

**FILED**

September 26, 2017

**OFFICE OF  
APPELLATE COURTS**

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,

**RESPONDENTS' OBJECTION TO  
WE THE PEOPLE'S REQUEST TO  
FILE AMICUS BRIEF**

The Legislature objects to the request of “We the People” to file an amicus brief for several reasons. First, the request is extremely untimely. Minnesota Rule of Civil Appellate Procedure 129.01 requires that a request for leave to participate as an amicus must be filed and served “no later than 15 days after the filing of the notice of appeal[.]” The Governor filed his notice of appeal in this case on July 24, 2017. We the People’s request was filed on September 15, 2017. This case has been briefed, argued, and taken under advisement. We the People’s request is far too late. Second, We the People wishes to introduce a federal question that is not germane to this case and will further complicate this case. Third, it may not have been proper for Mr. Carney to file the request on behalf of We the People. It is not clear whether the purported group, “We the People,” can appear through Mr. Carney pro se. For

all these reasons, the Legislature respectfully requests that this Court deny We the People's untimely request.

**Attorneys for Respondents**

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Dated: September 26, 2017

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