

No. 23-924

In the
Supreme Court of the United States

JOHN ANTHONY CASTRO,
Petitioner,

v.

ADRIAN FONTES, Secretary of State;
DONALD J. TRUMP, ARIZONA REPUBLICAN PARTY,

Respondents.

**On Petition for Writ of Certiorari Before Judgment
To the United States Court of Appeals
for the Ninth Circuit**

**MOTION TO EXPEDITE CONSIDERATION OF THE
PETITION FOR A WRIT OF CERTIORARI BEFORE JUDGMENT
AND TO EXPEDITE CONSIDERATION OF THIS MOTION**

Pursuant to Supreme Court Rule 21, Petitioner moves for expedited consideration of his petition for a Writ of Certiorari Before Judgment to the United States Court of Appeals for the Ninth Circuit. The petition raises the important question of whether a ballot-placed Republican primary presidential candidate has Article III standing to challenge the constitutional eligibility of another ballot-placed Republican primary presidential candidate. The underlying claim is that former President Donald J. Trump engaged in, provided aid to, or provided comfort to the insurrectionary attack on the United States Capitol on January 6, 2021, thereby rendering him ineligible to hold any public office in the United States.

RECEIVED

MAR - 5 2024

OFFICE OF THE CLERK
SUPREME COURT U.S.

The petition urges the Court to grant certiorari before judgment under Supreme Court Rule 11 because the Arizona Republican Primary Election is scheduled to take place on March 19, 2024.

The United States Court of Appeals for the Ninth Circuit twice denied a motion for expedited consideration despite the clear risk that Petitioner's claims would be moot and harm irreparable in the absence of expedited consideration. In effect, Petitioner is being denied appellate review.

For these reasons, Petitioner moves the Court to adopt a briefing schedule that would require Respondents to file a response by March 8, 2024. That deadline provides Respondents with one week to file a brief in opposition.

Through this motion, Petitioner waives the 14-day period provided by this Court's Rule 15.5 between the filing of a brief in opposition and the distribution of the petition to the Court. And to facilitate expedition, Petitioner also requests that this Court direct Respondents to file any response to this motion by Wednesday, March 6, 2024.

March 2, 2024.

Respectfully submitted,

/s/ John Anthony Castro

John Anthony Castro

12 Park Place

Mansfield, TX 76063

(202) 594-4344

J.Castro@JohnCastro.com

CERTIFICATE OF SERVICE

I, John Anthony Castro, hereby certify that one (1) original and ten (10) copies of the foregoing Motion for Expedited Consideration of the Petition for Writ of Certiorari Before Judgment and to Expedite Consideration of this Motion in *John Anthony Castro v. Adrian Fontes, Secretary of State, Donald J. Trump, Arizona Republican Party*, were sent via Next Day Service to the U.S. Supreme Court, and three (3) copies were sent via Next Day Service and e-mail to the following parties listed below, this 2nd day of March 2024:

Kara Marie Karlson
Arizona Attorney General's Office
2005 N Central Avenue
Phoenix, AZ 85004
(602) 542-8118
AdminLaw@azag.gov

Counsel for Respondent
Adrian Fontes, Secretary of State

Mark P. Meuser
Dhillon Law Group, Inc.
177 Post Street, Suite 700
San Francisco, CA 94108
(415) 577-2850
MMeuser@dhillonlaw.com

Counsel for Respondent
Donald J. Trump

Dennis I. Wilenchik
Wilenchik & Bartness, PC
2810 North 3rd Street, Suite 103
Phoenix, AZ 85004
(602) 606-2810
admin@wb-law.com

Counsel for Respondent
Arizona Republican Party