

ORAL ARGUMENT NOT YET SCHEDULED

No 23 190

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA
Appellee
v.

DONALD J., TRUMP
Defendant-Appellant

On Appeal from the United States
Court of Appeals for the District of Columbia

DEFENDANT-APPELLANT PRESIDENT DONALD J. TRUMP
EMERGENCY MOTION PENDING A REPLY AND A REQUEST
FOR TEMPORARY ADMINISTRATIVE STAY

RELIEF REQUESTED BY Docket No. 23-190, 11/02/2023

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G L O S S A R Y

G a g O r d e r O p i n i o n U n i t e d S t a t e s o f A m e r i c a : 2 3 U . S . S . C . , D . 1 0 5 . (O c t . 1 7 , 2 0 2 3)

t h e p r o s e c u t i o n t h e U n i t e d S t a t e s o f A m e r i c a

I N T R O D U C T I O N

No court in American history has imposed
who is actively campaigning for the
President of the United States. On October 17, 2023,
17, 2023, when the district court issued an
Order compelling President Trump to disclose
Presidential campaign

Given the Gag Order, it is not surprising one would
extraordinary. The court's decision is a
of public administration (of the U.S.)
prosecution submitted no evidence of any act
administration when it is established that
the president is "of course this prejudicial

Based on the evidence presented, it is clear that
prior to the election, the president's actions were
solely on an unconstitutional basis.
Amendment rights of President Trump are
to him.

President Trump's political discourse is a
political discourse of the American

The prosecution of this core political matter by the administration of justice is not a neutral act. It is a deliberate effort to silence dissent and to suppress the free expression of public figures. This is a clear violation of the First Amendment. The government's actions are not justified by any public safety concerns. The government's actions are a clear violation of the First Amendment. The government's actions are a clear violation of the First Amendment.

President Trump's expression of his personal views on the merits of the prosecution of Americans is not a violation of the First Amendment. The prosecution of Americans is a clear violation of the First Amendment. The prosecution of Americans is a clear violation of the First Amendment. The prosecution of Americans is a clear violation of the First Amendment. The prosecution of Americans is a clear violation of the First Amendment.

President Trump's ruling on this motion requests an administrative stay pending the outcome of the appeal. The government's actions are not justified by any public safety concerns. The government's actions are a clear violation of the First Amendment. The government's actions are a clear violation of the First Amendment.

STATEMENT OF THE CASE

President Donald Trump's actions in the Republican Party are a clear violation of the First Amendment. The government's actions are a clear violation of the First Amendment. The government's actions are a clear violation of the First Amendment. The government's actions are a clear violation of the First Amendment. The government's actions are a clear violation of the First Amendment.

On August 1, 2023, President Trump with his attempts to disrupt the election with the def tens of millions of Americans. As a result, the process, President Trump continues to engage in a campaign against core political speech, centralizing messages that are a politically motivated designed to demean the press and other public figures. He also criticizes major public figures to the case, especially Attorney General Merrick Garland. President Trump has severely threatened the Biden Administration neglecting national security and allowing while it attempts to justify the unconstitutional actions of the District of Columbia. The court's decision is a assessment A 142.

On September 15, 2023, the court issued an order on Trump's public statements issued that, "[between November 3, 2020, and January 6, 2021] three ago President Trump made public statements identifying individuals whom he targeted as 'enemies' of the United States. Those statements were such 'threats' of harm to the

A 1 3379 mTohset p u e l e i n d s t a t e m e n t t h a t y u p o s s e d d e n y
f o l l o w e d d e l a y s o r f r a u d a s e m e n t A 1 3 9 3 0 .

