

ORIGINAL

FILED

08/19/2020

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 20-0396

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 20-0396

MONTANA DEMOCRATIC PARTY and
TAYLOR BLOSSOM, RYAN FILZ, MADELINE
NEUMEYER, and REBECCA WEED, individual
electors,

Plaintiffs and Appellees,

v.

STATE OF MONTANA, by and through its
SECRETARY OF STATE, COREY
STAPLETON,

Defendant and Appellant.

FILED

AUG 19 2020

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

On August 7, 2020, the State of Montana, by and through its Secretary of State Corey Stapleton, appealed from Findings of Fact, Conclusions of Law, and Order issued that same day by the First Judicial District Court, Lewis and Clark County, in its Cause No. DDV-2020-856. There, the District Court denied the Secretary's motion for partial summary judgment and granted the cross-motion for summary judgment of Plaintiffs and Appellees Montana Democratic Party, and individual electors Taylor Blossom, Ryan Filz, Madeline Neumeyer, and Rebecca Weed. The District Court concluded that a petition to obtain ballot access for the Montana Green Party for the November 2020 general election ballot failed to meet the requirements of § 13-10-601(2), MCA, and thus enjoined the Secretary and all persons acting under his authority from giving any effect to the Green Party petition for ballot access.

By Order of August 11, 2020, this Court set an expedited briefing schedule in this matter. Pursuant to our Order, the parties timely filed their appellate briefs. We have read and considered each of those briefs, as well as the amicus briefs filed in this matter, along with the record on appeal.

Having now done so, and with due consideration of the arguments and issues raised,

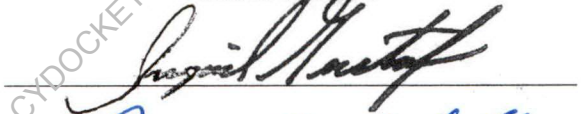
IT IS THEREFORE ORDERED that the August 7, 2020 Order of the First Judicial District Court, Lewis and Clark County, in its Cause No. DDV-2020-856, enjoining the Secretary of State and all persons acting under his authority from implementing or giving effect to the petition to qualify the Green Party as a minor party eligible for the 2020 election ballot is AFFIRMED. This Court's opinion, analysis, and rationale will follow in due course.

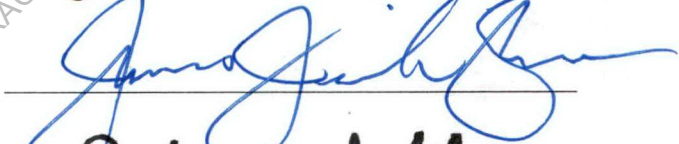
The Clerk is directed to provide immediate notice of this Order to all counsel of record.

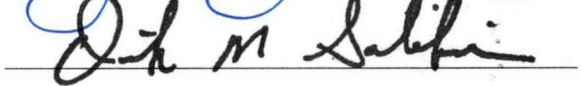
DATED this 19th day of August, 2020.

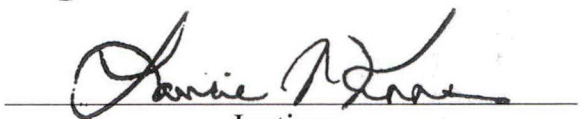


Chief Justice





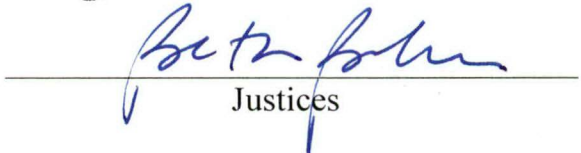




Justices

Justices Jim Rice and Beth Baker would reverse on the issues presented on appeal.





Justices