

**No. 25-1235**

---

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

---

FAREED H. HAYAT, an individual,

*Plaintiff-Appellant,*

v.

SGT. CASEY DIAZ, BROOKE DOLAN, NATHAN LENHART, individually and  
in official capacity; MARCUS G. JONES, in official capacity; MONTGOMERY  
COUNTY, MARYLAND, a municipal entity; NICOLE MIN, individually and in  
official capacity,

*Defendants-Appellees.*

---

On Appeal from the United States District Court  
for the District of Maryland at Greenbelt  
No. 8:20-cv-02994-LKG

---

**BRIEF OF AMICUS CURIAE JUVENILE LAW CENTER AND  
NATIONAL ASSOCIATION OF COUNSEL FOR CHILDREN IN SUPPORT  
OF APPELLANT'S PETITION FOR REHEARING EN BANC**

---

Karen U. Lindell  
3501 Sansom St.  
Philadelphia, PA, 19104  
(215) 898-8419  
lindellk@law.upenn.edu

Jessica R. Feierman  
Courtney M. Alexander  
Christine Lorica  
JUVENILE LAW CENTER  
1800 JFK Blvd., Ste. 1900B  
Philadelphia, PA 19103  
(215) 625-0551  
jfeierman@jlc.org  
calexander@jlc.org  
clorica@jlc.org

**Counsel for Amici Curiae**

## CORPORATE DISCLOSURE STATEMENT

Under Federal Rule of Appellate Procedure 26.1 and Fourth Circuit Local Rule 26.1(a)(2), Amici Curiae Juvenile Law Center and National Association of Counsel for Children (“NACC”) make the following disclosures:

1. Amici are not publicly held corporations or other publicly held entities;
2. Amici have no parent corporation(s);
3. There is no publicly held corporation or other publicly held entity that owns more than 10 percent of stock in Juvenile Law Center or NACC;
4. Amici are unaware of any publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of this litigation by reason of a franchise, lease, other profit-sharing agreement, insurance, or indemnity agreement.

/s/ Karen U. Lindell

Karen U. Lindell

TABLE OF CONTENTS

CORPORATE DISCLOSURE STATEMENT .....i

TABLE OF AUTHORITIES..... iii

IDENTITY AND INTEREST OF AMICUS CURIAE ..... 1

SUMMARY OF ARGUMENT.....2

ARGUMENT .....3

    I. Witnessing Violent Police Encounters Harms Children.....3

    II. Black Families and Other Families of Color Often Face Harsher  
        Scrutiny than Other Families, Deepening the Harm of Police  
        Intrusions.....6

    III. A Concern for Child Well-Being Cannot Automatically Constitute an  
        Exigent Circumstance that Allows for Warrantless Entry. ....8

CONCLUSION ..... 11

CERTIFICATE OF COMPLIANCE ..... 13

## TABLE OF AUTHORITIES

### Cases

|                                                                                                       |             |
|-------------------------------------------------------------------------------------------------------|-------------|
| <i>Case v. Montana</i> , 607 U.S. 107 (2026) .....                                                    | 10          |
| <i>Gates v. Texas Dept. of Protective &amp; Reg. Services</i> ,<br>537 F.3d 404 (5th Cir. 2008) ..... | 9           |
| <i>Hayat v. Diaz</i> , 188 F.4th 687 (4th Cir. 2026) .....                                            | 2, 6, 8, 10 |
| <i>Hayat v. Diaz</i> , 766 F. Supp. 3d 512 (D. Md. 2025) .....                                        | 8           |
| <i>Linicomn v. Hill</i> , 902 F.3d 529 (5th Cir. 2018) .....                                          | 9           |
| <i>Myers v. Patterson</i> , 819 F.3d 625 (2d Cir. 2016) .....                                         | 9, 10       |
| <i>Parkhurst v. Trapp</i> , 77 F.3d 707 (3d Cir. 1996) .....                                          | 9           |
| <i>Payton v. New York</i> , 445 U.S. 573 (1980) .....                                                 | 9, 11       |
| <i>Terry v. Ohio</i> , 392 U.S. 1 (1968) .....                                                        | 8           |
| <i>United States v. Gillespie</i> , 332 F. Supp. 2d 923 (W.D. Va. 2004) .....                         | 9           |

