No. 26-7304

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

v.

STATE OF ALASKA, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court for Alaska
Case No. 3:26-cv-00376-SLG

DIVISION OF ELECTIONS' RESPONSE TO THE UNITED STATES' BRIEF IN OPPOSITION TO MOTION FOR SUMMARY AFFIRMANCE

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The Alaska Division of Elections notes that, in response to Intervenors Risé Roy, et al.'s Motion for Summary Affirmance, the United States has proposed that the Ninth Circuit should dismiss its appeal as moot and has requested vacatur of the district court's decision. [Dkt 10.1] Notably, the United States has not filed a motion for voluntary dismissal or approached the Division to discuss the terms of any such dismissal as required by Federal Rule of Appellate Procedure 42(b)(2).

If the Court considers vacatur, the Division would like an opportunity to brief that issue.

RESPECTFULLY SUBMITTED November 20, 2026.

STATE OF ALASKA
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on November 20, 2026.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/Cassidy R. White
Cassidy R. White, Law Office Manager

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