AN OPEN LETTER TO THE HONORABLE D. JOHN SAUER, U.S. SOLICITOR GENERAL

Justice for the Brunson Case Demands Your Attention and Action

The Honorable D. John Sauer
Solicitor General of the United States
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Re: Urgent Request for Constitutional Review and Action — Brunson v. Adams, et al., Supreme Court Case No. 22-1028

Dear Solicitor General Sauer,

I write to you today regarding a matter of profound constitutional importance, national interest, and the fair administration of justice: the historic civil action brought by Loy Brunson in *Brunson v. Adams, et al*.

This matter addresses the verification of underlying votes accuracy and lawfulness before certifying the election.

As the nation's chief advocate before the Supreme Court, you occupy a position of extraordinary responsibility and influence. Your distinguished appellate record, including your successful advocacy in the landmark presidential immunity case, demonstrates your understanding of constitutional boundaries and the importance of holding government institutions to their lawful responsibilities.

Today, we urgently call upon you to bring that experience and constitutional commitment to the unresolved questions raised by the Brunson case.

At the heart of this case lies a fundamental question that every American deserves to have answered: **What legal remedies exist when public officials are alleged to have violated their sworn duty to protect and defend the Constitution against all enemies, foreign and domestic?**

The Brunson petition raised serious allegations concerning the failure of elected officials to investigate claims of election fraud and whether such failures constituted breaches of their constitutional oaths. The petitioners contend that these alleged failures carry consequences extending beyond ordinary political disputes, potentially implicating the integrity of our constitutional system and the security of our Republic.

The gravity of these concerns has attracted substantial public attention. President Donald Trump also drew attention to the case through his Truth Social platform, amplifying arguments that the alleged subversion of a presidential election could have consequences comparable to an act of war against the United States.

The Supreme Court received Brunson's petition for a writ of certiorari before judgment, a procedure governed by Rule 11 and reserved for cases presenting questions of imperative

public importance that justify immediate review. Although the Court denied the petition on June 26, 2023, the constitutional questions raised by the petitioner did not receive a substantive ruling.

Of particular concern is the Court's subsequent denial of rehearing on August 21, 2023.

When the Supreme Court denied the petition for rehearing on that date, the Court was in its customary summer recess. Supporters of the Brunson case have raised serious concerns that, because of this timing, Loy Brunson may not have received the full-bench "second conference" they believe such an important case warranted. Although the docket records that the rehearing petition was distributed on July 27, 2023, it does not publicly explain the precise manner in which the Justices considered the petition before denying rehearing.

This has left a significant procedural question in the minds of concerned Americans: **Was the petition afforded every consideration required under the Court's rules, and did the rehearing process provide the thorough judicial review that a matter of such claimed national importance deserved?**

We recognize that the Supreme Court's rules do not automatically guarantee a second conference or a hearing on the merits. Nevertheless, the circumstances surrounding the August 2023 denial deserve careful examination, particularly given the constitutional implications asserted by the petitioner.

Solicitor General Sauer, the American people are not asking for a guaranteed verdict. They are asking for confidence that serious constitutional allegations have received fair consideration and that the mechanisms designed to uphold the Constitution have been faithfully applied.

We urgently call upon your office to review the Brunson case, examine the circumstances of the August 21, 2023, rehearing denial, and determine whether a lawful basis exists to seek renewed consideration before the Supreme Court.

When the Supreme Court denied the subsequent petition for rehearing on August 21, 2023, the members of the Court were historically on their summer vacation recess. Because of this timing, Loy Brunson believes he never received the legitimate, full-bench "second conference" that a case docketed under such an imperative rule inherently requires. It was effectively dismissed while the bench was away, leaving a massive constitutional question unanswered and tens of millions of citizens feeling unheard.

Should traditional judicial avenues prove unavailable, we further urge your office to examine every other lawful federal mechanism capable of addressing substantiated violations of constitutional obligations.

The allegations raised in the Brunson case have been characterized by its supporters as matters of national security. If credible evidence establishes conduct that threatens the constitutional order or violates federal law, such conduct must not be ignored merely because one avenue of judicial review has been exhausted.

We therefore ask your office to evaluate whether referral to appropriate federal investigative or national-security authorities is warranted. This examination should include whether any

applicable military-justice authority exists under federal law, while fully respecting the constitutional limitations governing military jurisdiction over civilians.

No public official should be beyond lawful accountability, and no credible allegation of a serious constitutional violation should be dismissed without appropriate consideration simply because the legal questions are difficult or politically sensitive.

Your office possesses the experience, institutional authority, and responsibility to evaluate these issues and identify any lawful path forward. We ask you to exercise that responsibility with the urgency and seriousness that constitutional accountability demands.

The American people deserve answers. They deserve confidence that their elected representatives remain bound by their oaths of office, that constitutional protections are more than ceremonial promises, and that our institutions will respond appropriately when serious allegations are presented.

Solicitor General Sauer, **we respectfully but urgently request that you review this matter, determine what lawful remedies remain available, and take appropriate action within the authority of your office.**

The integrity of our constitutional framework, the accountability of public officials, and the public's confidence in the rule of law are too important to leave these questions unexamined.

Thank you for your service to our nation and your attention to this urgent matter.

Respectfully submitted,

Name: **Date:**

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Signature