

# Courts Reject Lawsuit By Representative Gohmert Contesting Constitutionality of Electoral Count Act

01/12/21



In a bid to authorize Vice President Michael Pence to disregard electoral votes for President-Elect Joseph Biden and Vice President-Elect Kamala Harris, Representative Louis Gohmert sued to contest the constitutionality of the Electoral Count Act, which governs how Electoral College votes are counted by Congress.

Selendy & Gay served as co-counsel to the U.S. House of Representatives in an *amicus curiae* brief opposing the lawsuit. The federal district court dismissed the action for lack of jurisdiction, and the U.S. Court of Appeals for the Fifth Circuit affirmed that ruling.

The Selendy & Gay team includes Caitlin Halligan, Sam Breidbart, Adam Hersh, and Max Siegel.

## Practices

- Appellate
- Public Interest and Pro Bono