

(ORDER LIST: 591 U.S.)

THURSDAY, AUGUST 13, 2020

ORDER IN PENDING CASE

20A28 REPUBLICAN NAT. COMM., ET AL. V. COMMON CAUSE RI, ET AL.

The application for stay presented to Justice Breyer and by him referred to the Court is denied. Unlike *Merrill v. People First of Alabama*, 591 U. S. ____ (2020), and other similar cases where a State defends its own law, here the state election officials support the challenged decree, and no state official has expressed opposition. Under these circumstances, the applicants lack a cognizable interest in the State's ability to "enforce its duly enacted" laws. *Abbott v. Perez*, 585 U. S. ____, ____ n. 17 (2018). The status quo is one in which the challenged requirement has not been in effect, given the rules used in Rhode Island's last election, and many Rhode Island voters may well hold that belief.

Justice Thomas, Justice Alito, and Justice Gorsuch would grant the application.