

2026 SA 02

Amanda Finewald, et. al, Plaintiff-Appellant,

v.

Heidi J. Smith, Defendant-Appellee.

Supreme Court of San Andreas.

January 14, 2026.

Interlocutory Appeal not applicable.

Attorneys for Plaintiff-Appellant: Ethel N. Binion Los Santos, San Andreas.

Attorneys for Defendant-Appellee: Rebecca C. Navarro, Attorney General, State of San Andreas. John E. Pugh Los Santos, San Andreas.

En Banc.

JUSTICE SPRINGER delivered the Opinion of the Court, in which CHIEF JUSTICE MORGAN, JUSTICE MIDDLETON, JUSTICE BENNETT, JUSTICE MCDOWELL, and JUSTICE HERR joined. JUSTICE CORTEZ delivered the Concurring Opinion.

OPINION OF THE COURT

SPRINGER, Justice.

¶1 This case requires the Court to resolve a question of first impression that bears directly on the integrity of the electoral process and the constitutional allocation of power within the State of San Andreas. At issue is whether the Secretary of State, acting in her capacity as the State’s chief elections officer, possesses unilateral authority to invalidate certifications lawfully issued by county election officials and to assume direct, plenary control over the administration of local elections in the absence of an express legislative grant of power. The question is not merely one of statutory interpretation, but of constitutional structure. It implicates the separation of powers, the rule of law, and the Legislature’s deliberate choice to distribute election authority between state and local officials. After careful consideration of the constitutional text, the statutory framework, and the nature of the authority asserted, we conclude that such unilateral power does not exist.

¶2 The Secretary of State undeniably occupies a central and indispensable role in the administration of elections. As the State’s chief elections officer, the Secretary is entrusted with substantial responsibilities intended to promote the orderly, lawful, and uniform conduct

of elections across San Andreas. These responsibilities include issuing guidance to local officials, coordinating election administration statewide, ensuring compliance with statutory requirements, and performing those canvassing and certification functions that the Legislature has assigned at the state level. The breadth of these duties reflects the importance of statewide oversight in maintaining public confidence in electoral outcomes. Yet the existence of broad supervisory responsibilities does not imply unlimited authority. Executive power, even when exercised by a constitutional officer, must be rooted in and constrained by law.

¶3 The San Andreas Constitution makes this principle explicit. Article III provides that “[t]he legislative power of this State shall be vested in the Legislature,” and it further establishes that no officer of another branch may exercise that power except as expressly authorized by law. This provision is not a mere formality. It embodies a foundational commitment to the separation of powers, ensuring that the authority to make binding policy choices rests with the representative body charged with lawmaking, while executive officers are confined to implementing and enforcing those choices as enacted. Any assertion of executive authority that effectively rewrites statutory allocations of power or supplants legislative judgment must therefore be viewed with particular caution.

¶4 The Election Code reflects this constitutional structure in clear and consistent terms. The Legislature has assigned primary responsibility for the conduct of elections to county officials. Counties are charged with administering elections, tabulating ballots, canvassing results, and issuing formal certifications within timelines and procedures prescribed by law. These functions are not incidental; they constitute the core of election administration. By contrast, the Secretary of State is designated as the chief elections officer with responsibility for statewide coordination, supervision, and oversight, as well as for performing those specific duties expressly conferred by statute, including aspects of the statewide canvass. This division of labor is neither accidental nor ambiguous. It reflects a legislative judgment that election administration should be decentralized in operation but unified in oversight.

¶5 That judgment is reinforced throughout the Election Code. Time and again, the statutes distinguish between the operational authority of counties and the supervisory authority of the Secretary of State. Counties are named as the actors responsible for certifying election results, while the Secretary is tasked with ensuring that those certifications conform to statutory requirements and are properly incorporated into the statewide process. Nowhere, however, does the Legislature authorize the Secretary of State to unilaterally invalidate a county’s certification or to displace county officials from their statutory roles. The Respondent identifies no provision conferring such authority, and the Court’s independent review has revealed none. The absence of express authorization is not a minor gap; it is a decisive indication of legislative intent.

