

Rev. 4/18

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
CIVIL APPEAL STATEMENT**

Please TYPE. Attach additional pages if necessary.

11th Circuit Docket Number: 20-12107

Caption: Independent Party of Florida and Party for Socialism and Liberation, Plaintiffs-Appellants, V. Laurel M. Lee, in her official capacity, Defendant-Appellees.	District and Division: Northern Dist. of Florida, Tallahassee Division Name of Judge: Mark E. Walker Nature of Suit: Civil Rights - Ballot Access Lawsuit Date Complaint Filed: February 24, 2020 District Court Docket Number: 420-cv-00110-MM-CAS Date Notice of Appeal Filed: June 8, 2020 <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Class Action Has this matter previously been before this court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide (a) Caption: _____ (b) Citation: _____ (c) Docket Number: _____
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	Attorney Name	Mailing Address	Telephone, Fax, Email
For Appellant: <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify)	Daniel J. Treuden	1402 E. Cesar Chavez Street, Austin, TX 78702	512-582-2100 phone 512-373-3159 fax djtreuden@bernhoffla w.com
For Appellee: <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify)	Ashley E. Davis	500 South Bronough Street, Tallahassee, FL 32399	850-245-6536 phone 850-245-6127 fax ashley.davis@dos.myfl orida.com

Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.

Jurisdiction	Nature of Judgment	Type of Order	Relief
<input checked="" type="checkbox"/> Federal Question <input type="checkbox"/> Diversity <input type="checkbox"/> US Plaintiff <input type="checkbox"/> US Defendant	<input type="checkbox"/> Final Judgment, 28 USC 1291 <input checked="" type="checkbox"/> Interlocutory Order, 28 USC 1292(a)(1) <input type="checkbox"/> Interlocutory Order Certified, 28 USC 1292(b) <input type="checkbox"/> Interlocutory Order, Qualified Immunity <input type="checkbox"/> Final Agency Action (Review) <input type="checkbox"/> 54(b)	<input type="checkbox"/> Dismissal/Jurisdiction <input type="checkbox"/> Default Judgment <input type="checkbox"/> Summary Judgment <input type="checkbox"/> Judgment/Bench Trial <input type="checkbox"/> Judgment/Jury Verdict <input type="checkbox"/> Judgment/Directed Verdict/NOV <input checked="" type="checkbox"/> Injunction <input type="checkbox"/> Other _____	Amount Sought by Plaintiff: \$ 0.00 Amount Sought by Defendant: \$ 0.00 Awarded: \$ 0.00 to _____ Injunctions: <input type="checkbox"/> TRO <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Granted <input type="checkbox"/> Permanent <input checked="" type="checkbox"/> Denied

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Based on your present knowledge:

- (1) Does this appeal involve a question of First Impression? ☐ Yes ☒ No
What is the issue you claim is one of First Impression? _____
- (2) Will the determination of this appeal turn on the interpretation or application of a particular case or statute? ☒ Yes ☐ No
If Yes, provide
(a) Case Name/Statute Anderson v. Celebrezze
(b) Citation 460 U.S. 780 (1983)
(c) Docket Number if unreported _____
- (3) Is there any case now pending or about to be brought before this court or any other court or administrative agency that
(a) Arises from substantially the same case or controversy as this appeal? ☐ Yes ☒ No
(b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal? ☐ Yes ☒ No
If Yes, provide
(a) Case Name _____
(b) Citation _____
(c) Docket Number if unreported _____
(d) Court or Agency _____
- (4) Will this appeal involve a conflict of law
(a) Within the Eleventh Circuit? ☐ Yes ☒ No
(b) Among circuits? ☐ Yes ☒ No

If Yes, explain briefly:

- (5) Issues proposed to be raised on appeal, including jurisdictional challenges:

Whether the statutes governing minor political party access to the Presidential general election ballot are constitutional under *Anderson v. Celebrezze*, 460 U.S. 780 (1983). There are two avenues to ballot access, both of which are challenged. The first allows ballot access if the political party is associated with a national political party that is registered with the FEC as a national committee, and the second allows ballot access if the political party submits signatures equal to 1% of the registered voters in the state.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND

SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 16th DAY OF June, 2020.

Daniel J. Treuden

NAME OF COUNSEL (Print)

/s/ Daniel J. Treuden

SIGNATURE OF COUNSEL