

IN THE SUPREME COURT OF THE UNITED STATES

No. 22A283

DONALD J. TRUMP, APPLICANT

v.

UNITED STATES OF AMERICA

RESPONSE IN OPPOSITION TO THE
APPLICATION TO VACATE IN PART THE PARTIAL STAY
ISSUED BY THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

The Solicitor General respectfully files this response in opposition to the application for a partial vacatur of the Eleventh Circuit's order partially staying the September 5, 2022 order of the United States District Court for the Southern District of Florida.

This application concerns an unprecedented order by the district court restricting the Executive Branch's use of its own highly classified records in an ongoing criminal investigation and directing the dissemination of those records outside the Executive Branch for a special-master review. In August 2022, the government obtained a warrant to search the residence of applicant, former President Donald J. Trump, based on a judicial finding of probable cause to believe that the search would reveal evidence of crimes, including wrongful retention of documents and information relating to the national defense as well as obstruction of justice. Among