

retained. Plaintiff contends that these images are records relating to acts requisite to voting within the meaning of 52 U.S.C. § 20701 and therefore must be preserved for twenty-two months following a federal election.

Before filing this action, Plaintiff sought emergency relief in the Massachusetts Superior Court through a petition for writ of mandamus and a preliminary injunction. The Superior Court denied emergency relief and subsequently entered a civil tracking order placing the matter on an ordinary litigation schedule with a projected resolution date extending well beyond the November 2026 election. The court also concluded that private parties could not enforce 52 U.S.C. § 20701 in that proceeding, reasoning that enforcement authority rests with the United States Department of Justice. On July 16, 2026, a Single Justice of the Massachusetts Appeals Court formally denied interlocutory emergency relief (Docket No. 2026-J-0633) (**See Exhibit A**), confirming that state court remedies are completely exhausted and leaving Plaintiff with no adequate remedy at state law.

Plaintiff alleges that, absent prompt judicial intervention, the electronic records at issue will not be preserved during the 2026 federal election cycle. If those records are not retained when the election occurs, subsequent judicial proceedings will be unable to provide effective relief because the records cannot be recreated after their destruction. Plaintiff therefore seeks prospective equitable relief before the election occurs.

In support thereof, Plaintiff states as follows:

1. Plaintiff commenced proceedings in the Massachusetts Superior Court seeking a writ of mandamus and preliminary injunctive relief requiring preservation of electronic ballot images during the 2026 federal election cycle.

2. On June 22, 2026, the Superior Court denied Plaintiff's request for emergency injunctive relief and concluded that Plaintiff could not enforce 52 U.S.C. § 20701 in that action because enforcement authority was vested in the United States Department of Justice.
3. The Superior Court thereafter placed the case on its ordinary civil litigation track with a projected resolution extending beyond the November 2026 federal election. Plaintiff alleges that, under this schedule, any determination concerning preservation of the challenged records would likely occur after the election has concluded and after the records at issue may already have been destroyed.
4. Plaintiff timely filed an Emergency Petition for Interlocutory Review requesting expedited review and immediate injunctive relief on the ground that the ordinary litigation schedule would not permit effective judicial review before the alleged destruction of the disputed records.
5. Plaintiff also provided written notice to officials within the United States Department of Justice requesting federal action concerning preservation of election records. Plaintiff alleges that no preservation directive or comparable relief has been issued following that request.
6. On July 16, 2026, the Massachusetts Appeals Court officially denied the Emergency Petition for Interlocutory Review (Docket No. 2026-J-0633) (**See Exhibit A**), formally exhausting all available avenues for emergency relief in the state court system.

Emergency Relief Is Necessary

Emergency relief is requested because the alleged injury is time-sensitive and tied to the administration of the November 2026 federal election.

1. Likelihood of Success on the Merits: The technical and statutory facts are clear. Under 52 U.S.C. § 20701, federal law commands the non-discretionary retention and preservation of all election records. Defendant Galvin has admitted on the record that he actively commands local officials to turn “OFF” the data-retention features that save digital ballot images. Under the Supremacy Clause, a state officer cannot deploy administrative mechanisms to bypass a federal criminal retention mandate. Furthermore, because the state judiciary has blocked private state enforcement under the pretext of exclusive DOJ authority, the Federal Defendants' complete refusal to act in the face of clear lawbreaking represents a flagrant violation of the Administrative Procedure Act.

2. Irreparable Harm: The state court has placed this dispute on an “Average” civil tracking track that sets a final resolution date for May 31, 2029. The federal election in which Plaintiff is running takes place in November 2026. Absent an immediate injunction from this Court, the 2026 digital ballot images will be auto-deleted as the election occurs. Once digital evidence is wiped, it is gone forever; no future legal victory in 2029 can reconstruct destroyed data.

3. Balance of Equities and Public Interest: The requested injunction imposes zero administrative burden on Defendant Galvin; it requires him simply to stop instructing local officials to alter the native, factory settings of the voting machines. The public interest is profoundly served by ensuring that federal election data is preserved so that electronic vote counts can be mathematically verified.

