 imposes an unconstitutional condition on ballot access for Governor, failure to intervene now will irreparably exclude a constitutionally qualified candidate, and the voters who wish to support him, from the June 2, 2026 primary election.

Prompt action by this Court is therefore required.

Respectfully submitted,

March 24, 2026

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CERTIFICATE OF COMPLIANCE

I certify that the attached Petition for Extraordinary Writ of Mandate and Request for Immediate Relief; Memorandum of Points and Authorities uses a 13-point Century Schoolbook font and contains 4,559 words.

March 24, 2026

/s/ Mark P. Meuser
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PROOF OF ELECTRONIC SERVICE

I declare the following: I am over the age of eighteen years, and not a party to the within entitled cause. My business address is 1024 Bayside Drive, #412, Newport Beach, CA 92660. On March 24, 2026, I served the following document(s) on the party(ies) named below electronically using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically.

PETITION FOR WRIT OF MANDATE AND REQUEST FOR IMMEDIATE RELIEF; MEMORANDUM OF POINTS AND AUTHORITIES

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Sacramento County Superior Court
Hon. Jennifer K. Rockwell, Dept. 4
Gordon D. Schaber Superior Court
720 Ninth Street
Sacramento, CA 95814
dept4@saccourt.ca.gov

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and that this declaration was executed on March 24, 2026 at Newport Beach, California.

By: /s/ Mark P. Meuser
Mark P. Meuser

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