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Federal judge tells U.S. Postal Service to stop removing sorting machines after N.J. sues

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Five weeks before the presidential election, a federal judge gave New Jersey an early victory in its lawsuit against the U.S. Postal Service.

The agency must stop removing sorting machines and collection boxes, and it should halt cutting overtime because those changes likely caused recent slowdowns in delivery, U.S. District Judge Emmet Sullivan wrote in an opinion Sunday.

New Jersey and other state and local governments sued last month, accusing President Donald Trump's administration of deliberately crippling the postal service "to undermine a federal election."

The suing states successfully showed that "they will suffer immediate and irreparable harm to their ability to combat the spread of COVID-19 and to provide safe alternatives to in-person voting" if recent internal changes weren't stopped, Sullivan wrote.

Courts normally should not get involved in the postal service's day-to-day operations, he said. But requiring the agency to properly vet changes that affect the entire country "is not micro-managing," Sullivan wrote, it's making sure the federal government follows the law.

State Attorney General Gurbir Grewal celebrated the decision on Twitter.

"We WILL have a free and fair election," he wrote.

Postal service spokesman George Flood declined to comment on the case, but he said "delivering Election Mail is a top priority."

"We are 100 percent committed throughout the Postal Service to fulfilling our vital role in the nation's electoral process by securely and timely delivering all ballots pursuant to our long-established processes and procedures," Flood wrote in an email.

He did not address if the agency would comply with the order, or if they planned to appeal.

Trump spokeswoman Hilton Beckham did not immediately respond to a request for comment, nor did she respond to a question when the lawsuit was first filed.

The case is not over. But based on evidence presented by both sides, Sullivan said New Jersey had a good shot proving some of its accusations going forward.

For example, the agency got rid of far more sorting machines starting in January than compared to the previous fiscal year, Sullivan said. While 101 machines were removed in 2019, the current fiscal year had already seen 711 taken out as of Aug. 18, he said.

The postal service and Trump administration “have provided no explanation for the sudden acceleration of the removal of the sorting machines,” Sullivan said.

Government records also showed that “on-time delivery of First-Class Mail began to decline in late June 2020,” the judge wrote, “going from roughly 90 to 94 percent prior to the implementation of the Postal Policy changes to 82 percent in early August.”

Even Postmaster General Louis DeJoy told employees in an Aug. 13 email that recent changes had “unintended consequences that impacted our overall service levels,” the judge said.