

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA**

**MICHAEL TOWERS,**  
Plaintiff

Case Number: 2024 CA 1571

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity  
as **SEMINOLE COUNTY SUPERVISOR  
OF ELECTIONS,**  
Defendant

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**ORDER GRANTING, IN PART, VERIFIED COMPLAINT FOR  
EMERGENCY TEMPORARY AND PERMANENT INJUNCTIVE RELIEF  
AND DECLATORY JUDGMENT**

**THIS CAUSE** came before the Court, ex parte, on Plaintiff's Verified Complaint for Emergency Temporary and Permanent Injunctive Relief and Declaratory Judgment, filed on August 14, 2024, at 6:56 PM, (Doc.# 2). The Court, read the Verified Complaint, its exhibits, attachments, and affidavits in support of said complaint. Considering the applicable statutes, the Court

**FINDS AS FOLLOWS:**

1. This is an action for declaratory judgment and injunctive relief, brought by Plaintiff, MICHAEL TOWERS against CHRISTOPHER D. ANDERSON, individually and in his official capacity at SEMINOLE COUNTY SUPERVISOR OF ELECTIONS. Plaintiffs seek an injunction to prohibit what is

alleged to be violations of §102.31 and §104.31 *Florida Statutes*.

2. Pursuant to Fla. R. Civ. P. 1.610, Plaintiff has the express right to seek and obtain temporary injunctive relief from this Court and the Court has the express right to enter injunctions to protect the Plaintiff's, and the voters of Seminole County's, legitimate interests.

3. Christopher D. Anderson is the current elected Supervisor of Elections in Seminole County, Florida and is currently a candidate for re-election.

4. Christopher D. Anderson has opposition to his re-election.

5. Petitioner alleges that certain activity and behavior of the current Supervisor of Elections constitute solicitation in violation of certain applicable Florida Statutes.

6. Florida Statute §102.031(4)(b) states:

(b) For the purpose of this subsection, the terms "solicit" or "solicitation" shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution; distributing or attempting to distribute any political or campaign material, leaflet, or handout; conducting a poll except as specified in this paragraph; seeking or attempting to seek a signature on any petition; selling or attempting to sell any item; and engaging in any activity with the intent to influence or effect of influencing a voter. The terms "solicit" or "solicitation" may not be construed to prohibit an employee of, or a volunteer with, the supervisor from providing nonpartisan assistance to voters within the no-solicitation zone such as, but not limited to, giving items to voters, or to prohibit exit polling.

7. Christopher D. Anderson has signage posted at the Supervisor of Elections Office, early voting locations, voting ballot boxes, online on the Official

website for the Supervisor of Elections Office, on sample mailing ballots, etc., which include his name and identify him as the Supervisor of Elections.

8. The signage appears to identify the Supervisor of Elections Office location and various polling locations, while the written materials identify that the information is disseminated by the Supervisor of Elections Office.

9. It is disputed whether the signage and written materials identified herein constitute solicitation in violation of applicable Florida Statutes; but to the extent that the signage identifies polling locations or identifies the sender of a mailed sample ballot or mailed materials, without more, such does not appear to violate Florida Statutes.

10. It appears that there may also be signage within the actual voting booth that displays the name of the Supervisor of Elections, which, if true, appears to violate applicable Florida Statutes.

11. It is also disputed whether the font size on signage constitutes solicitation in violation of Florida Statutes §102.31 and §104.31.

12. From the record, it appears that SOE has intermingled the official actions of the Supervisor with that of an incumbent candidate in a manner which is likely to be confusing to the voters and which has already been interpreted by voters as actively campaigning within the polling locations by engaging directly with voters within the 150 Foot No Solicitation Zone and the polling locations, in a

manner which falls within the definition of soliciting under §102.031(4)(b) by greeting voters and introducing himself as voters are receiving ballots.

13. Plaintiff will suffer irreparable harm if SOE is not enjoined from directly engaging with voters in the process of voting within the 150 Foot No Solicitation Zone or within the polling locations unless directly and actively engaged in the course of official business which cannot be addressed by any other staff member.

14. Plaintiff will have no adequate remedy at law and is likely to succeed on the merits of the case.

15. Greater harm would be inflicted upon Plaintiff by the denial of temporary injunctive relief than would be inflicted on Defendants by the granting of such relief.

16. It is in the best interest of the public to restrain the Defendant from interfering with the election process in any way.

17. Because of the ongoing early voting and proximity of the Primary Election (in less than 5 days), the Court finds that temporary action on an ex-parte basis is appropriate until such time as a full hearing on a Preliminary Injunction may be heard.

Accordingly, it is hereby:

**ORDERED AND ADJUDGED** that:

1. The Court **GRANTS, in part, a TEMPORARY INJUNCTION** based on the pleadings and exhibits of the Emergency Verified Complaint Seeking Injunctive and Declaratory Relief.
2. Defendant SOE, is immediately enjoined and restrained, directly and indirectly, from the following:
  - a. Engaging with any voter who is in the Active Process of voting, unless the Supervisor is directly and actively engaging in the course of official business which cannot be addressed by another staff member of the Office of the Seminole County Supervisor of Elections. As used in this provision, the Court intends the term “Active Process of voting” to mean any voter that is, at any time during open hours of the polling locations, inside the 150 Foot No Solicitation Zone until such time as they have exited the 150 Foot No Solicitation Zone, including any time that they are within the polling location itself. Specifically excluded from this provision, however, are voters which are within the Canvassing Board room, located in the back of the Seminole County Supervisor of Elections Office.
  - b. Visiting or being otherwise physically present in the polling sites unless directly and actively engaged in the course of official business which cannot be addressed by any other staff member of the Office of

the Seminole County Supervisor of Elections.

- c. Posting or displaying any material(s), signage, or other information inside of any voting booth which includes the name of the Supervisor of Elections. Specifically, the inside of any voting booth must be free and clear of any and all signage.
3. Florida Rule of Civil Procedure 1.610 requires a bond to be posted by a party moving for a temporary injunction. The Court hereby requires that Plaintiffs post a cash bond of \$100 with the Clerk of the Court conditioned upon the payment of all costs and damages sustained by the Defendants if the Defendants were wrongfully enjoined by this Order.
4. This injunction is entered this 16<sup>th</sup> day of August, 2024, in Chambers at Seminole County, Florida, and shall expire no earlier than November 6, 2024, unless modified or extended by such further Order of this Court.
5. A preliminary injunction hearing shall occur on this matter on Monday, August 19, 2024, at 8:15 A.M. for a period of 45 minutes, at which time the Court will take evidence and a determination made on a Preliminary Injunction.
6. A copy of this Order shall be served upon Defendants, along with a copy of the Complaint, and, if prepared by the Clerk, the Summonses, at the earliest opportunity immediately following the entry of this Order. The Sherriff is

asked to expedite the delivery of the same to the earliest possible time.

**DONE AND ORDERED** in Chambers at Sanford, Seminole County, Florida, this Friday, August 16, 2024.

59-2024-CA-001571 08/16/2024 01:04:23 PM



Donna Goerner, Circuit Judge  
59-2024-CA-001571 08/16/2024 01:04:23 PM

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via e-mail and/or the e-filing on Friday, August 16, 2024 to Philip S. Kaprow, counsel for Plaintiff, [pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com), [emma@kaprowlaw.com](mailto:emma@kaprowlaw.com), [elections@voteseminole.gov](mailto:elections@voteseminole.gov), and [records@voteseminole.gov](mailto:records@voteseminole.gov).

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Dawn Stallworth, Judicial Assistant  
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