### Other Authorities

|                                                                                                                                                                                         |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Aaron Gottlieb & Robert Wilson, <i>The Effect of Direct and Vicarious Police Contact on the Educational Achievement of Urban Teens</i> , 103 Child. & Youth Serv. Rev. 190 (2019) ..... | 3, 4    |
| Allison Eck, <i>Psychological Damage Inflicted By Parent-Child Separation is Deep, Long-Lasting</i> , PBS: Nova Next (June 20, 2018) .....                                              | 4       |
| Children’s Rights & Columbia Law School Human Rights Institute, <i>Racial (In)justice in the U.S. Child Welfare System</i> (July 2022) .....                                            | 8       |
| Dylan B. Jackson et al., <i>Youth Mental Well-Being Following Witnessed Police Stops</i> , 99 J. Urb. Health 783, 785 (2022) .....                                                      | 3, 4    |
| Emma Ruth, upEND, <i>Regulating Families: How the Family Policing System Devastates Black, Indigenous, and Latinx Families and Upholds White Supremacy</i> (2022) .....                 | 6, 7, 8 |

|                                                                                                                                                                                                                                                                  |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Hyunil Kim et al., <i>Lifetime Prevalence of Investigating Child Maltreatment Among U.S. Children</i> , 107 Am. J. Pub. Health 274 (2014).....                                                                                                                   | 6    |
| Jeffrey A. Fagan & Amanda Geller, <i>Police Contact and the Legal Socialization of Urban Teens</i> , 5 Russell Sage Found. J. Soc. Sci. 26 (2019) .....                                                                                                          | 5    |
| Kent P. Hymel et al., <i>Racial and Ethnic Disparities and Bias in the Evaluation and Reporting of Abusive Head Trauma</i> , 198 J. Pediatrics 137 (2018) .....                                                                                                  | 7    |
| Keva M. Miller et al., <i>Individual and Systemic/Structural Bias in Child Welfare Decision Making: Implications for Children and Families of Color</i> , 35 Child. & Youth Serv. Rev. 1634, (2013) .....                                                        | 7    |
| Lawrence M. Berger, Marla McDaniel & Christina Paxson, <i>Assessing Parenting Behaviors Across Racial Groups: Implications for the Child Welfare System</i> , 79 Soc. Serv. Rev. 653 (2005).....                                                                 | 7    |
| Margaret M.C. Thomas, Jane Waldfogel & Ovita F. Williams, <i>Inequities in Child Protective Services Between Black and White Children</i> , 28 Child Maltreatment 42 (2023).....                                                                                 | 6, 7 |
| Michael J. McFarlanda, Amanda Gellerc & Cheryl McFarland, <i>Police Contact and Health Among Urban Adolescents: The Role of Perceived Injustice</i> 238 Soc. Sci. & Med. 1 (2019).....                                                                           | 3, 4 |
| Murray A. Straus & Carolyn J. Field, <i>Psychological Aggression by American Parents: National Data on Prevalence, Chronicity, and Severity</i> , 65 J. Marriage & Fam. 795 (2004) .....                                                                         | 7    |
| Susan D. Phillips & Jian Zhao, <i>The Relationship Between Witnessing Arrests and Elevated Symptoms of Posttraumatic Stress: Findings from a National Study of Children Involved in the Child Welfare System</i> , 32 Child. & Youth Serv. Rev. 1246 (2010)..... | 4    |
| Susannah N. Tapp & Elizabeth J. Davis, <i>Contacts Between Police and the Public</i> , 2022, U.S. Dep’t of Justice (Oct. 2024).....                                                                                                                              | 5    |

## IDENTITY AND INTEREST OF AMICI CURIAE<sup>1</sup>

Amici are public interest organizations that have long advocated for children's rights and well-being.

