

Appellate Court Administrator
Appellate Court Records
Court of Appeals
Supreme Court Building
1163 State Street NE
Salem, Oregon 97301

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State Court Administrator
MAY 15 2025
— Supreme Court
— Court of Appeals

Re: Donice Noelle Smith v. Christine Kotek, SC No. So71902

To whom it may concern:

I, **Desmond Bellard**, am a citizen of Oregon with express interest in representation from Oregon Governor's office. I understand the burden of proof is on Christine Kotek; see *State ex rel. Brewster v. Ostrander*, 212 Or. 17, 318 P.2d 283 (1957) (Burden of proof for oust and induction considered separately, burden of proof shifts to [Respondent] for oust, burden of proof on [Petitioner] for oust is of nominal public interest.). I recognize this matter is an emergency motion filed under ORAP 7.35. I agree that this constitutional crisis is a time-sensitive issue of major public importance.

I hereby instruct this court to conclusively resolve all legal issues of first impression; see e.g. *State v. Johnson*, 329 Or. App. 57, 63, 540 P3d 73 (2023) ("To conclusively resolve this legal issue of first impression, we would have to engage in an in-depth analysis of statutory text, context, and legislative history...")

2025-05-07

__s/__Desmond Bellard
797 SE 199th Ave
Portland, OR 97233

CC:

Donice Noelle Smith via email
Benjamin Gutman via online portal or USPS
Harmeet Dhillon via usps

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