T h e p r o s e c u t o r i n v i t e d e n t r e e n s h o t e s d i a f p o e t i s a
P r e s i d e n t i n t h e s u m p n d i a c t A u g u s t 2 1 2 3 , 2 0 2 3
A 1 4 4 0 6 T h e s e i n c l u d e d f i v e p o s t s c r i t i c i z i
t h e p r o s e c u t o r s T h e y i n c l u d e d t w o p o s t s
w i t h e B u s e y G a u d i r a m e i r V i M e K P e r n e s c h i d e a n d n o
c l e a r r e f e r e n c e t o h o e s e p s o d a s e d n o e v i d e n
p r o s e c u t o r s h a d b e e n h a r a s s e d s , o r n o t h e r
a n y e v i d e n c e t h a t a n y i n d i v i d u a l s h a d
p r e s e n t e d n o e v i d e n c e o f A 1 4 4 6 y . s t a t e m e n t s

O n S e p t e m b e r 2 9 p o s t s 2 0 2 3 B r e o p h y q u o t e d f r o m
m o r e m e d i a l p o s t s f r o m S e p t e m b e r 2 2 , 2 3 , 2 6 ,
2 6 , 2 0 2 3 m e d i a o i f n t P e r r e v s i i e d v e n t T r u m p 2 3 0 9 0 S e p t
9 1 h e t s e i n c l u d e d c o p r a t i c e P r e s i d e n t e m e r A t t o r
G e n e r a l B i l l B a r r , f o r m e r C h a i r m a n d f
G e o r g i a S e c r e t a r y o f A 1 5 9 0 1 A l e l B r a d s R a r n e r t h i s
P r e s i d e n t T r u m p e l w e g o e v e h r i n g m e n t o f f T h e i a l s
p r o s e c u t o r s h a d n o e v i d e n c e t h a t a n y p
t h r e a t f o r e f e l t i , P r e s i d e n t e d T r u m p 9 9 0 1 c o m m e

The district court held that the prosecution presented the evidence that the defendant, President Trump, did not engage in threats or harassment. The defense emphasized that the defendant submitted evidence that the court ruled "Why should I know what he is doing?" about a lack of evidence, the prosecution speculative.

The defense proposed that "the easiest after the presidential election and not yield to the election cycle and other two times that defense argued that the prosecution proposed that the defendant's restrictive alternatives.

On October 17, 2023, the court held that the defendant's speech with threats or harassment: "[individuals ... those individuals are co

The Gag Order cited no evidence and ma harassment was in case

The Gag Order recited that " a jury sequestration, and cautionary jur some of the potential prejudices At that t

2.The Gag Order cited do the Gag Order did not mention a trial con

Based on this analysis, the district

All interested parties in this matter prohibited from making any public sta public statements, that target (1) t his staff (2) counsel or their staff; supporting personnel; or (4) any re substance of their testimony.

A3. The court did not attempt to government generally," to state " that him, or that his prosecution on platforms " or

President Trump filed appeal and move A 204 On October 29, 2023, the district app

ARGUMENT

Four factors govern a motion for stay. If the applicant has made a strong showing that whether the applicant will be irreparably injured by the denial of a writ substantially injure the other party, (4) where the public interest is served, 434

First, a stay Order is an immediately applicable First Amendment freedom, for even a stay Order constitutes irreparable injury. 347, 373. A stay Order, therefore, "fall[s] in that small category of cases separate from, and collateral to, rights denied review and too important to be denied review and too important to be denied review until the whole case is resolved." 347, 373. F. 2d 151, 153 (D.C. Cir. 1977). See also, 347, 373. U.S. 541, 546 (1994). In 1981, after v. 415, 1981. 2000. On the other hand, a stay order against a mandamus appeal is not a stay order against a mandamus appeal. 1968 (75-90) (6th

¹If the Court determines that the stay Order is not a stay order, the Court treats the stay Order as a mandamus appeal. 1968 (75-90) (6th Cir. 1981).

I. President Trump Is Likely To Prevail

A. The Gag Order Is Subject to the Model

As a vibrant and important part of the American political system, the First Amendment guarantees the public's right to know what their government is doing. The Supreme Court has repeatedly affirmed that the public's right to know is one of the most important values protected by the First Amendment.

1. A gag order that prevents the President and his administration from speaking to the public is a violation of the First Amendment.

Landmark Communications v. Virginia, 455 U.S. 192 (1982), is a Supreme Court decision that struck down a gag order on a newspaper. The Court held that the gag order violated the First Amendment because it prevented the newspaper from reporting on the operations of the courts and the judicial system. The Court stated that the gag order "constituted a prior restraint on the press and a violation of the First Amendment." The Court also stated that the gag order "was a clear and present danger to the public's right to know."