¶6 The invalidation of a county election certification is not a ministerial or technical act. It is a profound exercise of power with immediate and far-reaching consequences. A certification

represents the culmination of the county's statutory duties and serves as the formal declaration of election results at the local level. To nullify that act is to negate the work of another constitutional or statutory officer and to cast doubt upon the finality of election outcomes. Such authority cannot be inferred lightly. Where the Legislature intends to grant an executive officer the power to overturn or override the formal acts of another governmental entity, it does so expressly and with clear procedural safeguards. The Court therefore declines to read such power into general statutory language concerning oversight, supervision, or uniformity.

¶7 The Secretary urges that broad supervisory authority necessarily includes the power to act decisively in extraordinary circumstances, including by invalidating county certifications when the Secretary believes those certifications to be unlawful or unreliable. This argument rests, in essence, on necessity rather than statute. It asks the Court to recognize an implied executive power to fill perceived gaps in the statutory scheme. That approach cannot be reconciled with Article III of the Constitution. Executive officers may not expand their authority based on their assessment of what circumstances demand. However compelling the perceived emergency may be, the Constitution requires that expansions of power come from the Legislature or, in appropriate cases, from judicial action grounded in law.

¶8 Indeed, the Election Code itself contemplates that disputes over the legality of election administration will arise and provides mechanisms for addressing them. Allegations of illegality, noncompliance, or irregularity may be investigated, challenged, and resolved through judicial proceedings. Courts are empowered to review such disputes, to interpret the law, and to issue binding orders that protect both the integrity of elections and the rights of the parties involved. These processes ensure transparency, due process, and adherence to the rule of law. Allowing a single executive officer to bypass those mechanisms and unilaterally impose a remedy of her own choosing would undermine the very safeguards the Legislature has put in place.

¶9 Accepting the Secretary's position would have consequences extending far beyond the facts of this case. It would require this Court to endorse a conception of executive authority untethered from statutory limits, one that would permit constitutional officers to effectively amend legislative schemes through interpretation. Such a result would erode the separation of powers and unsettle the carefully calibrated balance between state oversight and local administration that defines San Andreas's election system. The Court's duty is not to approve expedient solutions that exceed lawful authority, but to enforce the boundaries that the Constitution and the Legislature have established.

¶10 Our holding today is intentionally narrow but firm. We do not suggest that the Secretary of State is powerless to respond to serious allegations of illegality or dysfunction in county election administration. To the contrary, the Secretary retains substantial authority to supervise and coordinate elections statewide, to issue binding guidance where authorized by law, to investigate alleged statutory violations, to perform the statewide canvass in

accordance with statute, and to seek immediate judicial relief when disputes arise or compliance must be compelled. These tools are significant and, when properly employed, sufficient to address even urgent concerns. What the Secretary may not do, absent express legislative authorization or a directive from a court of competent jurisdiction, is unilaterally invalidate county election certifications or assume direct control over local election administration.

¶11 Disagreements between constitutional officers and disputes over the legality of election certifications are quintessentially judicial in nature. Courts exist precisely to resolve such conflicts through neutral adjudication, ensuring that all parties are heard and that decisions rest on law rather than unilateral judgment. The compressed timelines inherent in election administration do not justify bypassing these constitutional safeguards. Expediency, however attractive, cannot substitute for lawful authority.

¶12 For these reasons, we hold that the Secretary of State lacks authority to unilaterally invalidate county election certifications or to assume direct oversight of local election administration unless expressly authorized to do so by statute or directed by a court of competent jurisdiction. The actions challenged in this case therefore exceeded the lawful authority of the office. The writ is granted, and declaratory relief is awarded consistent with this opinion.

I. Facts and Procedural History

¶13 This case, *Finewald v. Smith* arises from an unprecedented assertion of authority by the Secretary of State of San Andreas and presents a direct conflict over the allocation of election administration powers under the Constitution and statutes of this State. At its core, the dispute concerns whether a statewide constitutional officer may, acting unilaterally and without express legislative authorization, invalidate the formal certifications of county election officials and assume direct control over the conduct and supervision of local election administration.

