

Nos. 19-465, 19-518

In The
Supreme Court Of The United States

Bret Chialfalo, Levi Jenet Guerra, and Esther Virginia John,
Petitioners,

v.

State of Washington,
Respondent.

Colorado Department of State,
Petitioner,

v.

Micheal Baca, Polly Baca, and Robert Nemanich
Respondents.

**PRESIDENTIAL ELECTORS' APPLICATION FOR LEAVE
TO EXCEED WORD LIMITS
IN OPENING BRIEF ON THE MERITS**

**Directed to the Honorable Sonia Sotomayor as
Circuit Justice**

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Dated: February 11, 2020

TO THE HONORABLE SONIA SOTOMAYOR:

APPLICATION FOR LEAVE TO EXCEED WORD LIMITS

For the reasons stated below, Petitioners in *Chiafalo v. Washington*, 19-465, and Respondents in *Colorado Department of State v. Colorado*, 19-518 (collectively, “Presidential Electors”) respectfully request leave to file a brief on the merits in excess of the word limit set forth in Supreme Court Rule 33.1(g)(v), not to exceed 16,000 words.

1. On January 17, 2020, the Court granted the petitions for writ of certiorari in *Chiafalo*, 19-465, and *Baca*, 19-518, consolidated the two cases, and allotted a total of one hour for oral argument.

2. On January 27, 2020, the Court ordered the Presidential Electors to file an opening brief on the merits and a reply brief on the merits under the schedule set forth in Rules 25.1 and 25.3.

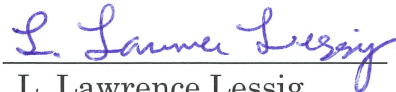
3. The Presidential Electors intend to file a single brief on the merits and a single reply brief on the merits in these consolidated appeals.

4. Although the two appeals present overlapping legal issues, they arise out of separate legal proceedings and each

involve particularized factual backgrounds and legal claims. To adequately address these differences, the Presidential Electors respectfully request leave to file a brief on the merits in excess of the 13,000-word limit imposed by Supreme Court Rule 33.1(g)(v). The Presidential Electors seek leave to file a consolidated opening brief not to exceed 16,000 words.

5. Counsel for the Presidential Electors has conferred with counsel for respondent Washington State in *Chiafalo* and with counsel for petitioner Colorado Department of State in *Baca*. All opposing counsel consent to the Presidential Electors' request to file a consolidated opening brief not to exceed 16,000 words.

Dated: February 11, 2020



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