

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF ALASKA, *et al.*

Defendants.

Case No. 3:26-cv-00376-SLG

ORDER ON MOTION TO EXPEDITE CONSIDERATION

Before the Court at Docket 9 is Proposed Intervenor-Defendants Alaskans for Mary and Democratic Senatorial Campaign Committee's ("DSCC") Emergency Motion to Expedite Consideration of Their Motions to Intervene and to Dismiss.¹ Proposed Intervenor-Defendants Rise Roy, Jan Jakub Grzeda, League of Women Voters of Alaska, and Common Cause (collectively, "League of Women Voters") filed a joinder to the motion to expedite filed by Alaskans for Mary and DSCC.²

BACKGROUND

On May 16, 2026, Dan S. Sullivan filed with the Alaska Division of Elections as a candidate for the November 2026 United States Senate election.³ Dan S.

¹ See Docket 5 (Motion to Intervene); Docket 8 (Motion for Leave to File Motion to Dismiss); Docket 8-1 (Proposed Motion to Dismiss).

² Docket 10; *see also* Docket 6 (Motion to Intervene); Docket 6-1 (Proposed Motion to Dismiss).

³ Docket 1 at ¶¶ 1, 19.

Sullivan is a current United States Senator and is the incumbent in the November 2026 election.⁴ On May 29, 2026, Daniel J. Sullivan filed with the Alaska Division of Elections as a candidate for the November 2026 United States Senate election.⁵

On June 15, 2026, Defendant Carol Beecher, Director of the Alaska Division of Elections, issued a letter to Daniel J. Sullivan in which Defendant Beecher “conclude[d] that [Daniel J. Sullivan’s] declaration of candidacy was not properly filed with the Division because it was not filed in order to declare an actual good-faith candidacy for the office of United States Senator, but was instead filed with a purpose to confuse or mislead and to thereby compromise the ballot’s fairness or neutrality.”⁶ In the letter, Defendant Beecher stated that she was “unable to maintain [Daniel J. Sullivan’s] declaration of candidacy” and was “de-certifying [his] candidacy for United States Senator.”⁷

Daniel J. Sullivan promptly sought judicial review of Defendant Beecher’s decertification decision in Alaska Superior Court.⁸ On June 26, 2026, the Alaska Superior Court found that Defendant Beecher’s decertification of Daniel J. Sullivan’s candidacy for United States Senate was not based on applicable Alaska

⁴ Docket 1 at ¶ 1.

⁵ Docket 1 at ¶ 20.

⁶ Docket 1 at ¶ 22; Docket 1-1 at 1.

⁷ Docket 1-1 at 2.

⁸ Docket 1 at ¶ 24; *Sullivan v. State, Div. of Elections*, Case No. 3AN-26-07485CI (Alaska Sup. Ct. June 22, 2026).

law nor was Defendant Beecher's determination that Daniel J. Sullivan's candidacy would confuse or misguide voters supported by a preponderance of the evidence.⁹ On June 29, 2026, the Alaska Supreme Court summarily affirmed the Alaska Superior Court's decision and remanded the matter to the Division of Elections "to determine . . . how appellee Sullivan shall be listed as a candidate within the confines of existing Alaska ballot design law."¹⁰

Shortly thereafter, the Division of Elections released the sample ballot for the 2026 primary election. The sample ballot listed Daniel J. Sullivan as "Sullivan, Daniel J. Jr." with no party affiliation and listed Dan S. Sullivan as "Sullivan, Dan S. (Registered Republican) Incumbent."¹¹ The Court is unaware of any legal challenge as to how either candidate was listed on the primary ballot. The primary election occurred on August 18, 2026, and, on August 31, 2026, the Division of Elections certified the results of the primary and finalized the general election ballot design with the top four candidates advancing to the general election.¹² The ballot listings for Dan S. Sullivan and Daniel J. Sullivan on the general election ballot are

⁹ Order on Administrative Appeal at 31, *Sullivan v. State, Div. of Elections*, Case No. 3AN-26-07485CI (Alaska Sup. Ct. June 26, 2026).