Landmark Communications v. Virginia, 455 U.S. 192 (1982), is a landmark Supreme Court decision that struck down a gag order on a newspaper. The Court held that the gag order violated the First Amendment because it prevented the newspaper from reporting on the operations of the courts and the judicial system. The Court stated that the gag order "constituted a prior restraint on the press and a violation of the First Amendment." The Court also stated that the gag order "was a clear and present danger to the public's right to know."

individuals, including defendants, seek
than for the press.

To be Genuinely. State the BSR preferred. Connecticut
State could if present by uphr as is itlan d a r d t i n
statements, in by "a substantial likelihood
U.S. 1030, Blue 3 te (imp 91s) had attorneys are
citizens, but subfj iecetr st oo fu-iti h q u e c e o r t e r s a t s r t i c t
common right. See 1076 i z i o n s t e B e r o, w n 2 1 8 a t F. 3 d
4 2 (8 a d o p t G e n t i t h e d a r d f o r c H e n t e n t a h e t t d e a f t e n r d a
the two dis f- a r d a r s d e s e 5 O G l e n u t t i S l e 3 7 (p n) - u t r h a e l i t y
"clear and present danger" test applies

In addition, the Gag Order contravene
principles, in d a e l p l e c a f l e h w h i g h t h e m o s t e x a c t i

2. Prior restraints are subject to

First, unlike the L a r n e s m a r r i k e t C o m a s n u d a i t c a i t
G e n t i t e d G a g i O r a o m i s p l e n e e s a r t a s a k i a n t P r e s s A s
v. S t u t a h e t S u p r e m e C o u r t e m p h a s i z e d " t h
publication are the most serious and
Amendment rights. " 4 [2 A 7] U p r S i . o r 5 3 r 9 e s t 5 r 5 a 9 i n
most extraordinary remedie s l a. E k 6 n 2 0 [w h] e t o o

protection against prior restraint should
of criminal proceedings.... "

"Prior restraints have been, *Samich v. U.S. District Court*,
Daily Mail, 443 U.S. 197, 110 S.Ct. 1025 (1979) (the *Gag*

3. Political restraints are first Amendment
and most urgent application."

"Speech on matters of public concern
protection. That is because speech con-
expression; it is the most important part of

45-52 (2011); *McIntyre v. Ohio Elections Commission*

(1995) which is the first Amendment's "constitutive

and most urgent application of the First Amendment

of free speech." *Susan B. Anthony v. U.S. S.* 149, 162

Monitor Patriot Co. v. United States, 275 U.S. 241 (1927)

the core of our national life and the most important

where protection of free speech is essential to

425 (1988) (citations and quotations omitted)

Thus, the defendant's campaign is a complete violation

of the defendant's First Amendment rights

Here the defendant had to attack the all
Republican administration which he con-
political views. He has a duty to fight

his political reputation in the press as in the courtroom and on the floor reelection. His opponents will attack unable to riefsp thned Di'isns bkridnedt Co una t ns in

For d 83 @ 6 10-02 d B r w n t h f e i f t h n o i t t e n d a t i t " [t c] o h u e r t d i s

also made special æll lecc w a r o m e s c a f m p r a i B y m o v o r y'

the order ... for the.. B d u o r w a n t i w a n s o a f b l t e h e t o c a n n

hindrance, the charges of his opponent

r a c e B r o , w n 2 1 8 F . 3 d a t 4 3 0 .

Here the Gag Order reasnt d i c a t s s p e c i f i c a l l y i p s o l u i e t s i

underlying a t h e e i n t B i a d e n e s e c t i o n " K a e r v g i u m e n t

L i p t a k T , r u e n t p ' a s l . T , h i r d I n d i c t m e n t T r i o n t h e s M

for , B i d e n C N N . c o (A u g . 2 ,) , 2 0 2 a 3 t

h t t p s : / / w w w . c n n . c o m / i 2 0 2 a 3 - 1 0 6 - m o 2 / p o l i t i c s

i n d i c t m e n t T h e F i r s t m e n d m e n t p e r m i t s

t h e a m d t o c r i t i c i z e t h e c u r r e n t a n d f o r m

4. The Gag Order violates the First Amendment's protection of free speech in the context of the American news media's reporting on the activities of the President of the United States.