¶14 For generations, elections in San Andreas have been administered pursuant to a statutory framework that deliberately divides responsibility between state and local officials. Counties are charged with the direct conduct of elections within their jurisdictions. That responsibility includes preparing ballots, operating polling places, tabulating votes, canvassing results, and issuing official certifications attesting to the outcome of elections. These duties are assigned by statute to county officials, are governed by mandatory deadlines, and culminate in the issuance of a certification that represents the county's final administrative act in the election process.

¶15 The Secretary of State, by contrast, is designated as the State's chief elections officer and is entrusted with supervisory, coordinative, and administrative responsibilities at the statewide level. Those responsibilities include issuing guidance, promoting uniformity in election procedures, providing assistance and oversight to county officials, and compiling the statewide canvass based upon the certifications transmitted by the counties. The statutory scheme thus reflects a considered balance: counties serve as the primary administrators and certifiers of elections, while the Secretary of State serves as the coordinating and supervisory authority responsible for statewide aggregation and oversight.

¶16 Prior to the events giving rise to this case, that balance had remained largely undisturbed. Disputes concerning the legality of county election practices were historically resolved through judicial proceedings, legislative action, or statutorily prescribed enforcement mechanisms. No Secretary of State had previously asserted authority to unilaterally invalidate a county certification or to supplant county officials in the administration of elections without a court order or express statutory directive.

¶17 Following the most recent statewide general election, counties throughout San Andreas conducted elections in accordance with existing law. Ballots were cast and tabulated, canvasses were completed, and county election officials issued formal certifications within the timelines mandated by statute. At the time these certifications were issued, no court had enjoined the certification process, no statute had suspended county authority, and no legislative body had altered the allocation of responsibilities governing election administration.

¶18 After several counties transmitted notice of their certifications, the Secretary of State announced publicly that her office had identified what she characterized as systemic irregularities in election administration within certain counties. On the basis of that determination, and relying on her interpretation of her constitutional role as chief elections officer, the Secretary concluded that the affected certifications could not be treated as valid. Without seeking judicial approval and without citing express legislative authorization, the Secretary declared those certifications invalid and refused to incorporate them into the statewide canvass.

¶19 The Secretary further asserted direct authority over election-related functions within the affected counties. County officials were instructed to comply with directives issued by the Secretary's office concerning audits, tabulation reviews, and certification procedures, and were warned that failure to comply could result in enforcement action or referral to other authorities. These actions effectively displaced county officials from roles expressly assigned to them by statute and altered the ordinary sequence of election finalization.

¶20 The consequences of these actions were immediate and far-reaching. County officials were left uncertain as to whether their statutory obligations remained operative or had been supplanted by executive directive. Voters and candidates were confronted with the prospect that certifications lawfully issued by local officials could be nullified without judicial review.

The established statutory process for finalizing election results was disrupted, and the finality ordinarily associated with certification was called into question.

¶21 Because election administration operates within compressed and unforgiving timelines, the challenged actions carried the risk of irreparable institutional harm. Even temporary displacement of county authority threatened to undermine public confidence in the stability and predictability of the electoral process. Moreover, the assertion of unilateral invalidation authority raised concerns that extended well beyond the particular election at issue, implicating the structure of election governance for all future elections in the State.

¶22 Petitioners in this action include registered voters, county election officials, and local governmental entities whose legal rights and statutory responsibilities were directly affected by the Secretary's actions. They allege concrete injury arising from the invalidation of certifications, the displacement of county authority, and the resulting uncertainty surrounding the legality and finality of election outcomes. The dispute does not turn on contested factual questions concerning the existence or severity of the alleged irregularities identified by the Secretary. Rather, it presents a pure question of law: whether the authority asserted by the Secretary exists at all under the Constitution and statutes of San Andreas.

¶23 Given the identity of the Respondent as a statewide constitutional officer and the nature of the power asserted, Petitioners contend that no adequate remedy existed in the ordinary course of litigation. The controversy concerns not the application of law to a particular factual dispute, but the scope of executive authority itself. Delayed review risked rendering any eventual judicial determination ineffective once election processes had concluded and results finalized under an altered framework.

