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January 8, 2024

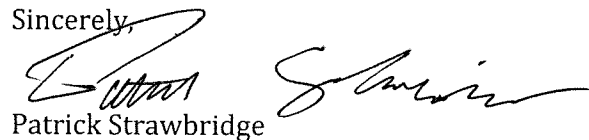
Tamara Rueda
Clerk, Kennebec Superior Court
1 Court Street
Suite 101
Augusta, ME 04330

Re: ***Trump v. Bellows***

Dear Ms. Rueda,

Enclosed for filing please find hard copies of an Entry of Appearance for Patrick Strawbridge and an amicus brief on behalf of the Republican National Committee, the National Republican Senatorial Committee, and the National Republican Congressional Committee in this matter. Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Strawbridge', written over a horizontal line.

Patrick Strawbridge

AUGUSTA COURT:
JAN 9 '24 PM2:11

STATE OF MAINE
KENNEBEC COUNTY, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. AP-24-01

DONALD J. TRUMP,

Petitioner,

v.

SHENNA BELLOWS, in her official capacity as
Secretary of State, State of Maine,

Respondent,

KIMBERLEY ROSEN, THOMAS SAVIELLO,
and ETHAN STRIMLING,

Parties-in-Interest.

ENTRY OF APPEARANCE

The clerk will please enter my appearance on behalf of the Republican National Committee, the National Republican Senatorial Committee, and the National Republican Congressional Committee as amici curiae in this matter.

Dated: January 8, 2024

Respectfully submitted,



Patrick Strawbridge
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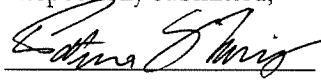
Counsel for National Republican Amici

CERTIFICATE OF SERVICE

I, Patrick Strawbridge, hereby certify that pursuant to the scheduling order of the Court, a copy of this filing is being served via email upon counsel of record on this day.

Dated: January 8, 2024

Respectfully submitted,



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the Secretary of State, State of Maine,

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Parties in Interest.

**Brief of Republican National Committee, National Republican Senatorial Committee, and
National Republican Congressional Committee as Amici Curiae**

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AUGUSTA COURTS
JAN 9 '24 PM 2:17

Amici Republican National Committee, National Republican Senatorial Committee, and National Republican Congressional Committee—collectively, National Republican Amici—are political organizations that help their members achieve electoral victories at the local, state, and national level, and who work to ensure a fair and equal electoral process. They have an interest in controlling their primaries and nominating candidates of their choice, ensuring that the rules governing elections are lawful and fairly applied, and promoting potential nominees’ ballot eligibility.

National Republican Amici support Petitioner’s position that Respondent Shenna Bellows, Maine’s Secretary of State, erred in concluding that Petitioner is disqualified from the presidency and could be removed from Maine’s primary- and general-election ballots.¹ Respondent has reimagined Section Three of the Fourteenth Amendment as a states’-rights superpower. On her account, the Reconstruction Congress gave *state* officials the power to decide the most sensitive political questions about loyalty and legitimacy, and to then decide on that basis who may stand for election to the most important position in the *national* government. The same theory would allow state officials to invalidate official actions. Baude & Paulsen, *The Sweep and Force of Section Three*, 172 U. Pa. L. Rev., at 22-29 (forthcoming 2024). Respondent’s claim—that the Reconstruction Congress gave States, including former Confederate States, the power to independently decide national candidates’ qualifications with no congressional permission—is implausible.

The imprudence of Respondent’s approach remains obvious today. Respondent defines “engag[ing]” in an “insurrection” remarkably broadly to cover any support, including pure speech, for “a public use of violence by a group of people to hinder or prevent the execution of the Constitution.” Decision 24; *cf. United States v. Greathouse*, 26 F. Cas. 18 (C.C.N.D. Cal. 1863) (Field, J.) (insurrection or

¹ No counsel for any party authored this brief in whole or in part, and no person other than amici or their counsel made a monetary contribution to the brief’s preparation or submission.

rebellion are no less than treason); *accord, e.g.*, 37 Cong. Globe 2173 (1862) (Sen. Howard) (insurrection or rebellion “nothing more nor less than treason”).