Founded in 1975, **Juvenile Law Center** fights for rights, dignity, equity, and opportunity for youth. Juvenile Law Center's legal and policy agenda is informed by—and often conducted in collaboration with—youth, family members, and grassroots partners. Since its founding, Juvenile Law Center has filed influential amicus briefs in state and federal courts across the country to ensure that laws, policies, and practices affecting youth advance racial and economic equity and are consistent with children's unique developmental characteristics and human dignity.

Founded in 1977, the **National Association of Counsel for Children** (“NACC”), is a child advocacy and professional membership association that advances children's and parent's rights by supporting a diverse, inclusive community of child welfare lawyers to provide zealous legal representation and by advocating for equitable, anti-racist solutions co-designed by people with lived

---

<sup>1</sup> Counsel for Amici Curiae prepared this brief with assistance from students enrolled in undersigned counsel Karen U. Lindell's Amicus Advocacy course at the University of Pennsylvania Carey Law School. Students who contributed to the brief are Anna Inglis and Carly McIntosh. Pursuant to Fed. R. App. P. 29(a)(4)(E), counsel for Amici Curiae states that no counsel for a party authored the brief in whole or in part, and no person other than Amici Curiae, their members, or their counsel made a monetary contribution to its preparation or submission.

experience. Through its amicus curiae program, NACC has filed numerous briefs promoting the legal interests of children.

### SUMMARY OF ARGUMENT

Amici Curiae write to correct the panel opinion's inaccurate premise that it always protects children from harm for police officers to intervene when there is a question of child safety, and to make clear that concern for child well-being does not automatically excuse the standard prerequisites of the Fourth Amendment. On October 22, 2017, Sergeant Diaz arrived at the home of two law professors and their children based on a report that a bystander witnessed a Black man yell at three children and put them in the trunk of a Tesla that Sergeant Diaz had already learned likely had legal rear-facing child seats in the trunk. Upon arriving, Sergeant Diaz questioned Mr. Hayat about the children, stating that he “just need[ed] to make sure everybody [was] okay” and that he “need[ed] to check” on the children. *Hayat v. Diaz*, 188 F.4th 687, 692 (4th Cir. 2026). After the Hayats exercised their rights and declined to allow him into their home without a warrant, Sergeant Diaz forced his way inside and engaged in a violent encounter with Mr. Hayat.

The panel erred in reasoning that concerns about child safety automatically outweigh Fourth Amendment rights, holding that Sergeant Diaz's warrantless entry into the home was constitutional because “[c]hild kidnapping is not a crime about which to guess wrong.” *Hayat*, 188 F.4th at 702. But an “act-when-in-doubt”

mindset by police is likely to *harm*, not help, children, because a forcible entry into the home by police is itself a traumatic event. And a concern for child well-being is not—by itself—an exigency under the Fourth Amendment. If the panel decision stands, it risks exposing more children, especially children of color, to the unnecessary trauma of witnessing violent police encounters and to the potential for deeper system involvement. Accordingly, this Court should grant en banc review and reverse the panel’s decision.

## ARGUMENT

### I. Witnessing Violent Police Encounters Harms Children.

Child exposure to intrusive police action can be deeply harmful. Studies that analyze “vicarious police contact” capture the damaging effects children experience from police exposure, including witnessing police interactions.<sup>2</sup> Children who experience vicarious police contact report significantly higher levels of depression and anxiety<sup>3</sup> and lower levels of long-term happiness<sup>4</sup> and physical health<sup>5</sup> than their peers. Indeed, witnessing the arrest of a household member is “significantly

---

<sup>2</sup> Aaron Gottlieb & Robert Wilson, *The Effect of Direct and Vicarious Police Contact on the Educational Achievement of Urban Teens*, 103 Child. & Youth Serv. Rev. 190, 193 (2019).

<sup>3</sup> Dylan B. Jackson et al., *Youth Mental Well-Being Following Witnessed Police Stops*, 99 J. Urb. Health 783, 785, 790-91 (2022).

