

SEP 15 2017 H 10:35

FILED

STATE OF MINNESOTA
IN SUPREME COURT
A17-1142

The Ninetieth Minnesota State Senate
and the Ninetieth Minnesota State
House of Representatives,

Respondents,

v.

Mark B. Dayton, in his official capacity
as Governor of the State of Minnesota,
and Myron Frans, in his official capacity
as Commissioner of the Minnesota
Department of Management and
Budget,

Appellants.

REQUEST OF "WE THE PEOPLE" AN
INFORMAL ASSOCIATION REGISTERED
TO LOBBY AT THE STATE CAPITAL FOR
LEAVE TO FILE A LATE AMICUS CURIAE
BRIEF

Robert S. Carney Jr.
Registered Lobbyist for *We the People*, an informal association
4232 Colfax Avenue South,
Minneapolis, MN 55409
Phone: (612) 812-4867
Attorney Pro Se for Prospective Amicus Curiae WTP

In accordance with Minnesota Rule of Appellate Procedure 129.01, *We the People*, an informal association registered to lobby at the State of Minnesota, ("WTP") respectfully seeks this Court's permission to file an amicus brief in *The Ninetieth Minnesota State Senate v. Dayton*, No. A17-1142. Petitioner realizes this request for leave is late, but notes that the contemplated content is both simple and vital to the interests of justice, and asserts that allowing a late filing is both within the power of the Minnesota Supreme Court, and would be the right thing to do.

Interest and Identity of WTP

WTP's interest is public. WTP is an informal association, registered to lobby at the State Capitol, the lobbying registration number at the state Board of Campaign Finance and Public Disclosure is: 5784.

The organization advocates for policy to the benefit of *We the People*, the informal association that founded both the United States and the State of Minnesota.

Position of WTP

WTP seeks leave to participate in order to file a brief as an amicus curiae in support of Respondents. WTP asserts Dayton's line-item veto eviscerates on a de facto basis the "Guarantee Clause" of the U.S. Constitution, Article IV, Section 4, which states in part: "The United States shall guarantee to every State in this Union a Republican Form of Government,..." Because it appears this guarantee has not been invoked in the Case, it is vital to explicitly introduce it into the record. It would be a travesty of justice should the Court find itself in the position of having to render a further precedential decision without having a basis in the record of the case to consider and pose questions regarding Article IV, Section 4 during oral argument. Should a decision adverse to the Respondents emerge, consideration of this issue in the record is vital both to establish an irrefutable claim that there is a federal question at issue, and to provide the U.S. Supreme Court with a full foundational record. Petition contemplates a very simple, short brief, to introduce the Federal Constitutional provision to the record of the case.

In the interest of justice, WTP respectfully requests the opportunity to participate in this case as described, as amicus curiae in support of Respondents.

Date: September 15, 2017

Respectfully submitted,



/s/ Robert S. Carney Jr. Attorney Pro Se, not an attorney, registered state lobbyist #: 3326

4232 Colfax Avenue South

Minneapolis, MN 55409

Phone: (612) 812-4867

Attorney Pro Se for Prospective Amicus Curiae WTP; registered lobbyist representing WTP