

Per Curiam

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SUPREME COURT OF THE UNITED STATES

No. 04–04

IN RE HUNTER_HEIKLER

ON WRIT OF CERTIORARI TO THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF COLUMBIA

[July 29, 2022]

PER CURIAM.

EX:20220729-001 is hereby overruled. It is not the role of a court of law to overturn elections within a political branch. Separation of powers exists for a reason. Our Constitution is explicit when it says that the House of Representatives is responsible for choosing its officers. Our Constitution does not permit the judicial branch to evaluate the specifics of this particular responsibility reserved for the House of Representatives. There are specific provisions within our Constitution to which the power of one branch is limited to only that branch and neither of its fellow branches may take part in those affairs.

Our understanding of the political question doctrine has remained consistent since *Marbury v. Madison*, 5 U. S. (1 Cranch) 137 (1803)—where the phrase of a “political question” first arise.

Baker v. Carr, 369 U. S. 186 (1962) laid out six characteristics: (1) “a textually demonstrable constitutional commitment of the issue to a coordinate political department; or (2) a lack of judicially discoverable and manageable standards for resolving it; (3) the impossibility of deciding it without

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an initial policy determination of a kind clearly for nonjudicial discretion; or (4) the impossibility of a court's undertaking independent resolution without expressing lack of the respect due coordinate branches of government; or (5) an unusual need for unquestioning adherence to a political decision already made; or (6) the potentiality of embarrassment from multifarious pronouncements by various departments on one question." *Ibid.* For example, the impeachment power—something “solely” reserved to the legislative branch—cannot be reviewed by a court of law. See *Nixon v. United States*, 506 U. S. 224 (1993).

Therefore, we find that Mr. Heikler is not the Speaker of the House of Representatives, the order of the lower court saying such is overridden, and Mr. Chinatown3 shall remain as Speaker of the House.

In the meantime, all of the duties of Chief Judge George Boldt shall be paused while our Court engages in an ethical review of his actions, pending further actions. Chief Judge Boldt is hereby suspended from judicial duties.

It is so ordered.