

No. 25-807

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

STATE OF WASHINGTON, et al.,

Plaintiffs-Appellees,

v.

DONALD J. TRUMP, et al.,

Defendant-Appellants,

On Appeal from the United States District Court
for the Western District of Washington
District Court Case No. 2:25-cv-127

**MOTION OF *AMICI CURIAE*
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED
PEOPLE, THE LEAGUE OF WOMEN VOTERS, THE EQUAL JUSTICE
SOCIETY ET AL., TO FILE BRIEF IN SUPPORT OF PLAINTIFFS-
APPELLEES AND AFFIRMANCE**

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Under Federal Rule of Appellate Procedure 29(a)(3) and Ninth Circuit Rule 29-3, amici curiae The National Association for the Advancement of Colored People (“NAACP”), The League of Women Voters of the United States (“The League”), and the Equal Justice Society (collectively “Amici”), move for leave to file the concurrently submitted amicus brief in support of Plaintiffs-Appellees. All parties have consented to the filing of this brief.

As explained in the Statements of Interest in the concurrently filed brief, Amici are non-profit organizations that litigate, advocate and educate to advance racial and social justice and combat discrimination. Accordingly, Amici individually and collectively share a significant commitment to ensuring that the longstanding and well-settled law undergirding the guarantee of birthright citizenship remains upheld.

The Court should use its discretion to grant this Motion and permit *Amici* to file their concurrently submitted brief because they fulfill “the classic role of amicus curiae by assisting in a case of general public interest, supplementing the efforts of counsel, and drawing the court’s attention to law that escaped consideration.” *Miller-Wohl Co. v. Comm’r of Labor & Indus. State of Mont.*, 694 F.2d 203, 204 (9th Cir. 1982).

The accompanying brief of Amici aims to provide historical and legal context for analyzing the constitutionality of the Executive Order. Specifically, the brief details the history of birthright citizenship as a decisive legislative response to the Supreme Court’s holdings in *Dred Scott v. Sandford* (1857). It explains that

birthright citizenship cannot be undone by executive action because it is enshrined in the Fourteenth Amendment as part of the framework of civil rights established in the Reconstruction Amendments. From there, the brief discusses how the barriers created by the potential elimination of birthright citizenship will impact the voting rights of people of color. Lastly, the brief explains how the Executive Order imperils the civil rights of future generations and would contribute to the establishment of a legally inferior underclass of Americans, an underclass that would disproportionately comprise people of color.

CONCLUSION

For the foregoing reasons, Amici respectfully move for leave from the Court to file the brief accompanying this motion. Amici do not seek oral argument on their brief.

Dated: April 11, 2025

Respectfully submitted,

/s/ Olivia N. Sedwick

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CERTIFICATE OF COMPLIANCE

This document complies with the type-volume limitation of Circuit Rule 27-1(1)(d) because it contains 359 words across two pages according to the count of the word processing system used to compose this brief, excluding the parts of the brief exempted by Circuit Rule 27-1(1)(d).

Pursuant to Federal Rule of Appellate Procedure 27(d)(1)(E), this document complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type style requirements of Federal Rule of Appellate Procedure 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft 365 Times New Roman 14-point font.

Dated: April 11, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2025, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the Court's Appellate Case Management System ("ACMS"). Participants in the case who are registered CM/ECF or ACMS users will be served by the ACMS.

Dated: April 11, 2025

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