

SUPREME COURT OF THE UNITED STATES

ANTONIA BLACKWELL, Petitioner,

v.

JUDGE MICHAEL BOEHM, et al., Respondents.

Case No. 25-6727

THIRD SUPPLEMENTAL BRIEF WITH NOTICE OF SUPPLEMENTAL AUTHORITY

Pursuant to Supreme Court Rule 15.8

Ellingburg v. United States, 607 U.S. ____ (2026); Utah's Nullification Infrastructure

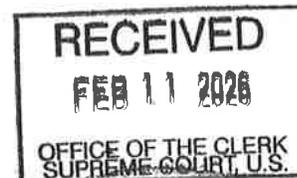
Petitioner respectfully submits this THIRD SUPPLEMENTAL BRIEF WITH NOTICE OF SUPPLEMENTAL AUTHORITY to inform the Court of (1) this Court's unanimous decision in *Ellingburg v. United States*, 607 U.S. ____ (January 20, 2026), which bears directly on the excessive bail claims in Questions Presented 2; and (2) extraordinary developments directly relevant to the Questions Presented that occurred while this petition has been pending.

I. THE DEVELOPMENTS

February 3, 2026: Utah's own Members of Congress, Representatives Burgess Owens and Celeste Maloy, filed suit in **federal court** asking it to overturn a Utah state judge's ruling they claimed was "unconstitutional."

February 6, 2026: Utah's Attorney General launched a "Federalism and Strategic Litigation Section" to operationalize the state's resistance to federal authority. The underlying federalism framework has existed since 2022. They are now staffing it with litigators to "safeguard Utah's sovereignty."

January 26, 2026: The University of Utah launched a "Presidential Initiative on Federalism, Law, and American Governance." The initiative, announced in June 2025 as part of the university's budget process, is co-directed by two law professors and will train future lawyers and leaders in the federalism framework. They are institutionalizing this ideology at the educational level, ensuring the next generation of Utah attorneys, judges, and legislators are trained in how to resist federal authority.



All in the same week. Utah's representatives filed in federal court while Utah launched an office to resist federal courts. When the powerful need federal courts, they file there. When citizens need federal courts, Utah is "not bound." **One rule for the powerful. Another rule for everyone else.**

The contradiction is complete: Utah does not respect federal court decisions unless Utah needs federal courts to protect its own power. Representatives Owens and Maloy filed in federal court the same week Utah launched an office to resist federal courts. They claim Utah is "not bound" by federal holdings, but when a state judge rules against them, suddenly federal courts have authority again.

And even this is temporary. Under HB262, judges need 67% retention to keep their seats, the highest threshold in the nation. A judge with 66% voter approval gets removed. Under HJR13, the Legislature can call "special retention elections" for any judge it deems "unfit." They are building a system where even judges who follow the Constitution and receive majority voter support can be removed for ruling against the state.

They do not want federal courts. They do not want independent state courts. They do not want judges who follow the Constitution. They want judges who follow orders, and the infrastructure to remove any who do not.

Petitioner's RICO case, Case No. 2:25-cv-00689-RJS-DBP, was filed months before Representatives Owens and Maloy filed theirs. Petitioner's emergency motion has been pending for well over 100 days without a ruling, sitting in a dark corner while her "emergency" requests are collecting dust.

The proof is already here. The Owens/Maloy case was assigned to Judge Shelby, the same Judge Shelby who has Petitioner's related RICO case. They filed on February 3, 2026. By February 6, 2026, three days later, Judge Shelby had already granted their request for a three-judge panel. (Appendix T) Three days. Petitioner's emergency motion, filed in October 2025, has been pending for over 100 days before the same judge. Same court. Same judge. Different treatment. Petitioner does not need to predict how quickly the congressional lawsuit will move. She can already see it. It will be instructive to watch how quickly the congressional lawsuit continues to move through federal district court while Petitioner's case continues to gather cobwebs. **If this is not proof of a two-tiered justice system and equal protection violations, what is?**

Will Representatives Owens and Maloy be told that *Younger* abstention requires them to return to state court? Will they receive a one-sentence dismissal? Utah claims it is sovereign and "not bound" by federal courts. If federal courts lack authority over state judicial decisions, that principle should apply to Members of Congress too.

Representatives Owens and Maloy argue: Utah state courts violated their constitutional rights, and they will suffer irreparable harm if those rulings stand. Petitioner makes the identical argument: Utah state courts violated her constitutional rights, and she has and will continue to suffer irreparable harm. Yet Petitioner was told by federal courts to return to state court under *Younger* abstention, a finding that was fabricated by the Tenth Circuit. The district court never found that *Younger* abstention applied, and Petitioner proactively addressed all *Younger* exceptions in her filings. The Tenth Circuit stated "the district court found that *Younger* abstention applied," but no such finding exists in the record.

