

No. 21-

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IN THE  
**Supreme Court of the United States**

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DONALD J. TRUMP, IN HIS CAPACITY AS THE 45TH  
PRESIDENT OF THE UNITED STATES,

*Petitioner,*

*v.*

BENNIE G. THOMPSON, IN HIS OFFICIAL  
CAPACITY AS CHAIRMAN OF THE UNITED STATES  
HOUSE SELECT COMMITTEE TO INVESTIGATE  
THE JANUARY 6TH ATTACK ON THE UNITED  
STATES CAPITOL, *et al.*,

*Respondents.*

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ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED  
STATES COURT OF APPEALS FOR THE DC CIRCUIT

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**PETITION FOR A WRIT OF CERTIORARI**

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## **QUESTION PRESENTED**

The United States House of Representatives' Select Committee to Investigate the January 6th Attack on the United States Capitol issued a "sweeping" request, seeking many of President Trump's confidential presidential records. The request implicates important constitutional and statutory concerns arising from the Presidential Records Act, separation of powers, and executive privilege. Nevertheless, the Biden Administration now seeks to produce those records to the Committee, and will do so, absent court intervention.

The question presented is:

Whether the Committee's records request violates the Constitution or laws of the United States entitling President Trump to a preliminary injunction prohibiting production of the records to the Committee.

**PARTIES TO THE PROCEEDING AND RELATED PROCEEDINGS**

The parties to the proceeding below are as follows:

Petitioner is Donald J. Trump, in his capacity as the 45<sup>th</sup> President of the United States. He was the plaintiff in the district court and appellant in the court of appeals.

Respondents are Bennie G. Thompson, in his capacity as Chairman of the United States House Select Committee to Investigate the January 6th Attack on the United States Capitol; the United States House Select Committee to Investigate the January 6th Attack on the United States Capitol; David Ferriero, in his capacity as Archivist of the United States; and the National Archives and Records Administration.

The related proceedings below are:

1. *Donald J. Trump v. Bennie G. Thompson, et al.*, No. 21-cv-2769 (TSC) (D.D.C.) – Order denying preliminary injunction entered on November 9, 2021; and
2. *Donald J. Trump v. Bennie G. Thompson, et al.*, No. 21-5254 (D.C. Cir.) – Judgment entered on December 9, 2021.

**TABLE OF CONTENTS**

	<i>Page</i>
QUESTION PRESENTED .....	i
PARTIES TO THE PROCEEDING AND RELATED PROCEEDINGS .....	ii
TABLE OF CONTENTS.....	iii
TABLE OF APPENDICES .....	v
TABLE OF CITED AUTHORITIES .....	vi
OPINIONS BELOW.....	1
JURISDICTION.....	1
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	1
INTRODUCTION.....	2
STATEMENT.....	6
I. Background .....	6
II. Proceedings Below .....	10
REASONS FOR GRANTING THE PETITION.....	11

*Table of Contents*

	<i>Page</i>
I. The Committee’s request raises novel and important questions of law that the Court should resolve.....	12
II. The Committee’s request is facially invalid ...	15
A. The Presidential Records Act, its implementing regulations, and constitutional separation of powers all require a legislative purpose and the absence of alternatives prior to requesting presidential records .....	15
B. The request violates this Court’s <i>Mazars</i> decision and the Separation of Powers .....	19
C. The records at issue are protected by executive privilege and the Committee has not made a sufficient showing of need to invade that privilege .....	22
D. The equitable injunctive factors favor President Trump and weigh heavily in favor of review by the Court.....	28
III. This case presents an appropriate vehicle to resolve these weighty issues .....	33
CONCLUSION .....	34

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