

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
MISSOURI, CENTRAL DIVISION

Constance Kramer v. Denny Hoskins

Kramer · No. 2:25-cv-04257-MDH · Decided March 5, 2026

SUMMARY

The court grants Constance Kramer’s motion for a preliminary injunction concerning her administrative complaint under Section 402 of the Help America Vote Act. It orders Missouri Secretary of State Denny Hoskins to provide a hearing, issue a final determination within 90 days, preserve specified election records, and refrain from enforcing the 30-day filing requirement to deny the hearing in the circumstances described. The court does not reach the merits of Kramer’s underlying HAVA complaint.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                    |
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| COURT                 | United States District Court for the Western District of Missouri, Central Division                                                                                                                                                                                                                                                                                                |
| WRITING FOR THE COURT | Douglas Harpool                                                                                                                                                                                                                                                                                                                                                                    |
| JURISDICTION          | United States District Court for the Western District of Missouri, Central Division                                                                                                                                                                                                                                                                                                |
| DECIDED               | March 5, 2026                                                                                                                                                                                                                                                                                                                                                                      |
| DOCKET                | 2:25-cv-04257-MDH                                                                                                                                                                                                                                                                                                                                                                  |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Plaintiff moved for a temporary restraining order and preliminary injunction after the Missouri Secretary of State's Elections Division dismissed her HAVA administrative complaint. The court treated the purported TRO as a preliminary injunction, granted injunctive relief, overruled Defendant's motion to dismiss, denied Plaintiff's request to amend, and struck Doc. 25. |
| STANDARD OF REVIEW    | Preliminary-injunction relief is evaluated under the Eighth Circuit's four Dataphase factors: likelihood of success on the merits, irreparable harm, balance of harms, and the public interest. The court flexibly weighs the circumstances and need not determine ultimate success at the preliminary stage.                                                                      |
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|---------------------------|-----------------------------------------------------------------------------------------------|
| <b>PRECEDENTIAL VALUE</b> | Unpublished federal district court order; precedential status is not stated in the source.    |
| <b>PARTIES</b>            | Constance Kramer v. Denny Hoskins, in his official capacity as Secretary of State of Missouri |

## TOPICS

injunctions election administration election law administrative law motions to dismiss

## PRACTICE AREAS

election law civil procedure remedies administrative law

## QUESTIONS PRESENTED

1. Whether a purported temporary restraining order exceeding Federal Rule of Civil Procedure 65(b)'s time limit must be treated as a preliminary injunction.
2. Whether Missouri may use its thirty-day post-certification filing deadline to deny a HAVA § 402 administrative hearing concerning ongoing, future, or past election violations for which voter-history data may not yet have been submitted.
3. Whether Plaintiff's identification of the Missouri Secretary of State's Elections Division and an address satisfied Missouri's respondent-identification requirement.
4. Whether Plaintiff satisfied the requirements for a preliminary injunction.

## HOLDINGS

1. A temporary restraining order with no expiration date that exceeds the time limit in Federal Rule of Civil Procedure 65(b) must be treated as a preliminary injunction and evaluated under preliminary-injunction standards.
2. Missouri may not use the thirty-day post-certification requirement in 15 CSR 30-12.010(3) to deny Plaintiff a HAVA § 402 hearing on alleged ongoing violations or violations about to occur in future federal elections.
3. Missouri may not enforce the thirty-day filing deadline to deny Plaintiff a hearing concerning past election violations when voter-history data relevant to the alleged violations may be submitted after that deadline under Missouri law.
4. Identifying the Missouri Secretary of State's Elections Division as the respondent and providing its address was sufficient to satisfy 15 CSR 30-12.010(4)(A).
5. Plaintiff satisfied the requirements for a preliminary injunction because she demonstrated a sufficient likelihood of success, irreparable harm, favorable balancing of the equities, and a public interest in enforcing federal election requirements.

## KEY QUOTATIONS

*“The Court simply rules that Plaintiff is entitled by federal law to a hearing.” (Conclusion)*

*“Defendant may not enforce the 30-day requirement to deny this Plaintiff the federally provided right to a hearing on a HAVA complaint alleging past violations on which voter data accumulated under R.S. Mo. 115.157 may be relevant, or a complaint regarding ongoing or future elections.” (Conclusion)*

## FACTUAL BACKGROUND

Kramer filed a notarized HAVA § 402 complaint concerning alleged discrepancies in voter-turnout reports and the absence of a single, uniform, official, centralized statewide voter-registration list. Her complaint referenced the 2022 and 2024 elections and forthcoming federal elections in 2026. Missouri's Elections Division dismissed the complaint as untimely under the state's thirty-day post-certification rule and for failing to identify the person alleged to have committed the violation. Kramer sought an order compelling a HAVA hearing, preservation of election records, and a final administrative determination.

## PROCEDURAL HISTORY

Kramer filed a HAVA § 402 administrative complaint on October 15, 2025, alleging problems with Missouri voter-registration and voter-history data affecting past, ongoing, and future federal elections. The Elections Division dismissed the complaint on October 20, 2025, for failure to comply with the thirty-day filing deadline and respondent-identification requirement. Kramer then filed this action and sought declaratory and injunctive relief. After a February 4, 2026 motion hearing, the court granted a preliminary injunction requiring a HAVA hearing and a determination within ninety days.

## DISPOSITION

other

## CASES CITED

- Nike, Inc. v. Partnerships & Unincorporated Associations Identified on Schedule A, No. 4:25-CV-01598-MTS, 2025 WL 3554185, at \*1 (E.D. Mo. Dec. 11, 2025)
- Sampson v. Murry, 415 U.S. 61, 86 (1974)
- Nordin v. Nutri/Sys., Inc., 897 F.2d 339, 343 (8th Cir. 1990)
- Heartland Academy Community Church v. Waddle, 335 F.3d 684 (8th Cir. 2003)
- Dataphase Systems, Inc. v. C L Systems, Inc., 640 F.2d 109, 113 (8th Cir. 1981)
- Associated Producers Co. v. City of Independence, Mo., 648 F. Supp. 1255 (W.D. Mo. 1986)
- Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 24 (2008)
- Weinberger v. Romero-Barcelo, 456 U.S. 305, 311 (1982)
- Calvin Klein Cosmetics Corp. v. Lenox Labs., Inc., 815 F.2d 500, 503 (8th Cir. 1987)
- Kersten v. City of Mandan, 389 F. Supp. 3d 640, 645 (D.N.D. 2019)
- PCTV Gold, Inc. v. SpeedNet, LLC, 508 F.3d 1137, 1143 (8th Cir. 2007)
- Gen. Motors Corp. v. Harry Brown's, LLC, 563 F.3d 312, 319 (8th Cir. 2009)

- Walls v. Sanders, 733 F. Supp. 3d 721, 738 (E.D. Ark. 2024)
- Novus Franchising, Inc. v. Dawson, 725 F.3d 885, 895 (8th Cir. 2013)

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