<sup>4</sup> *Id.*

<sup>5</sup> Michael J. McFarlanda, Amanda Gellerc & Cheryl McFarland, *Police Contact and Health Among Urban Adolescents: The Role of Perceived Injustice* 238 Soc. Sci. & Med. 1, 4 (2019).

predictive” of post-traumatic stress symptoms in children.<sup>6</sup> Vicarious police contact is also associated with significant reductions in educational achievement even after controlling for other variables.<sup>7</sup> Children can experience these effects regardless of whether the contact results in an arrest or legal repercussions.<sup>8</sup>

The more intrusive or seemingly unjust the police encounter, the greater the harm.<sup>9</sup> Simply observing a frightened or visibly distressed parent can be psychologically harmful for a child.<sup>10</sup> Instances where police handcuff or frisk a parent, use harsh language, or threaten or employ physical force create even more intrusive and harmful experiences for children.<sup>11</sup> And an officer’s failure to explain the reason for a stop, treat a parent with dignity and courtesy, or respect a parent’s rights can exacerbate the harmful impact of the event.<sup>12</sup>

The harms of vicarious police contacts are not equally distributed. Communities of color, and thus children of color, are more likely to have traumatic

---

<sup>6</sup> Susan D. Phillips & Jian Zhao, *The Relationship Between Witnessing Arrests and Elevated Symptoms of Posttraumatic Stress: Findings from a National Study of Children Involved in the Child Welfare System*, 32 Child. & Youth Serv. Rev. 1246, 1253 (2010).

<sup>7</sup> Gottlieb & Wilson, *supra* note 2, at 194.

<sup>8</sup> McFarlanda, Gellerc & McFarland, *supra* note 5, at 6.

<sup>9</sup> *Id.* at 5; Jackson et al., *supra* note 3, at 791.

<sup>10</sup> Allison Eck, *Psychological Damage Inflicted By Parent-Child Separation is Deep, Long-Lasting*, PBS: Nova Next (June 20, 2018), <https://www.pbs.org/wgbh/nova/article/psychological-damage-inflicted-by-parent-child-separation-is-deep-long-lasting/>.

<sup>11</sup> Jackson et al., *supra* note 3, at 786, 788-89.

<sup>12</sup> McFarlanda, Gellerc & McFarland, *supra* note 5, at 6.

interactions with police.<sup>13</sup> When police initiate contact with Black people, they are more likely to threaten or use force.<sup>14</sup> Thus, children of color, and especially Black children, are more likely to witness violent police encounters and bear the associated trauma.

These negative police encounters shape young people's perceptions of law enforcement at a critical age, leading them to see police as abusive and illegitimate.<sup>15</sup> When children witness harsh, intrusive interactions with police, the stress, stigma, and anger they experience can tarnish their perceptions of "legal [authorities] and the laws they stand for."<sup>16</sup> This can lead to cynicism about the legal system, especially among Black and Latinx children,<sup>17</sup> and can disincentivize communication between young people and police, undermining public safety.<sup>18</sup>

Police intrusion into the Hayat home exposed the children to distressing interactions. Police forcibly entered what should have been a safe space for the children. They knocked Mr. Hayat to the ground, bloodied his lip, handcuffed him, and ignored his attempts to communicate his rights. *Hayat v. Diaz*, 188 F.4th 687,

---

<sup>13</sup> Susannah N. Tapp & Elizabeth J. Davis, *Contacts Between Police and the Public*, 2022, U.S. Dep't of Justice (Oct. 2024), <https://bjs.ojp.gov/document/cbpp22.pdf>.

<sup>14</sup> *Id.*

<sup>15</sup> See Jeffrey A. Fagan & Amanda Geller, *Police Contact and the Legal Socialization of Urban Teens*, 5 Russell Sage Found. J. Soc. Sci. 26, 28 (2019).

<sup>16</sup> *Id.* at 29-30.

<sup>17</sup> *Id.* at 28.

