

**JARDIM MEISNER SALMON
SPRAGUE & SUSSER, P.C.**

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Attorneys for Petitioner

I/M/O LORENA LOAZYA

Superior Court of New Jersey
Law Division, County of Hudson

Docket No:

Civil Action

Verified Petition

Petitioner, Lorena Loayza, by way of Verified Petition, states as follows:

PARTIES AND JURISDICTION

1. Petitioner, Lorena Loayza is, and has been at all times relevant to this Complaint, a resident of the City of Jersey City, and a declared candidate for the office of City Council in Ward B of the City of Jersey City in the upcoming November 4, 2025, general election.

2. Respondent, E. Junior Maldonado is, and has been at all times relevant to this Complaint, the County Clerk for the County of Hudson and is responsible for the creation and distribution of all ballots in the election at issue.

3. Respondent, the Hudson County Board of Elections is responsible for the operation and management of the election at issue. The Board is a party for notification purposes and to the extent their cooperation is needed to effectuate the relief requested.

4. Jurisdiction is proper pursuant to N.J.S.A. 19:14-20.

GENERAL ALLEGATIONS

5. Petitioner incorporates all allegations previously made as if set forth herein.

6. On October 25, 2025, early voting commenced for the November 4, 2025, general election.

7. In Ward B, voters have the option of casting their vote using a Spanish-language ballot

pursuant to N.J.S.A. 19:14-21 and -22, which ballots must be facsimiles of the sample ballots and mail-in ballots. Those ballots must further be facsimiles of the English-language ballots.

8. The Legislature has expressed a “strong policy interest in protecting Spanish-speaking voters from being disenfranchised.” Correa v. Grossi, 458 N.J. Super. 571 (App. Div. 2019).

9. That interest is especially important because voters who are confused by the ballot “cannot leave the voting booth to seek an explanation and then re-enter the voting booth.” Id. (citing N.J.S.A. 19:52-3).

10. Petitioner submitted her name on the paperwork to declare her candidacy as Lorena Loayza.

11. Petitioner has spent considerable sums of money on campaign literature and advertisements, spelling her own name correctly, tying her entire campaign brand to her actual name.

12. While Petitioner’s name was correctly spelled on the sample ballots, mail-in ballots, and English-language official machine ballots, it was incorrectly spelled on the Spanish-language official machine ballots. Petitioner’s name was instead spelled as Lorenza Loayza.

13. Petitioner has a statutory right to have her name on the ballot, the same name that she campaigned with, submitted her paperwork with, and which appears everywhere else. See N.J.S.A. 19:53-5 (stating that the “name of the candidate” shall appear on the ballot).

14. Aside from writing a candidate’s name incorrectly, differences between ballots has the potential, if not likelihood, of confusing voters.

15. Voters will enter the voting booth expecting to see one name and will instead see another.

16. Each moment that passes by increases the risk that voters will be impacted by this error.

17. Petitioner’s campaign manager spoke to the Hudson County Clerk as soon as Petitioner found out about this error. The Clerk indicated that it was only affecting the Spanish-language machines and would continue to have the wrong name through early voting and even on Election Day itself.

18. The Clerk indicated that had the issue been raised at the start of early voting, he would have

fixed it, but at this point, he was not willing to do so. Notably, the Clerk never made these ballots available to the public prior to voting and even today, his website fails to show the Spanish-language ballots actually being cast by voters on machines.

19. Title 19 provides that:

When it shall appear that an error or omission has occurred in the copy prepared by the county clerk for the printer or in the printing of the ballots by any county clerk, any voter resident in the county may present to a judge of the Superior Court assigned to the county a verified petition setting forth such error or omission; and such judge being satisfied thereof, shall thereupon summarily, by his order, require the county clerk to correct such error or show cause before the judge at the shortest possible day, why same should not be corrected. The county clerk shall correct the same by causing new ballots to be immediately printed in place of those found to be inaccurate or incomplete; and those found to be inaccurate or incomplete shall be immediately destroyed.

N.J.S.A. 19:14-20.

20. In the last few weeks, the Appellate Division ordered ballots in Gloucester County to be reprinted and sent out to voters again when the County Clerk incorrectly designed the ballot. See Zach Blackburn, Appeals Court Orders Gloucester County to Design New Ballots in Time for In-Person Voting, NEW JERSEY GLOBE, Oct. 10, 2025, <https://newjerseyglobe.com/local/appeals-court-orders-gloucester-county-to-design-new-ballots-in-time-for-in-person-voting/>.

21. In other elections, when the County Clerk has mailed out incorrect ballots, entire elections have been forced to be re-run at taxpayer expense. See I/M/O Election for Atl. Cty. Freeholder Dist. 3 2020 Gen. Election, 468 N.J. Super. 341 (App. Div. 2021).

COUNT I - VIOLATION OF N.J.S.A. 19:14-21 and -22

22. Petitioner incorporates all allegations previously made as if set forth herein.

23. Pursuant to N.J.S.A. 19:23-22, “[t]he official general election sample ballots shall be as nearly as possible facsimiles of the official general election ballot to be voted at such election”

24. This is done to avoid confusion so that voters do not prepare themselves for a ballot that looks one way only to show up on Election Day and find that it looks differently.

25. As such, the sample ballot and the official ballot must contain the names of all candidates

and must be identical in all respects to the extent possible.

26. It was possible for the County Clerk to get the candidates' names correct; indeed, it is a basic expectation of the ballot. And in fact, the County Clerk did so for every other candidate.

