

IN THE
Supreme Court of the United States

DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL.,
Applicants

V.

MARY BOYLE, ET AL.,
Respondents.

**OPPOSITION TO APPLICANTS' REQUEST
FOR AN ADMINISTRATIVE STAY**

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July 2, 2025

Applicants Donald J. Trump, Scott Bessent, Russell Vought, and Peter A. Feldman ask this Court to stay a June 13, 2025, order of the U.S. District Court for the District of Maryland declaring President Trump’s termination of Respondents Mary Boyle, Alexander Hoehn-Saric, and Richard Trumka Jr. from their positions on the Consumer Product Safety Commission (CPSC) unlawful and enjoining Applicants Bessent, Vought, and Feldman from effectuating the terminations. Applicants also seek an administrative stay of the district court’s order while this Court resolves the stay application.

This Court should deny Applicants’ request for an administrative stay and set a deadline for Respondents to oppose the stay application.

ARGUMENT

Respondents have been serving in their roles on the CPSC for nearly three weeks since the district court entered its order and final judgment on June 13—just as they had been for the three-and-a-half months between President Trump’s January 20 inauguration and Respondents’ purported terminations on May 8 and 9. Applicants identify no harm that will result from Respondents’ continued service during the brief increment of time that will elapse before this Court rules on the stay application—let alone any harm that is sufficient to outweigh “the disruptive effect of the repeated removal and reinstatement of officers during the pendency of ... litigation.” *Trump v. Wilcox*, 145 S. Ct. 1415, 1415 (2025). Because Respondents are currently serving and have been since June 13, an administrative stay would disrupt the status quo.

Moreover, the timing of Applicants' filing in this Court undercuts their request for an administrative stay. The district court entered its final judgment in this case on June 13. Respondents returned to their roles as CPSC Commissioners on that date. Although Applicants moved for a stay from the Fourth Circuit on June 17 and requested a ruling on an administrative stay no later than June 20, that court did not rule on the motion for two full weeks. In the interim, Respondents have continued to serve as CPSC Commissioners. Yet Applicants waited until today to seek relief from this Court.

Finally, the requested administrative stay would be in service of a stay application that this Court is likely to deny. As the Fourth Circuit noted in denying the request for a stay of the district court's order pending appeal, the district court's merits holding is consistent with decisions of the Fifth and Tenth Circuits—both of which this Court declined to review within the last year—and supported by this Court's precedent.

CONCLUSION

This Court should deny Applicants' request for an administrative stay and set a deadline for Respondents to answer Applicants' stay application.

Respectfully submitted,

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