<sup>18</sup> *Id.* at 30.

693 (4th Cir. 2026). Although Sergeant Diaz may have had a sincere worry about the children, his actions may have *undermined* their well-being.

## **II. Black Families and Other Families of Color Often Face Harsher Scrutiny than Other Families, Deepening the Harm of Police Intrusions.**

Black parents may also be more harshly judged by police, child welfare workers, and mandated reporters, causing their children to experience deeper and more harmful contact with state actors. Families of color are more likely to be investigated by child welfare agencies, with Black children having the highest likelihood of experiencing a maltreatment investigation during their lifetime and constituting a substantially higher percentage of child protective services cases compared to their proportion of the population.<sup>19</sup> Thus, non-white parents, and specifically Black parents, are more likely to have their parenting decisions put under a microscope by state actors.<sup>20</sup>

While the reasons for Black children's overrepresentation are complex, racial bias can increase the likelihood of a Black family interacting with social workers

---

<sup>19</sup> Emma Ruth, upEND, *Regulating Families: How the Family Policing System Devastates Black, Indigenous, and Latinx Families and Upholds White Supremacy* 3-4 (2022), <https://upendmovement.org/wp-content/uploads/2022/06/upEND-Regulation.pdf>; Hyunil Kim et al., *Lifetime Prevalence of Investigating Child Maltreatment Among U.S. Children*, 107 Am. J. Pub. Health 274, 277 (2014); Margaret M.C. Thomas, Jane Waldfogel & Ovita F. Williams, *Inequities in Child Protective Services Between Black and White Children*, 28 Child Maltreatment 42, 42 (2023).

<sup>20</sup> Ruth, upEND, *supra* note 19, at 3-4; Kim et al., *supra* note 19, at 277.

and police officers.<sup>21</sup> Research on child abuse reporting makes this clear; mandated reporters often evaluate Black parents more harshly<sup>22</sup> and propose state intervention more readily when assessing child safety. Doctors, for example, disproportionately report minority families to the authorities based on ambiguous evidence,<sup>23</sup> leading to unsubstantiated parental abuse claims more frequently levied against minority families.<sup>24</sup> Typical parenting behaviors can be perceived as evidence of child endangerment when done by parents of color.<sup>25</sup>

Mr. Hayat's situation exemplifies these concerns. A bystander saw Mr. Hayat, a Black man, yelling at his children—something 90% of American parents admit to doing.<sup>26</sup> When Sergeant Diaz arrived at the home, this report of yelling was the primary “evidence” he had to evaluate whether the children needed immediate aid. Based on that report, Sergeant Diaz forcibly entered the Hayat home and ultimately

---

<sup>21</sup> Thomas, Waldfogel & Williams, *supra* note 19, at 42; Keva M. Miller et al., *Individual and Systemic/Structural Bias in Child Welfare Decision Making: Implications for Children and Families of Color*, 35 Child. & Youth Serv. Rev. 1634, 1635 (2013).

<sup>22</sup> Lawrence M. Berger, Marla McDaniel & Christina Paxson, *Assessing Parenting Behaviors Across Racial Groups: Implications for the Child Welfare System*, 79 Soc. Serv. Rev. 653, 677 (2005).

<sup>23</sup> Kent P. Hymel et al., *Racial and Ethnic Disparities and Bias in the Evaluation and Reporting of Abusive Head Trauma*, 198 J. Pediatrics 137, 141 (2018).

<sup>24</sup> *Id.*

<sup>25</sup> Ruth, upEND, *supra* note 19, at 3-4.

<sup>26</sup> Murray A. Straus & Carolyn J. Field, *Psychological Aggression by American Parents: National Data on Prevalence, Chronicity, and Severity*, 65 J. Marriage & Fam. 795, 804 (2004).

filed a report with child protective services—even after seeing that the children were unharmed. *Hayat v. Diaz*, 766 F. Supp. 3d 512, 523 n.4 (D. Md. 2025). While Mr. Hayat was not charged or investigated by child protective services, this scenario could easily lead to long-term system involvement for many less affluent parents of color,<sup>27</sup> and, as described above, put the children at immediate risk of the harms of vicarious police contact.

