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NELVIN C. CEPEDA U-T

A statue of 19th century real estate developer Alonzo Horton stands outside the construction fence as work continues on the former Horton Plaza shopping mall in downtown San Diego. Its replacement, Campus at Horton, is expected to open in October.

COURT TO RULE ON TRUMP BALLOT QUESTION

Justices to determine whether Colo. ruling on eligibility stands

BY ADAM LIPTAK

WASHINGTON

The Supreme Court agreed Friday to decide whether former President Donald Trump is eligible for Colorado's Republican primary ballot, thrusting the justices into a pivotal role that could alter the course of this year's presidential election.

The sweep of the court's ruling is likely to be broad. It will probably resolve not only whether Trump may appear on the Colorado primary ballot after the state's top court declared that he had engaged in insurrection in his efforts to subvert the 2020 election, but it will most likely also determine his eligibility to run in the general election and to hold office at all.

Not since Bush v. Gore, the 2000 decision that handed the presidency to George W. Bush, has the Supreme Court taken such a central role in an election for the nation's highest office.

The case will be argued Feb. 8, and the court will probably decide it quickly. The Colorado Republican Party had urged the justices to rule by March 5, when many states, including Colorado, hold primaries.

The number of challenges to Trump's eligibility across the country can only have added pressure on the court to hear the Colorado case, as they underscored the need for a nationwide resolution of the question.

The case is one of several involving or affecting Trump on the court's docket or on the horizon. An appeals court will hear arguments Tuesday on whether he has absolute immunity from prosecution, and the losing side is all but certain to appeal. And the court has already said that it will rule on the scope of a central charge in the federal election-interference case in a decision expected by June.

Trump asked the Supreme Court to intervene after Colorado's top court disqualified him from the ballot last month. That decision is on hold while the justices consider the matter.

Jena Griswold, Colorado's secretary of state, urged the Supreme Court to act fast.

"Coloradans, and the American people, deserve clarity on whether someone who engaged in insurrection may run for the country's highest office," she said in a statement.

Trump acknowledged the court's decision to hear the case at a rally Friday in Sioux Center, Iowa, saying he hoped the justices would fairly interpret the law. "All I want is fair; I fought really hard to get three very, very good people in," he said, referring to his appointees. He added, "And I just hope that they're going to be fair because, you know, the other side

SEE COURT • A5

HORTON PLAZA DEVELOPER PLANS 40-STORY TOWERS

Property owner Stockdale Capital to build two high-rises with total of 850 apartments

BY JENNIFER VAN GROVE

The developer remaking Horton Plaza mall into a mixed-use office campus has unveiled plans to erect two 420-foot-tall residential skyscrapers on the 10-acre property between First and Fourth avenues in the heart of downtown San Diego.

Last month, real estate investment firm Stockdale Capital Partners announced that it expects to break ground on a 40-story tower with 518 apartments and ground-floor retail at the site of the former Macy's store in the second quarter of 2025. Completion is anticipated in late 2027.

The developer said it is also looking to build a second 40-story tower with 332 apartments on a surface parking lot along G Street, although its timing depends on

market dynamics.

The residential endeavor comes as the developer prepares to open its long-awaited Campus at Horton in October.

"We had always anticipated doing some towers as we moved through the first phase of Horton, which is now being completed with some tenancy," said Dan Michaels, who is Stockdale's managing director. "The idea is, OK, this project will be wrapped up in terms of construction. It's finally starting to take form, and tenants will start building out space in 2024. So now we're in the planning phase with the ability to put shovels in the ground in 2025 and deliver 800-plus units across the Macy's site and the site in the back of the property."

Michaels declined to share the SEE HORTON • A6



STOCKDALE CAPITAL PARTNERS

A rendering of the 40-story residential tower planned for the former Macy's store at Horton Plaza.

TRANSIT-RELATED TAX HIKE MAKES BALLOT

Voters to decide on half-cent bump for bus, rail, road improvements

BY PHIL DIEHL

A half-cent sales tax increase to help pay for road repairs, carpool lanes, and expanded bus and rail transportation in San Diego County has qualified for the Nov. 5 ballot.

The San Diego County Registrar of Voters this week validated more than 127,000 of the almost

173,000 signatures submitted, exceeding the required minimum of 113,215 valid signatures to qualify the initiative.

"After more than two years of organizing, Environmental Health Coalition, transit riders, and community advocates are proud the transit measure will be on the 2024 ballot," Carolina Martinez, Climate Justice campaign director, said in a news release Friday.

"Currently, 70 percent of jobs are not reachable by public transit," she said. "This forces San Diegans into congested streets and

highways, which are leading contributors to climate change and air pollution in the San Diego region.

"By increasing service, frequency and access, the measure will help build our economy, clean our air and achieve our climate goals," Martinez said.

If approved by voters, the so-called "Measure to Fund San Diego County Transportation, Infrastructure, and Safety Projects Through a Half-Cent Sales Tax" would help pay for shoring up the crumbling coastal railroad route that is the only connection for

freight and passenger trains between San Diego and Los Angeles.

It also would create thousands of jobs and help pay for a proposed rail connection to San Diego's airport, safety improvements for bridges, sidewalks and bike lanes, and to ensure transit passes are available for seniors, young people and the disabled.

The measure would provide millions of dollars annually for the San Diego Association of Governments, or SANDAG, the region's top transportation and planning agency. SANDAG has laid out an

SEE TAX • A6

A LITTLE CHILL IN THE AIR

Lauren Martin of San Diego enjoys a book — and the sunshine — at Kate Sessions Park on Friday. Cooler weather is expected this weekend, with overnight lows dropping into the 30s in low-lying areas. Strong winds are likely along the coast and in the mountains and deserts. Story, B1.



MEG MCLAUGHLIN U-T

FAMILY OF ASHLI BABBITT FILES LAWSUIT OVER JAN. 6 SHOOTING

San Diego woman was killed by police officer during attack on Capitol

U-T NEWS SERVICES

WASHINGTON

The family of San Diegan Ashli Babbitt filed a \$30 million wrongful death lawsuit on Friday against the U.S. government, alleging a Capitol Police officer was negligent and did not have legal justification to shoot and kill her during the Jan. 6, 2021, attack on the U.S. Capitol.

The lawsuit, brought by the conservative group Judicial Watch on behalf of Babbitt's fam-

ily, takes aim at the officer who shot Babbitt, Michael Byrd, along with the Capitol Police for negligent supervision and training.

The lawsuit alleges Babbitt, a 35-year-old Air Force veteran, was "ambushed" by Byrd without "any warnings or commands."

The Justice Department declined to bring charges and the Capitol Police cleared Byrd, who has since been promoted to captain. The Capitol Police is not named as a defendant in the lawsuit, which was filed in U.S. District Court for the Southern District of California.

Babbitt was a pro-Trump rioter who stormed the Capitol during the Jan. 6, 2021, assault. Byrd fa-

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