When federal courts fabricate findings to justify sending citizens back to captured state courts, they are not abstaining from the conflict. They are participating in it. They are cosigning what Utah is doing. They are negating their own constitutional purpose while lending federal legitimacy to state constitutional violations.

Same argument. Same state. Different result. The only difference is who is making the argument.

But Petitioner suspects the rules are different for the powerful. They are building courts, the Constitutional Court, the 67% retention threshold, the special retention elections, to strip away ordinary citizens' rights. But when they need federal courts to stay in power, federal courts are suddenly legitimate again.

That is not federalism. That is not sovereignty. That is power protecting itself.

What the Owens/Maloy filing proves:

1. **They don't believe their own argument.** If Utah truly isn't bound by federal courts, why would Owens and Maloy file there? They know federal courts have authority. They just don't want that authority applied to protect citizens.
2. **"Federalism" is a weapon, not a principle.** It's deployed to block citizens from federal protection, then abandoned the moment the powerful need federal help.
3. **The University initiative, the AG's office, the seven bills, all of it is exposed.** They're not teaching constitutional principles. They're teaching how to selectively invoke and ignore federal authority depending on who benefits.
4. **Every attorney trained in this program, every legislator who voted for these bills, every official who invoked "not bound by federal courts":** they all have to explain why their Members of Congress filed in federal court three days before the Federalism Section launched.

The question this Court should ask: If Utah's position is that federal courts lack authority over state judicial decisions, why did Utah's own representatives ask a federal court to overturn a state judicial decision? And if Utah is "not bound" by federal court holdings, at what point does Utah simply remove federal courts altogether? They will be obsolete.

They cannot answer that. There is no answer. The filing exists. The dates exist. The contradiction is documented.

And if RICO liability attaches, immunity does not apply. Under *Hafer v. Melo*, 502 U.S. 21 (1991), state officials sued in their individual capacities are "persons" under § 1983, and official authority does not insulate them from suit. Legislators, judges, prosecutors: no one has immunity for participation in a racketeering enterprise. **Every vote to approve legislation that strips away citizens' rights to a fair system is documented evidence of participation in the conspiracy to deprive others of their constitutional rights.**

Utah Code § 63C-4a-304(3)(c) declares that Utah is "not bound by a holding by a federal court," including this Court.

II. RELEVANCE TO QUESTIONS PRESENTED

Question 1 (Two-Judge Panels/Fabricated Findings): The Tenth Circuit used two-judge panels in violation of 28 U.S.C. § 46(b) and fabricated district court findings that do not exist. If Utah is "not bound by a holding by a federal court," appellate courts can fabricate findings without consequence, and this Court's ruling in *Nguyen v. United States* becomes unenforceable.

Question 2 (Excessive Bail): This Court's unanimous decision in *Ellingburg v. United States*, 607 U.S. ____ (January 20, 2026), addressed the Ex Post Facto Clause, but its reasoning applies with equal force here. The Court held that restitution is "plainly criminal punishment" because substance, not labels, determines

constitutional protection. Justice Kavanaugh, writing for a unanimous Court, emphasized that penalties imposed through the criminal justice system are subject to constitutional constraints regardless of how they are characterized. Justice Thomas, joined by Justice Gorsuch, went further: "If one were to commit a minor traffic offense at a time the offense was to be punished by a \$25 fine, and the government were to then amend the statute and impose a fine of \$1,000,000 dollars, it would be nonsensical to treat that fine as non-punitive."

The principle is the same whether the constitutional violation is retroactive application (Ex Post Facto) or excessive amount (Eighth Amendment): criminal penalties must operate within constitutional limits. Petitioner's case is that \$25-to-\$1,000,000 hypothetical made real: a \$680 statutory maximum became \$10,000, not through legislative amendment, but through judicial fiat. If this Court rules that \$10,000 bail on a \$680 statutory maximum violates the Eighth Amendment, and Utah is "not bound," what remedy exists?

Question 3 (First Amendment/IDEA Advocacy): If this Court rules that prosecuting parents for federally-protected IDEA advocacy violates the First Amendment and *A.J.T. v. Osseo Area Schools*, and Utah is "not bound," who enforces it?

Question 4 (Younger Abstention): Utah's congressional representatives accessed federal court to challenge a state ruling. Petitioner was told to return to state courts that refused to file her constitutional motions. The same standard must apply to both.

Question 5 (Systematic Suppression): The same week Utah filed in federal court, it launched an office to resist federal courts. This is the systematic suppression of federal education law enforcement that Petitioner documented: coordinated action by courts, prosecutors, police, defense counsel, and legislators.