¶24 Petitioners therefore invoked this Court's original jurisdiction and supervisory authority to resolve the question presented. The case calls upon the Court to delineate the boundaries of executive power in election administration and to determine whether the unilateral invalidation of county certifications, absent express statutory authorization or judicial direction, is consistent with the constitutional structure of the State. The resolution of that question bears directly on the administration of elections statewide and on the preservation of the separation of powers that undergirds the legitimacy of democratic governance in San Andreas.

II. Conclusion

¶25 For the reasons set forth above, we hold that the authority exercised by the Secretary of State in this matter exceeded the constitutional and statutory limits governing the office. The structure established by the San Andreas Constitution and the Election Code deliberately allocates primary responsibility for election administration and certification to county officials, while reserving to the Secretary of State a supervisory and coordinative role grounded in law rather than unilateral discretion. That balance reflects a legislative

judgment essential to preserving both local accountability and statewide uniformity in the conduct of elections.

¶26 Nothing within the governing statutes authorizes the Secretary of State to invalidate duly issued county certifications or to assume direct control over local election administration absent express legislative authorization or an order issued by a court of competent jurisdiction. The exercise of such extraordinary authority cannot rest upon implication, perceived necessity, or generalized supervisory responsibility. Where disputes arise concerning the legality or reliability of election administration, the Constitution requires resolution through lawful processes—principally judicial review—rather than unilateral executive action.

¶27 Our decision today does not diminish the importance of statewide oversight or the vital role played by the Secretary of State in safeguarding election integrity. The office retains substantial authority to investigate irregularities, ensure statutory compliance, coordinate election administration, and seek immediate judicial relief when circumstances demand intervention. What the Constitution forbids, however, is the substitution of executive judgment for legislative authorization or judicial determination.

¶28 Accordingly, we conclude that the challenged actions were undertaken without lawful authority and are therefore invalid. Declaratory relief is granted in favor of the petitioners, and the Secretary of State is enjoined from invalidating county election certifications or assuming operational control over local election administration except where expressly authorized by statute or directed by a court. In reaffirming these limits, the Court preserves not only the separation of powers, but the rule of law upon which public confidence in the electoral process ultimately depends.

OPINION (CONCURRING)

CORTEZ, Justice.

¶29 I fully concur in the Court's judgment and in its reasoning, and I write separately to expand upon the constitutional and institutional concerns that, in my view, independently compel the result reached today. This case is not simply about the scope of authority of a single constitutional officer, nor is it confined to the particular factual circumstances that gave rise to this dispute. It presents a deeper question about how power is allocated in our system of government, how elections are structured to preserve democratic legitimacy, and how courts must respond when an executive officer asserts authority untethered from legislative enactment. On each of these points, the Court's decision is not only correct, but necessary to preserve the constitutional equilibrium of the State of San Andreas.

¶30 At the outset, it is important to emphasize what this case is not about. It is not about the motives of the Secretary of State, which the record does not suggest were anything other

than sincere and rooted in a professed concern for election integrity. Nor is it about minimizing the importance of statewide oversight of elections, which is indispensable in a modern democratic system. Rather, the question is whether concern, however genuine, can substitute for authority, and whether constitutional officers may enlarge their own powers in response to circumstances they perceive as exigent. Our constitutional structure answers that question in the negative.

¶31 The authority claimed by the Secretary of State in this case would represent a fundamental reordering of election administration in San Andreas. The Legislature has constructed an election system that is intentionally decentralized in execution and centralized in oversight. Counties conduct elections, certify results, and perform the core operational functions that give effect to the will of the electorate. The Secretary of State, in turn, provides coordination, guidance, and supervision to ensure that those local processes comply with statewide standards and statutory requirements. This division is not an accident of drafting, nor a vestige of an earlier era; it is a deliberate legislative choice that reflects a balance between uniformity and local accountability.

