

FILED

UNITED STATES COURT OF APPEALS

AUG 17 2021

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MONTANA GREEN PARTY; et al.,

Plaintiffs-Appellants,

v.

CHRISTI JACOBSEN, in her official
capacity as Secretary of State for the State
of Montana,

Defendant-Appellee.

No. 20-35340

D.C. No. 6:18-cv-00087-BMM
District of Montana, Helena

ORDER

Before: W. FLETCHER and FRIEDLAND, Circuit Judges, and BLOCK,* District Judge.

The State of Montana has amended the ballot access scheme that Appellants challenged in this appeal. *See* 2021 Mont. Laws ch. 399 (S.B. 350). Because Appellants seek only prospective relief, the parties are ordered to submit supplemental briefs addressing the amended statute's effect on this lawsuit.

Appellants shall file their opening supplemental brief within 21 days of the date of this order. The brief should address whether Appellants intend to maintain their appeal given the amended statute. If so, Appellants should make arguments

* The Honorable Frederic Block, United States District Judge for the Eastern District of New York, sitting by designation.

addressing the amended statute. Appellee shall file an answering supplemental brief within 21 days after service of the opening supplemental brief. These supplemental briefs shall be no longer than 5,000 words. Appellants may file a reply supplemental brief no longer than 2,000 words within 10 days after service of the answering supplemental brief. No paper copies will be required.