27. Petitioner campaigned under her legal name, Lorena, not Lorenza, and it is confusing to voters who come to vote on a ballot expecting to see one name but see another. Yet they are prevented by law from inquiring or asking questions once they have entered the polling booth.

28. The failure to adhere to the relevant statute by the County Clerk constitutes a violation thereof and Petitioner will suffer irreparable harm from his error.

COUNT II - INJUNCTIVE RELIEF UNDER N.J.S.A. 19:14-20

29. Petitioner incorporates all allegations previously made as if set forth herein.

30. N.J.S.A. 19:14-20 states that when any error or omission has been made in the copy prepared by the County Clerk or the printing of that ballot, any voter may present a Verified Petition to a judge of the Superior Court.

31. It further states that the judge shall summarily order the County Clerk to correct the error or show cause "at the shortest possible day" why the error should not be corrected.

32. The County Clerk is thereafter required to cause new ballots to be printed and shall "immediately" replace those that are inaccurate.

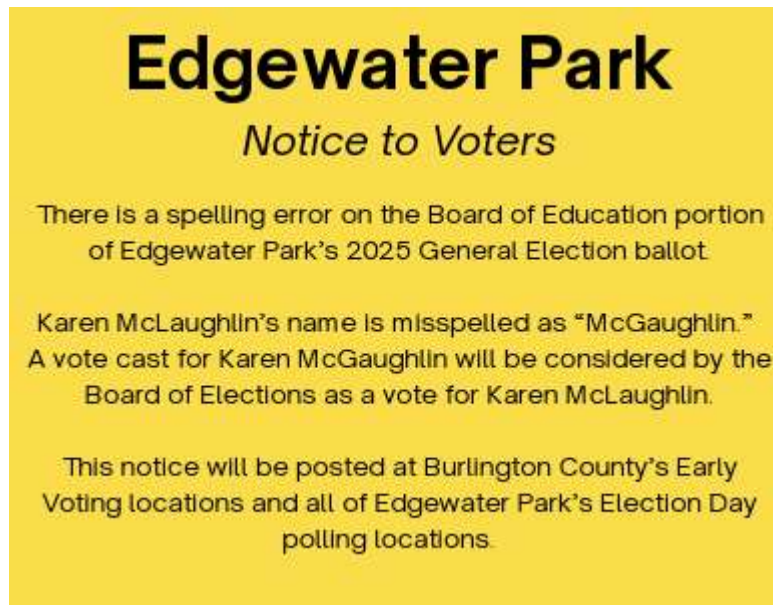
33. The Court should order the County Clerk to have all affected voting machines reprogrammed with Petitioner's correct name.

34. If the County Clerk cannot do so immediately or without voiding the certification issued by the State of New Jersey, the County Clerk should be required to put signs in every voting location (both for early voting and Election Day), send postcards out to every registered voter, and place a notice on the County Clerk's website.

35. Prior to the initiation of early voting, the Burlington County Clerk became aware of an identical issue: a candidate for the Township of Edgewater Park Board of Education named Karen McLaughlin was added to the ballot as "Karen McGaughlin."

36. The Burlington County Clerk determined that they were unable to fix the ballots, so they put signs in every voting location (both for early voting and Election Day), sent postcards out to every registered voter, and placed a notice on the County Clerk's website.

37. That notice stated, in full:



See <https://co.burlington.nj.us/DocumentCenter/View/22596/Edgewater-Park-Notice-to-Voters-PDF>

38. If the Hudson County Clerk cannot have postcards printed and mailed in time for voters to receive it before Election Day, they should be required to have them printed and have poll workers hand them out to voters at their respective polling locations.

WHEREFORE, Petitioner demands judgment as follows:

- 1) The Hudson County Clerk shall replace and/or reprogram any ballots that identify Petitioner as "Lorenza Loayza" with ballots that identify her as "Lorena Loayza;"
- 2) The Hudson County Clerk shall put signs in every voting location (both for early voting and Election Day), send postcards out to every registered voter, and place a notice on the County Clerk's website that states, in English and Spanish, that there is a spelling error on the municipal election portion of the ballot, that Lorena Loayza's name is misspelled as

“Lorenza,” and that a vote cast for Lorenza Loayza shall be considered by the County Clerk to be a vote for Lorena Loayza.

- 3) The Hudson County Clerk shall be required to pay and/or reimburse all such expenses incurred in reprinting any affected ballots, printing signs, and postcards (including the mailing costs thereof);
- 4) The Hudson County Board of Elections is to work cooperatively with the Hudson County Clerk as needed to effectuate the above-ordered relief; and
- 5) Any such other relief deemed by the Court to be equitable and just.

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:5-1(c) of the New Jersey Rules of Courts, Scott D. Salmon, Esq. is hereby designated as trial counsel for Petitioner.

Dated: October 30, 2025

**JARDIM MEISNER SALMON
SPRAGUE & SUSSER, P.C.**

/s/ Scott D. Salmon, Esq.
Scott D. Salmon, Esq.

VERIFICATION CERTIFICATION

I, Lorena Loayza, hereby certify the following:

1. I am the named Petitioner in the above-captioned matter.
2. I have read the allegations in the foregoing Verified Petition.
3. To the best of my knowledge, the allegations set forth herein are true.

I certify that the foregoing statements by me are true. I am aware that if any of the foregoing is willfully false, I am subject to punishment.

Dated: 30/10/2025



Lorena Loayza (Oct 30, 2025 22:21:11 EDT)

Lorena Loayza