

No. 00-837

IN THE
Supreme Court of the United States

NED L. SIEGEL, *ET AL.*,

Petitioners,

v.

THERESA LEPORE, *ET AL.*,

Respondents.

**On Petition For A Writ Of Certiorari
To The United States Court Of Appeals
For The Eleventh Circuit**

**MOTION TO FILE PETITION FOR A WRIT OF CERTIORARI
IN 8½-by 11-INCH PAGE PROOFS**

Petitioners Ned L. Siegel, Georgette Sosa Douglas, Gonzalo Dorta, Carretta King Butler, Dalton Bray, James S. Higgins, and Roger D. Coverly, as Florida registered voters, and Governor George W. Bush and Dick Cheney, as candidates for President and Vice President of the United States of America, respectfully request leave to file a petition for a writ of certiorari in 8½-by 11-inch page proofs (with printed copies to filed shortly hereafter as soon as is reasonably practicable).

Petitioners Bush and Cheney received the most votes in the State of Florida in the presidential election held November 7, 2000. That result was confirmed by a statewide recount, and confirmed again after a tabulation of overseas absentee ballots. State executive officials, however, have been compelled to postpone certification of the election results until November 26, 2000, in order that the ultimate certification of the results by the responsible state executive officials may include figures derived from a standardless

and selective manual recount that is currently being conducted—in defiance of the deadlines expressly set forth in applicable Florida statutes—only in a handful of unrepresentative Florida counties.

Petitioners seek a writ of certiorari to review the constitutionality of those manual recount procedures, which are being conducted under *ad hoc* and constantly shifting standards in a politically-charged, partisan atmosphere. On the eve of the Thanksgiving holiday, the Supreme Court of Florida directed that responsible executive officials must accept the results of that standardless and partisan process if those results are tendered by county authorities by Sunday, November 26, 2000 (or by the morning of November 27, in the event the relevant executive offices are not opened for that purpose on Sunday). In light of the schedule established by that ruling, the imminence of the Thanksgiving holiday, and the need for extraordinary expedition in order to secure a definitive judicial resolution of this controversy in advance of December 18, 2000—when the Electoral College will meet to select the next President and Vice President of the United States—it is simply not feasible to file a certiorari petition that complies with the requirements of Rule 33. Petitioners therefore seek leave to file their petition in 8½-by 11-inch page proofs, with the understanding that printed versions of the petition, complying with the

requirements of Rule 33, will be filed soon as is reasonably practicable after the filing of the petition.

Respectfully submitted.



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