Here are just a few of the possible implications of Respondent’s broad definition:

- Vice President Harris, President Biden, and their staffs advocated for, marched with, and provided material support to rioters in the wake of George Floyd’s death in 2020.² These rioters stormed the White House, injuring police officers and forcing the President and his family and staff to shelter in a bunker.³ Over the course of several weeks, these rioters killed people, attacked and in some instances took over several government buildings, caused billions of dollars in property damage, and sought to establish alternative “governments” in the form of so-called “autonomous zones” across multiple U.S. cities.⁴ If a state official believes that President Biden or Vice President Harris aided these efforts, he may eliminate President Biden and Vice President Harris from the ballot. And because these actions preceded the 2020 election, that would mean that the United States has not had a valid President since January 2021 and that all federal criminal convictions, regulations, and laws enacted since then are subject to legal challenge as “*ultra vires*.” Baude & Paulsen, *supra*, at 29.
- After the Supreme Court heard an abortion case in 2020, Senator Chuck Schumer tried to impede it from carrying out its lawful duty. He stood before the Court and threatened Justices by name: “I want to tell you Gorsuch. I want to tell you Kavanaugh. You have released the whirlwind and you will pay the price. You won’t know what hit you if you go forward with these awful decisions.”⁵ Democrats continued this rhetoric as the Supreme Court decided *Dobbs*, and their supporters did turn violent. Many supporters illegally protested outside Justices’ homes to intimidate them and still continue to do so.⁶ And at least one attempted to assassinate Justice Kavanaugh.⁷ If Senator Schumer or his fellow Democrats engaged in conduct tantamount to an insurrection, then by Respondent’s rationale every judicial nominee voted on by them and every law passed by them since then may be invalidated on that basis.
- During the last Administration, many prominent Democrats publicly directed their supporters to confront Administration officials. As Democratic Congresswoman Maxine Waters said, “If you see anybody from that Cabinet in a restaurant, in a department store, at a gasoline station,

² *E.g.*, Marcus, *Meet the Rioting Criminals Kamala Harris Helped Bail Out of Jail*, The Federalist (Aug. 31, 2020), perma.cc/9S6A-NBBG; Lange & Honeycutt, *Biden staff donate to group that pays bail in riot-torn Minneapolis*, Reuters (May 30, 2020), perma.cc/5FBJ-MTST; @JoeBiden, X (Aug. 28, 2020), perma.cc/GSH6-W9EP.

³ *E.g.*, Hoffman, *More than 60 Secret Service officers and agents were injured near the White House this weekend*, CNN (May 31, 2020), perma.cc/5H3J-Q2BD; Leonnig, *Protesters’ breach of temporary fences near White House complex prompted Secret Service to move Trump to secure bunker*, Wash. Post (June 3, 2020), perma.cc/E75G-XTJL.

⁴ *E.g.*, Holcombe & Boyette, *Seattle police to remove concrete barriers around precinct that was temporarily vacated during George Floyd protests*, CNN (Apr. 3, 2021), perma.cc/KMJ8-VU5U; *Retired St. Louis police captain killed during unrest sparked by George Floyd death*, CBS News (June 3, 2020), perma.cc/69RN-EYAM; McEvoy, *14 Days of Protests, 19 Dead*, Forbes (June 8, 2020), perma.cc/P4YA-MJ5W; Deese, *Vandalism, looting following Floyd death sparks at least \$1B in damages nationwide: report*, The Hill (Sept. 16, 2020), perma.cc/T2N4-KC67; Boyd, *Death Toll Rises To An Estimated 30 Victims Since ‘Mostly Peaceful Protests’ Began*, The Federalist (Aug. 19, 2020), perma.cc/2V7V-NTFP.

⁵ *E.g.*, Moreno, *Schumer warns Kavanaugh and Gorsuch they will ‘pay the price’*, The Hill (Mar. 4, 2020), perma.cc/TX9J-BUX8.