III. THE QUESTION THAT DEMANDS AN ANSWER

Petitioner asks this Court: **Which is it?** Do federal courts apply, or do they not?

If Representatives Owens and Maloy may access federal court to challenge a state judge's ruling, Petitioner, facing a \$10,000 warrant on a \$680 statutory maximum, validated by Utah's own State Board of Education as legally required to do exactly what she did, must have the same access.

Utah cannot simultaneously use federal courts and then declare itself not bound by them.

This question was settled long ago. In *Ableman v. Booth*, 62 U.S. 506 (1859), the Supreme Court unanimously warned: "It is manifest that the fiat of a state Governor, and not the Constitution of the United States, would be the supreme law of the land" if states could defy federal judgments. A century later, this Court addressed state defiance again in *Cooper v. Aaron*, 358 U.S. 1 (1958). All nine Justices personally signed the opinion:

"No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it."

Utah Code § 63C-4a-304(3)(c) repeats the same constitutional error this Court rejected in 1859 and again in 1958.

Since *Cooper*, other states have attempted to nullify specific federal policies Utah appears to have gone further than any state since the Civil Rights era by enacting a statute that explicitly declares the state "not bound by a

holding by a federal court" and building institutional infrastructure, a Constitutional Court, a Federalism Section, seven court-packing bills, designed to make this defiance permanent.

Other states have tried to nullify federal laws. Utah is trying to nullify the Constitution.

IV. THE PURPOSE OF THE INFRASTRUCTURE

The officials building this infrastructure have seen Petitioner's evidence: the police transcript admitting the conduct was "civil" until the school called, the State Board validation, the \$10,000 bail that exceeds the \$680 statutory maximum by 14 times.

The people building the Constitutional Court, the "not bound" statute, the Federalism Section, and the seven court-packing bills are not building it to help innocent people. They do not care whether Petitioner is innocent. They are ensuring innocence doesn't matter.

All in the same week. Utah's representatives filed in federal court while Utah launched an office to resist federal courts. When the powerful need federal courts, they file there. When citizens need federal courts, Utah is "not bound." One rule for the powerful. Another for everyone else. What is the minimum political office required to access federal courts in Utah?

Here is how it works:

A group of people can coordinate to fabricate claims against a person. State agencies will participate and decline to investigate. Municipalities will file charges despite having zero prior contact with the accused. Prosecutors will keep no documentation of their decisions (27 of 29 refuse oversight). If the accused can afford an attorney, the accused then has the privilege of paying for their own sabotage. If the accused cannot afford an attorney, it is even easier: they are removing all defense attorneys from the Sentencing Commission. So, the accused just better take what they get. When the accused asserts their constitutional rights, the state creates a special court with special judges appointed by the Governor, who can fire them "at any time with or without cause." Federal courts will fabricate findings that do not exist or invoke *Younger* abstention. State courts will refuse to file exculpatory evidence. And the accused is simply out of luck.

Where does the Constitution apply? When does it apply?

The Pipeline They Are Constructing:

Step	What Happens	Your Rights
1. Fabricate a crime	No documentation required (27 of 29 prosecutors refuse oversight)	None
2. Bail	Set at whatever they want (\$10,000 on \$680 max, 14x the statutory limit)	None
3. Defense attorney	Private attorneys sabotage clients (documented); all defense attorneys removed from Sentencing Commission while prosecutors and law enforcement remain (HB274)	None
4. State court	Captured judges face removal for ruling against the state (HB262, HJR13)	None
5. Appeal	Constitutional Court controlled by Governor picks the judge (HB392)	None

Step	What Happens	Your Rights
6. Federal court	"Not bound by a holding by a federal court" (§ 63C-4a-304)	None
7. Result	Homeless, unemployed, destroyed, innocent or not	None

And the citizen pays for every step of their own destruction through a system rigged from the outset.

The question is not whether this will happen. It is already happening to Petitioner. The question is what this Court can and will do about it when the state has announced in advance that it will not comply.

V. PROTECTING CONSTITUTIONAL RIGHTS IN LIGHT OF DECLARED NON-COMPLIANCE

Utah has enacted legislation declaring it "not bound by a holding by a federal court." Utah Code § 63C-4a-304(3)(c). The state has created institutional infrastructure (a Constitutional Court, a Federalism Section, court-packing legislation) specifically designed to resist federal authority. Under these circumstances, traditional judicial remedies may be insufficient.

Petitioner respectfully suggests the following approaches, tied to each Question Presented:

Question 1 (Two-Judge Panels / Fabricated Findings):

The violation: The Tenth Circuit used two-judge panels and stated "the district court found that Younger abstention applied," a finding that does not exist.