¹⁰ Order at 1, *State v. Sullivan*, Case No. S-19935 (Alaska June 29, 2026), Docket 34.

¹¹ *Sample Ballot, 2026 Primary Election*, Div. of Elections, State of Alaska, <https://perma.cc/3UBW-7FEB> (last visited Oct. 26, 2026).

¹² Docket 5 at 6; *2026 Primary Election Summary Report*, Div. of Elections, State of Alaska, <https://www.elections.alaska.gov/enr26/results/ElectionSummaryReportRPT.pdf> (last visited Oct. 26, 2026).

identical to those on the primary election ballot.¹³ The general election is scheduled for November 3, 2026.¹⁴

After Alaskans had already begun casting their ballots for the November 2026 election—and nearly four months after the Alaska Supreme Court directed the Division of Elections to include Daniel J. Sullivan on the ballot for the upcoming United States Senate election—the United States initiated this action on October 22, 2026.¹⁵ The United States seeks a court order to prevent Defendants from certifying the result of the November 2026 United States Senate election if “(1) [Dan S.] Sullivan does not win the election; and (2) had all votes cast for Daniel J. Sullivan been cast instead for [Dan S.] Sullivan and Alaska’s rank-choice process played out accordingly, [Dan S.] Sullivan would have won the election.”¹⁶

Proposed Intervenor-Defendants Alaskans for Mary and DSCC moved to intervene in this action and to file a motion to dismiss.¹⁷ Proposed Intervenor-Defendants League of Women Voters also moved to intervene and, with their motion to intervene, filed a proposed motion to dismiss.¹⁸ Both sets of Proposed

¹³ *Sample Ballot, 2026 General Election, Federal Only*, Div. of Elections, State of Alaska, <https://perma.cc/F6LLTKVC> (last visited Oct. 26, 2026).

¹⁴ *General Election Information*, Div. of Elections, State of Alaska, <https://www.elections.alaska.gov/election-information/#GENR> (last visited Oct. 26, 2026).

¹⁵ Docket 1.

¹⁶ Docket 1 at ¶¶ 42-44.

¹⁷ Docket 5; Docket 8; Docket 8-1.

¹⁸ Docket 6; Docket 6-1.

Intervenor-Defendants seek expedited consideration of their motions.¹⁹

ORDER

Good cause for expedited consideration being shown, it is **HEREBY ORDERED**:

Proposed Intervenor-Defendants Alaskans for Mary and DSCC's Motion for Expedited Consideration at Docket 9 and Proposed Intervenor-Defendants League of Women Voters' Joinder at Docket 10 are each **GRANTED**.

The United States shall file its response to the two Motions to Intervene at Docket 5 and Docket 6 **by Tuesday, October 27, 2026, at 5:00 p.m.** Defendants State of Alaska, *et al.*, have not yet appeared in this action but may also file a response to the Motions to Intervene **by Tuesday, October 27, 2026, at 5:00 p.m.** Proposed Intervenor-Defendants may file any replies **by Wednesday, October 28, 2026, at 12:00 p.m.** The Court intends to issue a ruling by 5:00 p.m. on October 28, 2026.

In the event that the Court grants the Motions to Intervene, the United States shall be prepared to file a response to Proposed Intervenor-Defendants Alaskans for Mary and DSCC's proposed Motion to Dismiss at Docket 8-1 and Proposed Intervenor Defendants League of Women Voters' proposed Motion to Dismiss at Docket 6-1, **by Thursday, October 29, 2026, at 5:00 p.m.**

¹⁹ Docket 9; Docket 10.

DATED this 26th day of October, 2026, at Anchorage, Alaska.

/s/ Sharon L. Gleason

UNITED STATES DISTRICT JUDGE

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