⁶ *E.g.*, Blake, *Yes, experts say protests at SCOTUS justices’ homes appear to be illegal*, Wash. Post (May 11, 2022), perma.cc/BEM7-FCU2.

⁷ *E.g.*, Honderich, *US man charged with attempted murder of Justice Brett Kavanaugh*, BBC (June 9, 2022), perma.cc/A7T9-XB7P.

you get out and you create a crowd and you push back on them.”⁸ Around the same time, many Democrat supporters did confront Administration officials.⁹ Worst of all, a Democrat supporter attempted to commit a mass murder of Republicans when he attacked a Republican baseball practice in advance of the Congressional Baseball Game, shooting at several sitting Republican members and staff and seriously wounding Representative Steve Scalise.¹⁰ On Respondent’s theory, state officials may disqualify these Democrats or nullify their acts if they determine they to aided or engaged in an insurrection.

- Other examples abound. Recently, left-wing pro-Palestine protesters, after receiving vocal support from elected Democrats, violently stormed the White House complex.¹¹ Just before that, a similar coalition of left-wing pro-Palestine protesters invaded the Capitol complex.¹² State officials could, on Respondent’s theory, remove all the previous oath-takers who supported these rioters from ballots and void their official acts.

Just like the events underlying Respondent’s theories, state officials and Americans in general are divided in how to view these events, often along partisan lines. But allowing state officials in their own judgment to remove the offenders from the ballot or nullify federal authority is not something a Reconstruction Congress would prescribe.

“Confidence in the integrity of our electoral processes is essential to the functioning of our participatory democracy.” *Purcell v. Gonzalez*, 549 U.S. 1, 4 (2006). Allowing political opponents to pick each other off ballots based on their normative differences would harm confidence in our electoral processes. That chaos is unlikely to be limited to a single candidate or election. *See, e.g., Wilson, Texas leader wants Biden kicked off state’s 2024 ballot over immigration*, Wash. Times (Dec. 20, 2023), perma.cc/V8Y7-TUX6; *Dobkin, Republicans Pull Trigger on Plan to Remove Joe Biden from Ballots*, Newsweek (Dec. 22, 2023), perma.cc/JA8A-WR6D.

⁸ *E.g., Warmbrodt, Waters scares Democrats with call for all-out war on Trump*, Politico (June 25, 2018), perma.cc/E7XR-JAV4; *Boyd, 10 Times Democrats Urged Violence Against Trump and His Supporters*, The Federalist (Jan. 8, 2021), perma.cc/CQ37-F29E.

⁹ *E.g., Lurie, Trump Officials Can No Longer Eat Out in Peace*, Mother Jones (June 23, 2018), perma.cc/JJL3-YP3D.

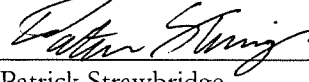
¹⁰ *E.g., Keeley, Rep. Steve Scalise, Shot by Sanders Supporter, Replies to Request for Evidence of ‘Bernie Bros’ Being Bad: ‘I Can Think of an Example’*, Newsweek (Feb. 20, 2020), perma.cc/3D4C-6SPX.

¹¹ *Pro-Palestine Protestors Climb Up White House Fence, Attack Secret Service*, Times Now (Nov. 4, 2023), perma.cc/4GCF-H2HM; *Anti-Israel protesters vandalize White House gates, try to scale fence*, Jerusalem Post (Nov. 5, 2023), perma.cc/67GR-UFVP; *Vazquez, Democratic House member accuses Biden of supporting Palestinian ‘genocide’*, Wash. Post (Nov. 3, 2023), perma.cc/RZW3-3QJG.

¹² *Smith, Hundreds arrested after Pro-Palestinian demonstrators flood Cannon Rotunda, Capitol complex*, Fox 5 D.C. (Oct. 18, 2023), perma.cc/R6AF-XQA2.

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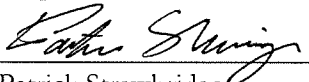
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