The remedy: This Court could hold that appellate decisions must cite specific record evidence for factual findings, and that any "finding" not traceable to the district court record is void. This creates a self-enforcing standard: courts cannot fabricate findings because the record either contains them or it doesn't. No state nullification law can change what a document says.

Question 2 (Excessive Bail):

The violation: \$10,000 bail on a \$680 statutory maximum, a 1,470% excess that violates the Eighth Amendment and *Ellingburg's* principle that criminal penalties cannot exceed statutory authorization.

The remedy: This Court could establish a bright-line rule: bail cannot exceed the statutory maximum penalty for the charged offense. Mathematical violations are self-proving. If the maximum penalty is \$680 and bail is \$10,000, the violation is established by arithmetic alone. No testimony required. No credibility determinations. No discretion to abuse. A state declaring itself "not bound" cannot change the math.

Question 3 (First Amendment / IDEA Advocacy):

The violation: Petitioner was criminally prosecuted for advocacy that is protected by federal law (IDEA's parental advocacy provisions), Utah state law, AND that Utah's own State Board of Education specifically validated as "necessary and legally required."

The remedy: This Court could hold that criminal prosecution for conduct protected by federal law or state law is per se unconstitutional: automatic federal jurisdiction attaches when a state prosecutes a citizen for exercising rights guaranteed by federal statute. IDEA explicitly requires parental involvement and advocacy. Utah law explicitly protects parental advocacy for children with disabilities. When both federal and state law authorize the conduct, prosecution for that conduct violates the First Amendment. In Petitioner's case, she has all three protections: federal IDEA rights, Utah state law, and a State Board decision explicitly validating her conduct. The state's own laws become the shield. They wrote the laws. They cannot prosecute citizens for following them.

Question 4 (Younger Abstention):

The violation: Federal courts invoked *Younger* abstention to send Petitioner back to state courts that refused to file her constitutional motions.

The remedy: This Court could hold that *Younger* abstention does not apply when:

- State courts refuse to file constitutional motions;
- State courts refuse to analyze federal constitutional claims;
- The state has enacted legislation declaring itself not bound by federal courts; or
- State legislators use federal courts while denying citizens the same access.

A state cannot invoke *Younger's* protection while simultaneously building infrastructure to evade federal review. Comity is reciprocal. Utah has renounced it.

Question 5 (Systematic Suppression / Right to Counsel):

The violation: Coordinated action by courts, prosecutors, police, defense counsel, and legislators to suppress federal education law enforcement, including HB274, which removes all defense attorneys from the Sentencing Commission, leaving 9 prosecutors and law enforcement officers to set sentencing policy with explicit instruction to prioritize factors "over any interest of the defendant."

The remedy: This Court could hold that when a state systematically captures accountability mechanisms (disbanding oversight, refusing audits, removing defense attorneys from sentencing commissions, capturing courts) federal jurisdiction becomes mandatory, not discretionary. The *Younger* abstention doctrine assumes functioning state courts. When the state proves its courts are not functioning independently, the assumption fails.

Additionally, this Court could hold that structural exclusion of defense representation from sentencing policy violates the Sixth Amendment's guarantee of effective assistance of counsel. The right to counsel is meaningless if:

- Private attorneys sabotage their clients' defense (documented in Exhibit B);
- Public defenders are connected to the same networks targeting the accused;
- Defense attorneys are removed from any policymaking role;
- Sentencing guidelines are set exclusively by prosecutors; and
- Judges who rule for defendants face removal.

The Common Thread:

Each remedy relies on **objective, verifiable facts** rather than judicial discretion:

- Does the record contain the finding? (Yes/No)
- Does bail exceed the statutory maximum? (Math)
- Does federal or state law protect the conduct? (IDEA exists, Utah law exists, validation document exists)
- Did state courts refuse to file the motion? (Docket shows it)
- Has the state declared itself not bound? (Statute exists)

Utah can declare itself "not bound." It cannot change what its own documents say. It cannot alter arithmetic. It cannot make a statute disappear.

This Court's rulings can be crafted to be self-executing: violations provable by documents and math, not dependent on state court good faith that Utah has already announced it will not provide.

VI. APPENDIX

The following documents are attached in support of this Brief:

Appendix Q: Utah Attorney General, "Attorney General Brown Launches New Section to Defend Federalism and State Sovereignty" (February 6, 2026), <https://attorneygeneral.utah.gov/utah-federalism-section/>

Appendix R: Robert Gehrke, "U.S. Reps. Owens and Maloy ask federal court to overturn Utah's redistricting decisions," Salt Lake Tribune (February 3, 2026), <https://www.sltrib.com/news/politics/2026/02/03/gerrymandering-burgess-owens/>

Appendix S: University of Utah, "New president's initiative on federalism, law, and American governance" (January 26, 2026), University of Utah Communications

Appendix T: "Congresswoman Maloy Takes On Utah's Confusing District Map," KSUB 590/107.7 (February 6, 2026) (confirming Judge Shelby granted three-judge panel request within three days of filing)

VII. CONCLUSION

Petitioner has been waiting well over 600 days for a trial on charges that Utah's own State Board of Education validated as legally required advocacy. Her emergency motion has been pending over 100 days without a ruling from the federal district court. Meanwhile, Utah's legislators accessed federal court the same week they launched an office to resist it.