The First Amendment's protection of free speech is not limited to the press and to the news media. It also protects the speech of individuals, including consumers, and the speech of the news media's sources.

Consumer C, o u 4 n 2 c 5 i I U , . S l . n c 7 . 4 8 , 7 5 6 P (a t 1 7 6) g h a m i

v . N o r t h 5 8 r 2 o I U i . n S a 9 8 , 1 0 4 (2 0 1 7) (r e c o

listen, and then ... speak and listen once
First Amendment to the Constitution, 390 U.S. 367, 39
restriction on President Trump's speech
over 100 million Americans

This right of listeners to receive P
and most urgent application precisely
office," especially Br. Am. Bar. Soc. v. ...
emphasized that, if Congressman Ford we
will have no access to the views of th
public in ...
a campaign will ...
well as absolute freedom to discuss
430.

Indeed, Gag Order has been ...
voter's ...
Why the ACLU is Going ...
Gag Order" ...
' whether he deserves ...
Goes ...
—it is the right of voters in the fort

it before choosing the national Times Transcript Grant
 Order Is Judicial Review (Week 11 7 mp 2021) (g
 court's duty to minimize the intrusion
 process ... "); Isaac T. Adams, "Experts
 Rhetoric Will, Wash. Post (Aug 01 2023) (g
 should limit voters access to the defendant
 their ballots. (g'o) ; A. J. S. Willett, Wash. Post
 Post (Sept. 19, 2023)

Thoughtful raises A 1 560, 16 A 1, 7, 8 14 A 6 2 3
 the district court's amendment rights of
 no meaningful consideration. The court
 the district court's error is reversible error.
 A 4 A 6 2 3 That is reversible error.

5. The Gag Order imposes a classic

The Gag Order's unjustified threats "abridges
 A 4 4 74 8 A 6 2 3 A 6 5 A 7 1 A 8 2 The court does not
 does not contend, that any of these
 "fighting words" is inimical to the
 Counterman, v. O'Connell, 600 U.S. 666, 73 b (2023) U.S.

444, 447 The Gag Order restricts
solved by the

This is a classic heckler's veto, w
for under the First Amendment
danger that a publicist react with
Louisiana U.S. 131, 133 n.1 (1966) (opi
answer is that constitutional rights ma
their assertion
up) (Edwards v. South Carolina, 379 U.S. 167, 175 (1964))
of Memphis, Tenn. v. City of Memphis, 476 U.S. 54 (1986); see also
Movement v. City of Los Angeles, 431 U.S. 413 (1977) ("Speech cannot be
simply because of the
F.2d 746, 754 (7th Cir. 1972)

"The Government may not insulate a
discrimination by tying censors
v. Taibbi, 582 U.S. 218, 250 (2017) (Kennedy,
the judgment). "Indeed, a speech burd
government hostility and
Gag Order does

6. The Gag Order shields public criticism.

Further, the Gag Order infringes on the First Amendment rights of the Special Prosecutor and the public. The Special Prosecutor is not a "witness" in the criminal case, and the gag order does not protect the integrity of the trial. The gag order also shields the Special Prosecutor from public criticism.

Any government official with an independent interest in the qualification of a prosecutor is not a "witness" and is not shielded from public criticism. The gag order is an unconstitutional restraint on the public's right to know and to criticize government officials. The gag order is also an unconstitutional restraint on the press's right to report on government activities.

