

In the Supreme Court of the United States

NANCY LANDRY,
IN HER OFFICIAL CAPACITY AS THE
LOUISIANA SECRETARY OF STATE, ET AL.,
Applicants,

v.

PHILLIP CALLAIS, ET AL.,
Respondents.

**JOINT APPLICATION TO EXTEND TIME TO FILE
JURISDICTIONAL STATEMENTS**

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To the Honorable Samuel A. Alito, Jr., as Circuit Justice for the United States Court of Appeals for the Fifth Circuit:

Nancy Landry, in her official capacity as the Louisiana Secretary of State; the State of Louisiana; Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, National Association for the Advancement of Colored People Louisiana State Conference, and Power Coalition for Equity and Justice (the *Robinson* Intervenors); and Edward Galmon, Sr., Ciara Hart, Norris Henderson, Tramelle Howard, and Ross Williams (the *Galmon* Intervenors) respectfully request that the Court (a) align the current deadlines to file jurisdictional statements to review the district court's Injunction and Reasons for Judgment issued April 30, 2024 (Ex. A), and (b) establish a uniform deadline of August 7, 2024. This would be 30 days from the Secretary's and the State's current July 8 deadline, 37 days from the *Robinson* Intervenors' current July 1 deadline, and 10 days from the *Galmon* Intervenors' current July 29 deadline. In accordance with this Court's Rules 18.3, 30.2, and 30.3, this application is filed at least 10 days before any of the three jurisdictional statements is due. And the Court has jurisdiction under 28 U.S.C. §§ 1253, 2101(b).

BACKGROUND

This case involves a constitutional challenge to Louisiana's congressional map as reflected in S.B. 8. The Secretary is the original named defendant; the State intervened as a defendant; the *Robinson* Intervenors likewise intervened as defendants; and the *Galmon* Intervenors were permitted to intervene as defendants after trial. Plaintiffs in this case assert—and a majority of the three-judge court below

agreed—that S.B. 8 is an unconstitutional racial gerrymander. On April 30, 2024, the district court issued its findings of fact and conclusions of law and “enjoined [the State] from using SB8 in any future elections.” Ex. A at 2. On applications from the Secretary, the State, and the *Robinson* Intervenors, this Court stayed the April 30 order on May 15, “pending the timely docketing of the appeal in this Court.” Order, *Robinson v. Callais*, No. 23A994 (U.S. May 15, 2024); Order, *Landry v. Callais*, No. 23A1002 (U.S. May 15, 2024).

At issue now are the divergent deadlines for Applicants to file their jurisdictional statements. The *Robinson* Intervenors filed their notice of appeal on May 1, which means their jurisdictional statement is currently due on July 1. *See* Ex. B; Sup. Ct. R. 18.3. The Secretary and the State filed their notice of appeal on May 8, which means their jurisdictional statement is currently due on July 8. *See* Ex. C. And the *Galmon* Intervenors filed their notice of appeal on May 30, which means their jurisdictional statement is currently due on July 29. *See* Ex. D.

REASONS FOR ALIGNING THE DEADLINES AND GRANTING AN EXTENSION OF TIME

Applicants respectfully request that the Court (a) align the current deadlines to file jurisdictional statements to review the district court’s Injunction and Reasons for Judgment issued April 30, 2024, and (b) establish a uniform deadline of August 7, 2024—30 days from the Secretary’s and the State’s current deadline.

Applicants make this request primarily to streamline proceedings for the parties and the Court. Aligning the deadlines will ensure that the three jurisdictional statements are docketed and distributed to the Court in parallel rather than

piecemeal over the course of a month (which would then lead to multiple, disjointed sets of response and reply briefing over the next two to four months). It will also give Plaintiffs the ability to file a joint response if they so wish, or at least responses filed in tandem. As a result, the Court will be able to consider and act upon the entirety of the jurisdictional-statement briefing in one pass.

Applicants also make this request due the press of heavy business conflicting with the current deadlines. That includes a brief in opposition to summary judgment in *McClure v. Jefferson County Commission*, No. 2:23-cv-00443-MHH (N.D. Ala.), due on July 3; a petition for writ of certiorari in *LeBlanc v. McNeal*, No. 23A1017 (U.S.), due on July 5; a brief in opposition to the petition for writ of certiorari in *Landor v. Louisiana Department of Corrections and Public Safety*, No. 23-1197 (U.S.), due on July 8; an appellee brief in *Ledet v. Louisiana*, No. 24-30277 (5th Cir.), due on July 11; and a reply brief in *Grace v. Hooper*, No. 24-30218 (5th Cir.), due on July 18.

For these reasons, there is good cause to (a) align the current deadlines to file jurisdictional statements to review the district court's Injunction and Reasons for Judgment issued April 30, 2024, and (b) establish a uniform deadline of August 7, 2024—30 days from the Secretary's and the State's current deadline. This relief will not prejudice Plaintiffs, given that the proposed alignment and schedule will give Plaintiffs the benefit of preparing their responses with knowledge of the full range of live issues. Moreover, Applicants would not oppose a similar 30-day extension for Plaintiffs if they so request. Plaintiffs nonetheless oppose this request.

Respectfully submitted,

/s/ J. Benjamin Aguiñaga

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