As documented in Petitioner's Second Supplemental Brief (filed February 2, 2026), seven bills are advancing through Utah's legislature to capture the judiciary, and the Utah State Bar, representing over 900 attorneys, has declared itself "deeply alarmed" that these bills are "coordinated to work in conjunction with each other" to allow lawmakers to remove judges "based on subjective political judgments rather than legal skill." The legal profession of Utah is sounding the alarm. This Court should listen.

Petitioner is a mother who advocated for her child's education, a child who Early Light Academy deemed had a disability based on their own assessment. Utah's own State Board of Education validated that advocacy as necessary and legally required. For doing what the law required, Petitioner has spent over 600 days under an illegal warrant, unable to work, unable to drive, unable to rent housing, unable to pass a background check. Her child has lost four years of education. She is blocked from housing as she has watched two attorneys sabotage her defense.

As shown in Petitioner's Second Supplemental Brief, every institution that could stop this chose not to:

Entity	Could Act	Chose Instead
Judicial Conduct Commission	Could investigate judges	Presented with evidence last spring; refused to act
Utah Legislature	Could reject bills	Passed SB134 (57-18); other bills advancing
Governor Cox	Could veto	Expected to sign immediately
Attorney General	Could challenge constitutionality	Benefits from HB392; launched Federalism Section
State Courts	Could rule bills unconstitutional	Being captured by these bills
Federal District Court	Could intervene	Dismissed in one sentence
Tenth Circuit	Could grant relief	Used two-judge panels; fabricated findings
DOJ	Could investigate	Silent

This is not a system that failed. This is a system working exactly as designed, to ensure that no matter how clear the evidence, no matter how documented the violations, no one with power will act.

This Court is the only institution that remains. The only one they cannot capture. The only one that can look at the math, read the documents, and say: this is wrong.

Petitioner asks this Court to be that institution.

Respectfully submitted,

ANTONIA BLACKWELL Pro Se Petitioner 385-334-6113 kranberry99@yahoo.com

Dated: February 9, 2026

PROOF OF SERVICE

I, Antonia Blackwell, do declare that on this date, February 9, 2026, as required by Supreme Court Rule 29, I have served the enclosed THIRD SUPPLEMENTAL BRIEF WITH NOTICE OF SUPPLEMENTAL AUTHORITY on each party to the above proceeding or that party's counsel, and on every other person required

to be served, by electronic mail (email), which is the method by which service has been conducted throughout the proceedings below.

The names and email addresses of those served are as follows:

MICHAEL BOEHM South Jordan Justice Court Judge 1600 West Towne Center Drive South Jordan, UT 84095 Email: jcsouthjordan@utcourts.gov

DEBORAH SNOW South Jordan City Prosecutor 1600 West Towne Center Drive South Jordan, UT 84095 Email: desnow@sjc.utah.gov

RYAN LOOSE South Jordan City Attorney 1600 West Towne Center Drive South Jordan, UT 84095 Email: rloose@sjc.utah.gov

UTAH ATTORNEY GENERAL'S OFFICE Ashlee Buchholz 350 N State Street, Suite 230 Utah Capitol Building Salt Lake City, UT 84114 Email: abuchholz@agutah.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 9, 2026.

/s/ Antonia Blackwell



UTAH ATTORNEY GENERAL (//) Utah Attorney General

(//)

Launches New Section to Defend Federalism and State Sovereignty



SALT LAKE CITY, Utah — The Office of the Utah Attorney General has unveiled an exciting new initiative: the Federalism and Strategic Litigation Section. This bold move enhances Utah’s ability to safeguard its sovereignty, defend its constitutional authority, and influence national legal battles.

Led by litigators Josh Cutler and Mark Gillespie—authorities in constitutional law and complex litigation—this new section is set to make a significant impact. Utah Attorney General Derek Brown highlighted the importance of federalism to the U.S. Constitution, and emphasized that federalism requires that states are ready and willing to defend their constitutional roles.

Attorney General Brown praised this new section for its combination of deep constitutional knowledge and strategic litigation expertise, stating it will allow Utah to be more proactive, coordinated, and effective in safeguarding Utah’s sovereignty. “This effort ensures that our voice is heard in critical legal disputes shaping policies beyond our borders,” he said.

