

IN THE SUPREME COURT OF THE STATE OF OREGON

STATE EX REL MARY LEE NELSON, MICHAEL NELSON, JUDY HUFF, SAMUEL
JOHNSON, and CHAD SULLIVAN, electors of Oregon,
Plaintiffs-Relators,

v.

LAVONNE GRIFFIN-VALADE, Secretary of State of Oregon,
Defendant.

S070658

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

Upon consideration by the court.

Relators seek a writ of mandamus directing the Oregon Secretary of State to exercise Oregon statutory authority to consider the qualifications of Donald J. Trump to appear on the Oregon 2024 Republican primary and general election ballots, as a candidate for that party's nomination to the office of President of the United States. Specifically, relators allege that Mr. Trump is disqualified from holding the office of President under section 3 of the Fourteenth Amendment to the United States Constitution. In response, the secretary contends that she has no authority under Oregon law, at the primary election stage, to consider Mr. Trump's qualification to serve as President.

After relators filed their petition, the United States Supreme Court granted *certiorari* in *Donald J. Trump v. Norma Anderson, et al.* (No. 23-719), to review a decision by the Colorado Supreme Court that ruled on arguments made under the Fourteenth Amendment that are identical to some arguments advanced in this case by relators. The United States Supreme Court has set an expedited briefing and argument schedule in that case, with oral argument scheduled for February 8, 2024.

A decision by the United States Supreme Court regarding the Fourteenth Amendment issue may resolve one or more contentions that relators make in this proceeding. Given that possibility, we deny relators' petition for a writ of mandamus at this time, without prejudice to relators' ability to file a new petition seeking resolution of any issue that

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may remain following a decision by the United States Supreme Court.



Meagan A. Flynn
Chief Justice, Supreme Court
January 12, 2024

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Defendant

No costs allowed

c: Kirsten M Naito
Daniel W Meek
Jason Llewellyn Kafoury
Benjamin Gutman
Tyler D Smith
James Buchal
Nadia Dahab

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