



Written by [James Murphy](#) on December 20, 2023

Colorado Supreme Court Disqualifies Trump From State's Ballot

Late Tuesday afternoon, the Colorado Supreme Court voted 4-3 to disqualify former president Donald Trump from the ballot in the 2024 presidential election. The Court ruled that Trump had engaged in an insurrection despite the fact that the former president has not been convicted of any insurrection-related crime.

In November, Colorado judge Sarah Wallace [ruled](#) that Trump did not meet the requirements for disqualification under the 14th Amendment since he was not currently an "officer of the United States." The state's Supreme Court disagreed, ruling that Trump was disqualified because of the 14th Amendment's ban on insurrectionists from running for office.



AP Images

The [ruling](#) has been placed on hold pending Trump's appeal to the U.S. Supreme Court. The coming ruling should settle the matter of whether Trump is allowed to run or not for the entire nation.

"President Trump did not merely incite the insurrection," the majority wrote in their opinion. "Even when the siege on the Capitol was fully underway, he continued to support it by repeatedly demanding that Vice President Pence refuse to perform his constitutional duty and by calling Senators to persuade them to stop the counting of electoral votes. These actions constituted overt, voluntary, and direct participation in the insurrection."

The four justices who voted to disqualify Trump from the ballot were Richard L. Gabriel; Melissa Hart; Monica M. Márquez; and William W. Hood, III. All seven of Colorado's Supreme Court justices were appointed by Democrat governors.

"We conclude that the foregoing evidence, the great bulk of which was undisputed at trial, established that President Trump engaged in insurrection," the majority opinion concluded. "President Trump's direct and express efforts, over several months, exhorting his supporters to march to the Capitol to prevent what he falsely characterized as an alleged fraud on the people of this country were indisputably overt and voluntary."

Chief Justice Brian Boatright disagreed, saying that Colorado's election law "was not enacted to decide whether a candidate engaged in insurrection."

"In the absence of an insurrection-related conviction, I would hold that a request to disqualify a candidate under Section Three of the Fourteenth Amendment is not a proper cause of action under Colorado's election code," Boatright concluded.

The Trump campaign responded quickly to the news.



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“Democrat Party leaders are in a state of paranoia over the growing, dominant lead President Trump has amassed in the polls. They have lost faith in the failed Biden presidency and are now doing everything they can to stop the American voters from throwing them out of office next November,” said campaign spokesman Steven Cheung.

“The Colorado Supreme Court issued a completely flawed decision tonight and we will swiftly file an appeal to the United States Supreme Court and a concurrent request for a stay of this deeply undemocratic decision. We have full confidence that the U.S. Supreme Court will quickly rule in our favor and finally put an end to these unAmerican lawsuits,” Cheung added.

The plaintiffs, of course, disagreed.

“The court’s decision today affirms what our clients alleged in this lawsuit: that Donald Trump is an insurrectionist who disqualified himself from office under Section 3 of the 14th Amendment based on his role in the January 6th attack on the Capitol,” said Noah Bookbinder of Citizens for Responsibility and Ethics in Washington (CREW), the group who brought the suit. “Our Constitution clearly states that those who violate their oath by attacking our democracy are barred from serving in government.”

Trump responded to the news in a [post](#) on Truth Social:

“So, now we have reached a point when a President of the United States has WEAPONIZED the Department of Justice as though we were a Third World Country,” Trump wrote. “They don’t want to run against me, and never have. I am leading in the Polls, by a lot, and based on the results of the failed Biden Administration, this will continue.”

“‘Justice’ Weaponization is a very dirty game to play, and it can have repercussions far greater than anything that Biden or his Thugs could understand,” Trump noted. “This is a Pandora’s Box, that works two ways, and it should be closed and tightly sealed RIGHT NOW.”

Texas Congressman Troy Nehls, a Republican, called out the Colorado judges on X.

“The Colorado Supreme Court has removed President Trump from the ballot under the 14th Amendment. These justices are a disgrace to our country. The court’s ruling is just more election interference,” Nehls posted. “America stands with President Trump.”

While the story surely isn’t over as the U.S. Supreme Court is certain to have an opinion on the matter, the Colorado Court’s action is unprecedented. Insurrection is a specific crime of which Trump has never been convicted. It’s a shaky reason on which to disqualify the most popular candidate in either party less than a year from the election. In fact, as [The New American has pointed out](#), Trump’s actions on January 6, 2021 do not even meet the criteria listed in Article 3 of the 14th Amendment that would disqualify him from running.



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