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Honorable Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
Washington, D.C. 20543

Re: *Free Speech Coalition v. Paxton*, No. 23-1122: Notice of Supplemental Authority

Dear Mr. Harris:

Respondent submits this notice of supplemental authority respecting the issues addressed on pages 41 to 44 of Petitioners' merits brief and pages 42 to 47 of Respondent's merits brief.

In *Free Speech Coalition v. Skremetti*, No. 24-6158 (6th Cir. Jan. 13, 2025) (attached), the Sixth Circuit stayed a preliminary injunction facially enjoining enforcement of Tennessee's age-verification law—a law that mirrors Texas's H.B. 1181 in material respects. As that court explained, although children in the brick-and-mortar world “can't buy cigarettes or alcohol, much less visit a strip club,” the “online” world has become the “Wild West, [where] anything goes for anyone of any age.” *Id.* at 3. This discrepancy has had “devastating effects” on kids, who are exposed to videos of “child rapes, revenge pornography, spy cam videos of women showering, racist and misogynist content, and footage of women being asphyxiated in plastic bags.” *Id.* at 2 (quoting Nicholas Kristof, *The Children of Pornhub*, N.Y. Times (Dec. 4, 2020)). Tennessee, like Texas and 17 additional States, accordingly has imposed an age-verification requirement.

A district court facially enjoined enforcement of Tennessee's requirement. The Sixth Circuit, however, concluded that such extraordinary relief cannot be reconciled with *Moody v. NetChoice, LLC*, 603 U.S. 707 (2024), and *United States v. Hansen*, 599 U.S. 762 (2023), and that the remaining preliminary-injunction factors also do not support it. The Sixth Circuit's analysis confirms that the Fifth Circuit correctly stayed the district court's facial injunction barring enforcement of H.B. 1181.

Respectfully submitted,

/s/ Aaron L. Nielson  
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cc: Derek L. Shaffer