With impressive backgrounds—including clerkships with the Utah Supreme Court and the U.S. Supreme Court, as well as work at prominent law firms—Cutler and Gillespie bring invaluable experience to this initiative. The section will lead lawsuits and initiatives to maintain th

Privacy - Terms

constitutional balance between state and federal authority, coordinate and amicus efforts, and vigorously represent Utah's interests in cases nationwide.



UTAH ATTORNEY GENERAL (//)

DEREK BROWN (//)

(//)



Office of the

UTAH ATTORNEY GENERAL

(http://www.fac.edu.gov)

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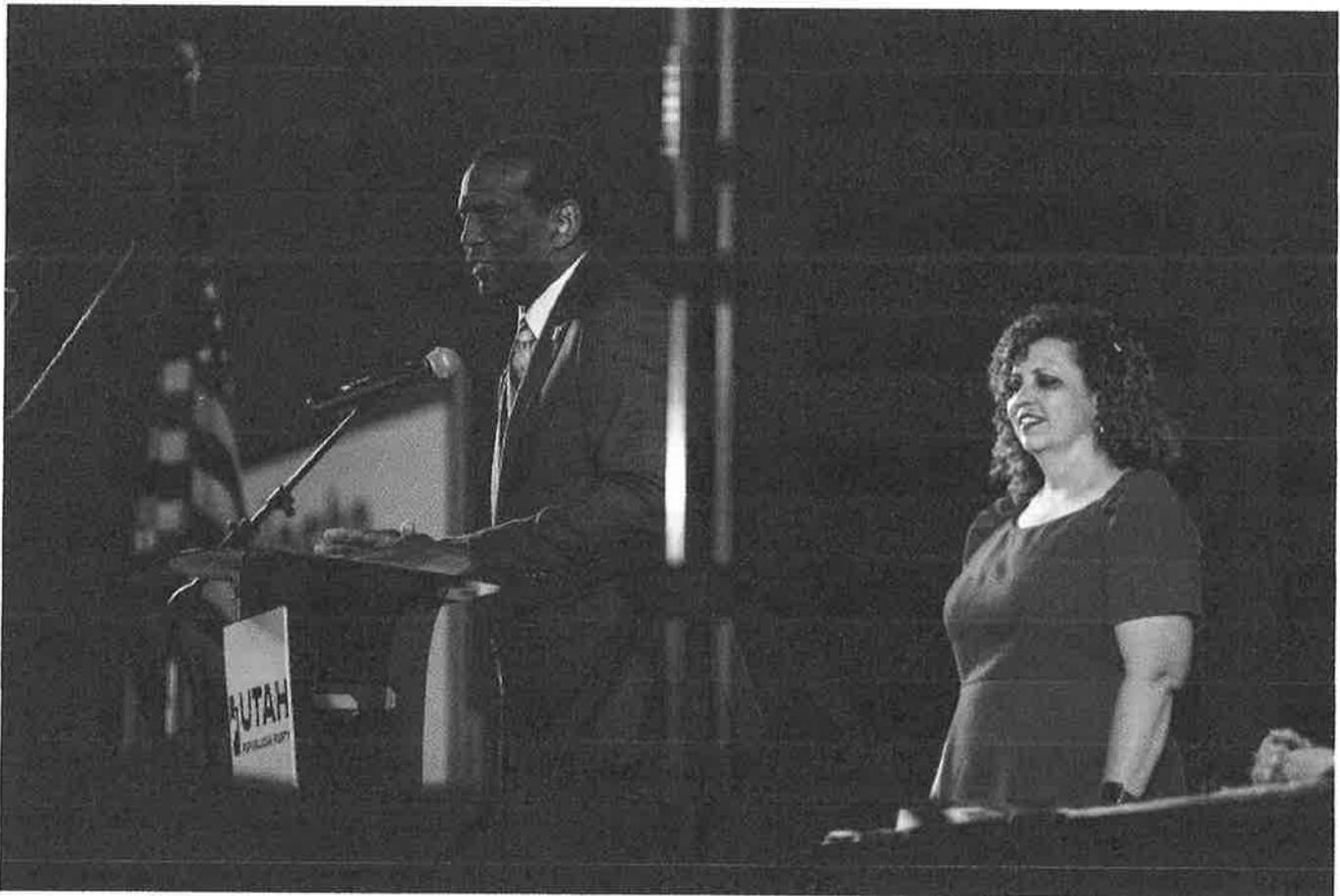
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U.S. Reps. Owens and Maloy ask federal court to overturn Utah's redistricting decisions

The Republican lawmakers joined county officials in arguing that the Legislature, alone, has the power to draw political maps.