Particularly offensive words. <https://www.foxnews.com/politics/2020/01/16/pence-attacks-trump>
 President Trump from "treasonous" Vice President
 Pence and Attorney General. He attacked him and his
 Presidency prevents him from responding.
 made inflammatory public comments about
 evidence not confidential. <https://www.foxnews.com/politics/2020/01/16/pence-attacks-trump>
 "has no such authority" debate effort
 requiring the other to follow. <https://www.foxnews.com/politics/2020/01/16/pence-attacks-trump>
 Paul 505 U.S. 237, 92391

7. The Gag Order forbids discrimination

By forbidding speech that "target[s]
 prohibited (vague) and distinguished a <https://www.foxnews.com/politics/2020/01/16/pence-attacks-trump>
 Matale, v. The Supreme Court to highlight the
 "disparaging" speech constitutes <https://www.foxnews.com/politics/2020/01/16/pence-attacks-trump>
 24 § 2017) (plurality opinion) "prohibition of
 discrimination of speech suppression so
 rigorous constitutionally (Kieserling, J., con-
 concurring in the judgment). To prohibit
 Government's disapproval of a <https://www.foxnews.com/politics/2020/01/16/pence-attacks-trump>

essence of viewpoint discrimination; and that it is in violation of the First Amendment." at 92

The Gag Order violates these principles.

B. The Gag Order Cannot Withstand Any

1. The proffered justifications are unpersuasive

First, the proffered justifications are unpersuasive. President Trump's speech would serve any important governmental interest that would justify the gagging of a pending criminal prosecution of demonstrating, in advance of trial, the defendant's bias. Nebraska, 427 U.S. 549. This "highly biased and prejudicial" evidence in the record is lacking in any way. Nebraska, 427 U.S. 549. The Supreme Court has held that a gag order is unconstitutional under the First Amendment. Nebraska, 427 U.S. 549. Nebraska, 427 U.S. 549. Nebraska, 427 U.S. 549.

By the time the Gag Order was issued, it had been in effect for three months, and it was clear that Trump had provided examples of public statements that were not protected by the First Amendment. Nebraska, 427 U.S. 549. Nebraska, 427 U.S. 549. Nebraska, 427 U.S. 549. However, it did not prohibit any speech that was not protected by the First Amendment. Nebraska, 427 U.S. 549. Nebraska, 427 U.S. 549. Nebraska, 427 U.S. 549. Like Nebraska, it did not produce any evidence that it threatened or intimidated anyone. Nebraska, 427 U.S. 549. Nebraska, 427 U.S. 549. Nebraska, 427 U.S. 549.

during three months of President Trump's
A 1 4406; -A 1 9 0

Instead, prosecution relied on a hand-
of A.1 3379 When asked about the evidence, the pro-
admitted, "of course." Appellate judges are not
based on Nebraska, 427 S.W.2d 569, 571 (Mo. 1964),
by President Trump's behavior, the prosecution
IA5—the prosecution failed to submit evi-

2. The Gag Order is inordinately

Moreover, the Gag Order is sweeping in
any tailoring analysis.

First, the Gag Order did not require the
See Nebraska, 427 S.W.2d 562. As to prosecution's
on this issue, and the district court's
recital. As Nebraska Press, 413 U.S. 323 (1973),
alternative measures would be sufficient.
record is lacking in evidence to support

This deficiency is starkest with re-
delaying the trial and prejudicing the
reasonable likelihood that prejudicial

judge should continue...t 5 he p p a 3 8 4 1 1 6 . 3 5 . t h
 Yet the district court t h i a s e a g l o A 2 3 4 s t e i y v e e
 a l A 6 9 8 2

Fur t h e m o G a g O r d e r f a n a l l b y e s c i a s u y s e t a i i t l o r w e
 v a s m o u o f f i s r s t A p e r m o d n e c n t e d s p e e c h t h a t p o s
 t h e a d m i n i s t r a t i o n t o f e j O s g i O e d e r i s o v e
 o n n a i m p e r m i c s k l i e b r l ' e s S u p r a t . H e t o r p y . o h i b i t s s
 c r i t i c i z i n g m a j o r p a r t o f t h e P r o c e s s i d g e u r t e s i t u m p s r o
 B a r r e r d e h w h o d e l i b e r a t e l y . S i u n p i a t r e t . T h e A a t 6 e
 G a g O f r o d r e b r i d s p u b l i c c r i t i c i s e m o f f h o t u n g e h S
 o p e r a t i o n s u r d f s t a m e d t h e j u d i c i a l c o n d u c t
 p u b l i c , t o a c c e r s u g c u h a r s d p e e a c g h a i " n s t t h e m i s c
 s u b j e c t r i o n s g e . c . t o b o e x t e n s i v e p u b l i c a n d m a r k e t i n
 C o m m s , n 4 3 5 U . S . S i t e p , p a 3 8 4 (4 q u l b . t 5 i m e g a G a 3 5 0) d
 p r o h i b i t s a l l s t a t e m e n t s t h a t " t a r g e t "
 t h a t r e f i e r s y a t y s e d h i e m f a r r a t h i l s . O s t h e a n t i t h
 t a i l o r i n g .

