

FILED

February 7, 2025

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

A25-0157

Lisa Demuth, et al.,

Petitioners,

vs.

Minnesota Secretary of State Steve Simon,

Respondent.

O R D E R

On January 30, 2025, petitioners Lisa Demuth and Harry Niska filed a petition for a writ of quo warranto against respondent Minnesota Secretary of State Steve Simon. The petition alleges that the Minnesota House of Representatives has lacked a quorum since the start of the legislative session, and that actions taken by Secretary of State Simon—who under Minn. Stat. §§ 3.05 and 5.05 (2024), presides until a speaker of the House is elected—have frustrated the ability of those members present to “adjourn from day to day and compel the attendance of absent members in the manner and under the penalties it may provide,” as provided in Article IV, Section 13 of the Minnesota Constitution.

On February 6, 2025, we held oral argument in the above-entitled matter. Later that same day, petitioners filed a Notice of Mootness, stating that in the afternoon, a quorum

was present in the House and proceeded to elect a speaker, which relieved Secretary of State Simon of his presidship. Petitioners state that the actions complained of have ceased, and no relief remains to be granted. Petitioners also state that respondent has reviewed the notice and agrees that the petition is now moot.

We will dismiss a case “as moot when ‘a decision on the merits is no longer necessary or an award of effective relief is no longer possible.’ ” *Winkowski v. Winkowski*, 989 N.W.2d 302, 308 (Minn. 2023) (quoting *Dean v. City of Winona*, 868 N.W.2d 1, 5 (Minn. 2015)). We agree that the events described in the notice render this case moot.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the petition for a writ of quo warranto, filed on January 30, 2025, is dismissed as moot.

Dated: February 7, 2025

BY THE COURT:



Natalie E. Hudson
Chief Justice