(Trent Nelson | The Salt Lake Tribune) Utah Rep. Burgess Owens and Utah Rep. Celeste Maloy at the Utah Republican Nominating Convention in Salt Lake City on Saturday, April 27, 2024.

By  Robert Gehrke | Feb. 3, 2026, 12:31 p.m. | Updated: 1:04 p.m.

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 Comment



harm if the new congressional map chosen by 3rd District Judge Dianna Gibson is allowed to remain in place. County commissioners and sheriffs from several counties, as well as the St. George mayor, joined the representatives in filing the suit.

The complaint contends the U.S. Constitution gives the power to draw political boundaries exclusively to state legislatures. They want the court to let the Legislature draw a new map or to allow the 2026 elections to go forward under the map that has been in place since 2021.

“In one stroke,” the plaintiffs argue in the complaint, “Judge Gibson’s decision has effectively displaced the elected representatives of the People of Utah and substituted her own preferred electoral arrangement, drafted by partisan litigants that openly sought to flip one of Utah’s four Republican congressional seats to a Democrat.”



(Bethany Baker | The Salt Lake Tribune) U.S. Rep. Burgess Owens speaks at the Hinckley Institute of Politics at the University of Utah in Salt Lake City on Thursday, Aug. 21, 2025.

Voters are harmed, they argue, by not having a say in the boundaries that are chosen, and Maloy and Owens are hurt because the uncertainty over the districts leave them unsure where they should be preparing to campaign for reelection this year.

Lt. Gov. Deidre Henderson, who oversees Utah's elections, is named as the defendant in the lawsuit.



Get The Daily Buzz newsletter. Utah's latest political news in your inbox every weekday morning.



Lawyers for the plaintiffs questioning the legality of the original maps have asked the court to dismiss the Legislature's challenge, contending it missed the deadline to ask the court to intervene.



(Trent Nelson | The Salt Lake Tribune) U.S. Rep. Celeste Maloy answers questions at a town hall in Salt Lake City on Thursday, March 20, 2025.

Elizabeth Rasmussen, executive director of the group Better Boundaries, said the federal lawsuit is the latest attempt — like past court filings, attacks on the courts and attempts to amend the Utah Constitution — to undo the will of the voters.

**The Salt Lake Tribune**

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redistricting battle has spilled into the federal courts — although Republican legislative leaders had promised for months that they would take their case there, even to the U.S. Supreme Court, if necessary.

The federal courts, however, have largely avoided wading into partisan redistricting fights.

In a unanimous 1993 opinion in *Grove v. Emison*, U.S. Supreme Court Justice Antonin Scalia wrote that federal courts must defer to state courts in redistricting matters. And in 2019, the court held in *Rucho v. Common Cause* that redistricting battles can't be decided by federal courts and should be waged in state courts and through the political process.

That has meant that state courts have chosen maps in several states, including Wisconsin, Minnesota, New Hampshire and Pennsylvania — in addition to Utah.

Owens, in 2023, joined other Utah congressional representatives in signing onto a brief submitted in the lawsuit challenging their district boundaries, declaring, “There’s no constitutional right to be free from partisan gerrymandering.”

Former U.S. Rep. Chris Stewart, whose legal counsel included Maloy, also signed the brief. It was paid for by the National Republican Congressional Committee.

The initial lawsuit in Utah’s redistricting battle stems from the 2018 Better Boundaries initiative, where voters approved the creation of an independent redistricting commission and a set of neutral redistricting criteria, including a ban on gerrymandering — or manipulating the political districts to benefit one party and disadvantage another.



that complied with the Better Boundaries criteria.

The second attempt fared no better. Gibson ruled it was also a partisan gerrymander and chose to impose a map drawn by the plaintiffs in the lawsuit — a map that creates a Democratic-leaning district in Salt Lake County.

New justices

The Legislature has reacted with outrage, passing a resolution condemning what it has labeled as the courts' activism, as well as stripping the Supreme Court justices of the ability to choose their chief justice and instead giving that power to the governor.

On Saturday, Gov. Spencer Cox signed into law a bill adding two justices to the Supreme Court. Those new justices will be nominated by Cox and confirmed by the Republican-dominated Senate.

If neither the federal court nor the Utah Supreme Court intervenes, the map Gibson chose will be used in the 2026 midterm elections.

A Republican-backed organization, Utahns for Representative Government, is attempting to gather signatures to put a new initiative on the 2026 ballot to repeal the 2018 Better Boundaries initiative and restore the Legislature's ability to gerrymander.

As of Monday, and after months of seeking support, the group had collected 65,977 of the 140,748 signatures it needs to put the issue on the 2026 ballot. They have until Feb. 15 to submit the remaining signatures.