C. The Gag Order Is Incurably Vague.

" [t]a[n]dards of permissible statutory
 e x p r e s s i a n d t h e S u p r e m e t C o u r t e s t a b l i s h e d t h a t h

constitutionally protect the First Amendment rights of the public. 415, 432 (1196) v. Mayor & Council of 4125 of U.S. 610, B 201 1, 97462) 4/ a U. e. So. (p1e, r 7c7u r(i 1a9m7) 6)

The Georgia Constitution, in its original meaning, is not a "mark to shoot at someone marked for attack," "a goal to criticism," or "something or someone to another meaning." Webster Online, at <http://www.webster.com/dictionary/> that refers to "a target or a mark to shoot at." (3) statement "ridiculous" or "ridiculous" statement that a person can be without direct reference to the person. See, e.g., *Pratt v. U.S.*, 568 (holding "the First Amendment is not unconstitutionally vague").

In *Pratt v. U.S.*, the Supreme Court held that the statements matching each of the definitions could pose a substantial risk to the First Amendment. Those "that could result

immediate risk' to 'the A 298 through City Ord etrh
boils down to an order directing pge Per et s c
"a significant and immediate." A 298. to th

This "claim is a relative. Asgrasse crad et r t
simp by mand ar" by eto the omp wa a vial h p etenti a
subj d et giav e s Stean, Barr dt. on v. City 178 Be 3 de 1
12 Q 111 th Ci The t h r e a r) arbitrary and d inscri
such ias c p a l e p a y h e d v. Ci t y 0 8 o f U. S. C. (109, 7d21) O

The Gag Order suffers from F oort he ex r a m p a l g e
it prohibits statements that "target ..
substance of A 3 h e i f c a t e s t i m o n y g e s m i f l d i i c r
and the universe of "reasonably by to f a d l r y a s n e d e
i n d e t e r m i n e . w o r s e i s t h e r e s t r i c t i o n
s u b s t a n c e i s o f i m o n y , " a c a t e g o r y t h a t i s
a d v a n c e p o t t e r n i A a l s . u c h r e s t r i c t i o n s p e c m e s e b
e n f o r c e m e n t s i . g e a d h o c a n d s u b j e a t y i n e 4 0 8 a p
U. S. at 109.

III The Remaining Equitable Factors Favor

The remaining equitable factors favor a stay

" The loss of First Amendment minimal periods of time, unquestionably U.S. Presidents have shown of likelihood of establishes irreparably and 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

The balancing of the potential harm to the government of course this prejudice Government injury from respecting the First Amendment million Americans.

This factor is always if not for Tex. Ethics Commission, 535, A 519 (5th Cir. 2001) public interest to prevent violation of Nashville, Inc. v. Metro., 274 F.3d 871 (6th Cir. 2001)

CONCLUSION

The Court should stay the Gagn Order as requested by Trump's counsel. It is respectfully requested that the Court enter a stay pending resolution of the matter. President Trump's request for an administrative stay is hereby submitted to the Court.

Date: November 2, 2023. Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing to be filed by the Court's operation of the Court's electronic filing system entered in the case.

/s/ D. John

C E R T I F I C A T E O F C O M P L I A N C E

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/s/ D. John Sauer
D. John Sauer

CERTIFICATE OF PARTIES AND

The parties in the district court in
President Donald J. Trump. The administrative
curiae

/s/ D. John

DISCLOSURE STATEMENT

No Disclosure Statement of Appellate Pa
under Circuit Rule 26.1 is indicated,
entity.

/s/ D. John