

IN THE SUPREME COURT OF THE UNITED STATES

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No. 24-568

MICHAEL J. BOST, ET AL., PETITIONERS

v.

ILLINOIS STATE BOARD OF ELECTIONS, ET AL.

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ON WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT

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MOTION OF THE UNITED STATES FOR LEAVE TO  
PARTICIPATE IN ORAL ARGUMENT AS AMICUS CURIAE  
AND FOR DIVIDED ARGUMENT

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Pursuant to Rules 28.4 and 28.7 of the Rules of this Court, the Solicitor General, on behalf of the United States, respectfully moves for leave to participate in the oral argument in this case as amicus curiae supporting petitioner and requests that the United States be allowed ten minutes of argument time. Petitioners consent to this motion and have agreed to cede ten minutes of argument time to the United States. Accordingly, if this motion is granted, the argument time would be divided as follows: 20 minutes for petitioners, 10 minutes for the United States, and 30 minutes for respondents.

This case concerns whether petitioners, as federal candidates, have pleaded sufficient factual allegations to establish Article III standing to challenge an Illinois law

permitting the counting of mail-in ballots up to fourteen days after the election day set by federal law. The United States has filed a brief as amicus curiae supporting petitioners, contending that Petitioner Bost has standing because Illinois's law imposes upon him a direct and immediate risk that he loses his election and because he has incurred costs to mitigate that risk.

The United States has a significant interest in this case. It has a substantial interest in ensuring that proper parties can sue to enforce federal election law. And it has a substantial interest in ensuring that improper parties cannot invoke the jurisdiction of the federal courts.

The United States has frequently presented oral argument as amicus curiae in cases involving whether a plaintiff has standing to bring suit in federal court. See, e.g., Uzuegbunam v. Preczewski, 592 U.S. 279 (2021); Thole v. U.S. Bank N.A., 590 U.S. 538 (2020); Susan B. Anthony List v. Driehaus, 573 U.S. 149 (2014). We therefore believe that participation by the United States in oral argument in this case would be of material assistance to the Court.

Respectfully submitted.

D. JOHN SAUER  
Solicitor General  
Counsel of Record

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