

APPENDIX TABLE OF CONTENTS

	Page
Supreme Court of Minnesota Order filed January 11, 2024	App. 1

App. 1

STATE OF MINNESOTA
IN SUPREME COURT

A23-1900

Binkley for President 2024, et al.,
Petitioners,

vs.

Steve Simon, Minnesota Secretary of State,
Respondent.

ORDER

(Filed Jan. 11, 2024)

On December 13, 2023, petitioners Binkley for President 2024 and Ryan Binkley filed a petition under Minnesota Statutes section 204B.44(a) (2022). Petitioners ask us, in part, to direct respondent Steve Simon, Minnesota Secretary of State, to include Binkley's name as a candidate on the ballot of the Republican Party of Minnesota for Minnesota's March 5, 2024 presidential nomination primary election. Under the statutes that govern Minnesota's presidential nomination primary election, the participating major political parties must "determine which candidates are to be placed on" the party's ballot and submit those names to the Secretary of State. Minn. Stat. § 207A.13, subd. 2(a) (2022). The chair of the Republican Party of Minnesota notified the Secretary of State on December 13, 2023, that the candidates for that party's ballot are Chris Christie, Ron DeSantis, Nikki Haley, Vivek Ramaswamy, and Donald Trump. Petitioners assert

App. 2

that by conferring sole authority on political parties to determine which candidates' names will be on the ballot, Minnesota Statutes section 207A.13, subdivision 2(a) violates the Electors Clause of the United States Constitution, U.S. Const. art. II, § 1, cl. 2.

The petition was served on the major political parties participating in the presidential nomination primary election, the candidates designated by the Republican Party of Minnesota to appear on the ballot for the presidential nomination primary election, and the Secretary of State.

We directed the parties to file briefs addressing petitioners' claim. In their brief, petitioners argue that because the results of the presidential nomination primary election bind a party's election of delegates, *see* Minn. Stat. § 207A.12(d) (2022), the Electors Clause prevents a political party from excluding candidates from its presidential nomination primary ballot. The Secretary of State, in response, asserts that petitioners' claim fails as a matter of law.

We held oral argument on January 11, 2024.

We conclude that petitioners' claim lacks legal merit.

Based upon all the files, records, and proceedings herein,

App. 3

IT IS HEREBY ORDERED THAT:

1. The petition of Binkley for President 2024 and Ryan Binkley under Minnesota Statutes section 204B.44(a) is denied.
2. So as not to impair the orderly election process, this order is issued with an opinion to follow.

Dated: January 11, 2024

BY THE COURT:

/s/ Natalie E. Hudson
Natalie E. Hudson
Chief Justice