Plaintiff respectfully requests an expedited emergency hearing on this matter at the earliest convenience of the Court.

Dated: July 21, 2026

Respectfully submitted,



Dr. Shiva Ayyadurai *Petitioner, Pro Se*

701 Concord Avenue

Cambridge, MA 02138

E: yashiva@cytosolve.com

P: 855-324-6624

EXHIBIT A
Appeals Court Notification on July 16, 2026

2026-J-0633 - Notice of Docket Entry

Appeals Court Clerk's Office <AppealsCtClerk@appct.state.ma.us>
To: vashiva@cytosolve.com

Thu, Jul 16, 2026 at 11:46 AM

COMMONWEALTH OF MASSACHUSETTS

APPEALS COURT CLERK'S OFFICE

July 16, 2026

RE: No. 2026-J-0633
Lower Ct. No.: 2684CV01614

SHIVA AYYADURAI
vs.
WILLIAM FRANCIS GALVIN

NOTICE OF DOCKET ENTRY

Please take note that on July 16, 2026, the following entry was made on the docket of the above-referenced case:

ORDER (RE#4): A request for a preliminary injunction is addressed to the discretion of the trial judge, and a single justice will not interfere with the exercise of that discretion in the absence of a clear error of law or abuse of discretion. See *Jet-Line Services, Inc. v. Board of Selectmen of Stoughton*, 25 Mass. App. Ct. 645, 646 (1988). The petition and the materials submitted in support of it do not demonstrate that the Superior Court judge applied a legally incorrect standard or abused her discretion in denying the requested injunction. Accordingly, all relief requested is denied. (Walsh, J.). *Notice/Attest/Campbell, J.

REGISTRATION FOR ELECTRONIC FILING. Every attorney with an appeal pending in the Appeals Court must have an account with eFileMA.com. Registration with eFileMA.com constitutes consent to receive electronic notification from the Appeals Court and e-service of documents. Self-represented litigants are encouraged, but not required, to register for electronic filing.

ELECTRONIC FILING. Attorneys must e-file all non-impounded documents. Impounded documents and submissions by self-represented litigants may be e-filed. No paper original or copy of any e-filed document is required. Additional information is located on our Electronic Filing page: <http://www.mass.gov/courts/court-info/appealscourt/efiling-appeals-faq-gen.html>

FILING OF CONFIDENTIAL OR IMPOUNDED INFORMATION. Any document containing confidential or impounded material must be filed in compliance with Mass. R. App. P. 16(d), 16(m), 18(a)(1)(A)(iv), 18(d), and 21.

Very truly yours,

The Clerk's Office

Dated: July 16, 2026

To: ShivaAyyaduraiMarinaPullerits,AssistantAttorneyGeneralSuffolkSuperiorCourtDept.

EXHIBIT B

Receipt from Secretary of State of Massachusetts Confirming
Dr. Shiva Ayyadurai is the First Candidate for U.S. Senate 2026
from Massachusetts on July 8, 2026

Commonwealth of Massachusetts William Francis Galvin, Secretary of the Commonwealth

Receipt for Nomination Papers

DATE: July 8, 2026 PARTY: Unenrolled

CANDIDATE'S NAME: Shiva Ayyadurai

OFFICE: U.S. Senate DISTRICT: Statewide

SIGNATURES NEEDED: 10,000 CERTIFIED SIGNATURES FILED: 10,044

CANDIDATE'S STATEMENT: Independent

BALLOT STATUS:

☒ On ballot unless otherwise notified.

☐ Not yet on ballot. Reason: _____

Filed by: MICHAEL MOSCA

Daytime Phone: 617-645-6413

Contact Information: MOSCA.M@MSU.COM

Contact Phone: _____

CHECKLIST:

☒ Written Acceptance

☒ Enrollment Certificate

☐ Ethics Receipt
(excluding Federal Offices)

REC'D BY: CTB