PRESIDENT | JANUARY 26, 2026

New president's initiative on federalism, law, and American governance

UNIVERSITY OF UTAH COMMUNICATIONS

The University of Utah is launching a new presidential initiative on federalism, law, and American governance.

As the nation approaches the 250th anniversary of its founding in 1776, the initiative situates the university's work within a broader moment of national reflection on the constitutional principles, governing institutions, and civic responsibilities that have shaped the American experiment.

The initiative reflects President Taylor Randall's commitment to innovating the university of the future and the institution's long-standing legacy of socially impactful scholarly engagement with questions of human dignity, freedom, responsibility, and civic life—questions that remain central to education and public leadership in the 21st century.

"Universities exist to pursue enduring questions and to prepare students to lead in moments of uncertainty and change," Randall said. "At their best, they provide space for rigorous inquiry into the ideas, values, and institutions that have defined the American experiment and will guide its future."



The initiative will focus on advancing knowledge and understanding of federalism, law, and governance, including the study of how free societies organize authority, balance power, and sustain democratic institutions over time. Key academic work of the center will include public engagement, resource development, development of student programs and experiences, and support for platforms that program open and healthy dialogue.

Former West Virginia University President Emeritus Gordon Gee and former American Enterprise Institute (AEI) president and Harvard Kennedy School Professor Arthur C. Brooks will serve as inaugural external advisory board members.

"At a time of rapid technological change, global instability, and growing civic fragmentation, there is increasing demand for educational environments that foster careful reasoning, respectful discourse, and deep engagement across difference," said Gee, who will serve as chair of the external advisory committee,



Two S.J. Quinney College of Law professors—Paul Cassen and Jason Tulliano—will serve as co-directors of the initiative. Cassen and Tulliano will focus on shaping the initiative's scholarly agenda and coordinating research and engagement activities.

An investment in American federalism was announced in June of 2025 as part of the U's budget cut and reallocation process and is intended to complement existing academic units.

University leaders say the effort will build on the university's legacy in teaching the classics, particularly the Honors College's decades of focused "Intellectual Traditions" courses, as well as the Hinckley Institute of Politics' public forums and Washington D.C. and Capitol Hill internship programs. The initiative also intersects in a collaborative way with recent related efforts to expand viewpoint diversity on campus, including the president's Viewpoint Representation and Expression Task Force.

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CONGRESSWOMAN MALOY TAKES ON UTAH'S CONFUSING DISTRICT MAP

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Congresswoman Celeste Maloy is pushing back against Utah's current congressional district map, joining a federal lawsuit that she says raises serious constitutional and voter accountability concerns.

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Speaking on the Big Picture Morning Show on KSUB radio, Maloy explained that she and Rep. Burgess Owens, along with county commissioners, sheriffs, and St. George Mayor Jimmy Hughes, are seeking an injunction in federal court over the map now in place. Maloy argued the outcome has left Utah voters without a clear or transparent process.



Dr. T / Canva

Judge Approved Map Had No Public Input

"The map that we have right now was drawn by the plaintiffs in the lawsuit," she said, adding that neither the Legislature nor the independent commission process outlined in Proposition 4 ultimately shaped the final boundaries. She criticized the judiciary's role, saying the map was adopted "with no public hearings, no public input, and they're not accountable to anybody."

Maloy said the lawsuit is different from redistricting disputes in states like Texas and California because Utah's commission and Legislature were "both left out of the process." She emphasized that voters should be able to hold mapmakers accountable, but in this case, she believes that remedy has been lost.



Getty Images

The case will be heard in Utah's federal district court, where Judge Shelby has granted the request for a three-judge panel. Maloy said the uncertainty has created disruption for candidates and voters alike. "All this uncertainty has thrown our election cycle into chaos," she noted.

Under the disputed map, Maloy said Cedar City is no longer in District 2, creating further confusion. She pointed to concerns about geographic compactness, describing a district that “takes in half the state geographically.”

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Despite calling it a “long shot,” Maloy said she believes the lawsuit has a chance. She confirmed she intends to run again this fall, but has delayed filing until district lines are settled. “Yes, you will,” she said when asked if voters will see her name on the November ballot.



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You can hear the entire discussion with Congresswoman Maloy in the podcast below.

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CELEBRITIES WHO VOWED TO LEAVE THE UNITED STATES AFTER THE ELECTION

Rumors are flying that Bruce Springsteen has vowed to leave the country if Donald Trump wins the 2024 election. He didn't say it.

But false promises of leaving the country if a celebrity didn't get their way has been a real thing and not always said in jest.

Here's a list of famous people who promised to leave the country if Trump were elected. I hope you didn't bet money on them leaving since none did.

Gallery Credit: Jeff Deminski



Chris Pizzello/Invision/AP