

STATE OF MAINE

SUPREME JUDICIAL COURT
Sitting as the Law Court
Docket No. Ken-24-24

Donald J. Trump

v.

Secretary of State et al.

**ORDER TO SHOW CAUSE WHY
APPEAL SHOULD NOT BE
DISMISSED AS INTERLOCUTORY**

The Superior Court (Kennebec County) has transmitted to the Law Court the appeal of the Secretary of State from the order in the Superior Court's matter *Donald J. Trump v. Shenna Bellows*, docket number AP-2024-01, remanding the matter to the Secretary of State. The Clerk of the Law Court has docketed the appeal as *Donald J. Trump v. Secretary of State et al.*, Law Court docket number Ken-24-24.

An order of the Superior Court remanding a matter to an administrative agency is interlocutory and generally not appealable. *See, e.g., Est. of Pirozzolo v. Dep't of Marine Res.*, 2017 ME 147, ¶¶ 5-7, 167 A.3d 552; *Forest Ecology Network v. Land Use Regul. Comm'n*, 2012 ME 36, ¶¶ 15-23, 39 A.3d 74; *State v. Me. State Emps. Ass'n*, 482 A.2d 461 (Me. 1984). As a result, we require the Secretary of State, and any other party who may later file a notice of appeal, to show cause why the appeal should not be dismissed as interlocutory.

It is ORDERED as follows:

1. The caption of this appeal is *Donald J. Trump v. Secretary of State et al.*

The parties must use this caption on all filings. The Clerk of the Law Court need not issue a notice of docketing in this appeal.

2. The Maine Rules of Appellate Procedure apply to this appeal to the extent that they are not inconsistent with the provisions of 21-A M.R.S. § 337(2)(E), this order, or any further order of the Court.

3. The clerk of the Superior Court must immediately transmit the record to the Clerk of the Law Court.

4. Any electronic filing required or permitted by the rules or any order of the Court must be made by emailing a text-based or “native” (and not scanned) pdf file of the filing to trump.v.sos@courts.maine.gov, except that the appendix may be in the form of a scanned pdf file.

5. Any motion for permission of a visiting attorney to appear pro hac vice must be made electronically at or before **4:00 p.m. on Tuesday, January 23, 2024**. See M.R. App. P. 2A(b)(2)(C).

6. The Secretary of State and any other party that files a notice of appeal must electronically file a memorandum, not to exceed fifteen pages, showing cause why the appeal should not be dismissed as interlocutory and should be permitted to proceed to consideration on the merits. The memorandum must be filed by **4:00 p.m. on Tuesday, January 23, 2024**.

7. Any other party may also electronically file a memorandum stating and

explaining the party's position on whether the appeal should be dismissed as interlocutory or permitted to proceed to consideration on the merits. Any memorandum must not exceed fifteen pages and must be filed by **4:00 p.m. on Tuesday, January 23, 2024.**

Dated: January 19, 2024

For the Court,

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by a large 'D' and a horizontal line extending to the right.

Chief Justice