¶32 To accept the Secretary's position would be to collapse that distinction. If the power to supervise necessarily includes the power to invalidate certifications and assume direct control whenever the Secretary deems it necessary, then county authority exists only at the sufferance of the executive. Local officials would no longer be independent actors exercising statutorily conferred duties, but subordinate administrators whose actions are provisional until ratified—or nullified—by the Secretary of State. Nothing in the Election Code suggests that the Legislature intended such a hierarchical arrangement, and the absence of explicit statutory authorization speaks volumes.

¶33 The danger of recognizing such implied power extends well beyond election administration. Our Constitution vests legislative power exclusively in the Legislature for a reason. When executive officers are permitted to infer sweeping authority from general statutory language, the line between executing the law and making it becomes indistinct. Today the context is elections; tomorrow it could be any number of regulatory regimes in which an executive officer asserts that extraordinary circumstances require extraordinary measures. The Court's refusal to endorse that approach reaffirms a core principle of constitutional governance: that power must be exercised according to law, not according to perceived necessity.

¶34 This concern is particularly acute in the context of election certifications. Certification is the formal act that gives legal effect to the votes cast by the electorate. It marks the transition from counting ballots to declaring results, and it carries significant legal consequences. To invalidate a certification is to disrupt that transition and to place the legitimacy of the election in question. Such an act cannot be equated with routine supervision or guidance. It is, instead, an extraordinary intervention that demands clear

legal authorization and procedural safeguards. The Legislature's silence on this point cannot reasonably be construed as acquiescence.

¶35 I also find it significant that the statutory framework already provides a lawful avenue for addressing precisely the kinds of concerns raised by the Secretary. Allegations of illegality, irregularity, or noncompliance by county officials may be investigated, challenged, and resolved through judicial proceedings. Courts possess the institutional competence and constitutional authority to adjudicate such disputes, to interpret the law, and to order appropriate remedies. This process ensures transparency, due process, and public confidence. It also prevents the concentration of decision-making power in a single executive officer acting unilaterally.

¶36 The argument that election timelines necessitate swift executive action, while understandable, cannot override these constitutional considerations. Elections often operate under compressed schedules, but that reality was known to the Legislature when it crafted the Election Code. The absence of unilateral invalidation authority reflects a conscious decision to require judicial involvement when disputes reach a certain level of consequence. Expediency may justify streamlined procedures; it does not justify the abandonment of lawful ones.

¶37 I write separately as well to emphasize that the Court's holding should not be misconstrued as diminishing the role or importance of the Secretary of State. The office retains extensive and meaningful authority to safeguard the integrity of elections. Supervisory power, investigatory authority, the issuance of binding guidance where authorized by law, and access to the courts are not trivial tools. Properly exercised, they provide robust mechanisms for addressing even serious threats to lawful election administration. By insisting that these tools be used rather than replaced by unilateral action, the Court reinforces the legitimacy of the Secretary's role rather than undermining it.

¶38 There is also a broader democratic interest at stake. Public confidence in elections depends not only on accurate outcomes, but on the perception that those outcomes are produced through lawful and fair processes. When executive officers act beyond their statutory authority, even with the best of intentions, they risk eroding that confidence. The rule of law is itself a component of election integrity. By requiring adherence to statutory limits and judicial process, the Court affirms that no official, however well-intentioned, stands above the law.

¶39 Finally, I agree with the Court's careful articulation of the narrowness of its holding. We do not foreclose the possibility that the Legislature could, if it chose, grant the Secretary of State greater authority in extraordinary circumstances, nor do we question the judiciary's power to order remedial action when the law so requires. We hold only that such authority does not presently exist absent express statutory authorization or a judicial directive. That restraint is a virtue, not a weakness. It reflects respect for the constitutional roles of all branches of government.

¶40 For these reasons, and for those set forth in the Court's opinion, I concur in the judgment and in the holding that the Secretary of State lacks authority to unilaterally invalidate county election certifications or to assume direct control over local election administration without express legislative authorization or an order of a court of competent jurisdiction. The Constitution demands this result, and the stability and legitimacy of our democratic institutions depend upon it.