### **III. A Concern for Child Well-Being Cannot Automatically Constitute an Exigent Circumstance that Allows for Warrantless Entry.**

To protect families from needless, traumatic government intrusions, the Fourth Amendment precludes forcible entries based solely on officers’ general concerns for child well-being. The panel justified Sergeant Diaz’s warrantless entry because the “officers could legitimately be concerned about the safety and welfare of the children involved.” *Hayat*, 188 F.4th at 702. But an officer’s good-faith concern for children does not supplant the strictures of the Fourth Amendment. *See Terry v. Ohio*, 392 U.S. 1, 22 (1968) (“[S]imple good faith on the part of [an] officer is not enough,” as “the protections of the Fourth Amendment [otherwise] would

---

<sup>27</sup> Children’s Rights & Columbia Law School Human Rights Institute, *Racial (In)justice in the U.S. Child Welfare System* 5-6 (July 2022), <https://www.childrensrights.org/wp-content/uploads/imported-files/Childrens-Rights-2022-UN-CERD-Report-FINAL.pdf>; Ruth, upEND, *supra* note 19, at 5, 10, 12-13.

evaporate.”). Absent exigent circumstances, the government may not intrude in someone’s home without a warrant. *Payton v. New York*, 445 U.S. 573, 590 (1980).

Courts around the country have long held that for a concern about child well-being to rise to the level of an exigency, an officer must reasonably believe the child inside is in imminent danger. *See, e.g., Gates v. Texas Dept. of Protective & Reg. Services*, 537 F.3d 404, 423 (5th Cir. 2008) (finding that past reports of physical child abuse did not rise to the level of an “immediate danger” that allowed a warrantless entry); *United States v. Gillespie*, 332 F. Supp. 2d 923, 928 (W.D. Va. 2004) (holding that an officer’s belief that children might be alone inside was not an emergency allowing immediate entry). A parent retreating into their home and refusing to let officers speak with their child does not “support an inference that the child is at risk.” *Myers v. Patterson*, 819 F.3d 625, 634 (2d Cir. 2016); *see also Linicomn v. Hill*, 902 F.3d 529, 537 (5th Cir. 2018) (“[The father’s] retreat in response to the officers’ actions did not give rise to exigent circumstances.”). Even when the potential safety issue is serious, officers must still consider whether the danger to the child is so immediate that they do not have time to obtain a warrant. *See Parkhurst v. Trapp*, 77 F.3d 707, 711 (3d Cir. 1996) (holding in the case of a missing child that having to wait two hours to obtain a warrant did not create exigency, because the officers did not reasonably believe the child needed immediate medical assistance).

*Case v. Montana* affirms that officers may enter a home without a warrant for a safety concern only when they have an objectively reasonable belief that it is necessary to prevent serious, imminent harm. 607 U.S. 107, 117 (2026). In *Case*, the emergency aid exception permitted the officers' entry because the officers reasonably believed that someone in the home attempted suicide or was on the precipice of doing so. *Id.* at 119. But, as Justice Sotomayor cautioned in her concurrence, each situation requires a fact-specific analysis to acknowledge the complexity of the crisis and the possibility that intervention could escalate that crisis. *Id.* at 124. Granting officers *carte blanche* to enter a home anytime there is a question of child safety would bypass that careful evaluation and obscure the potential trauma to the child.

Here, Sergeant Diaz had only a generalized concern about the Hayat children's well-being. Even if the bystander's tip was reliable, the bystander never stated that he saw a kidnapping, no children were reported missing, and officers quickly learned the car likely had legal rear-facing child seats. *Hayat*, 188 F.4th at 691. Neither the report that Mr. Hayat had yelled at his children – a common parenting practice – nor his refusal to let Sergeant Diaz talk to the children support the inference that they were in imminent danger. *See Myers*, 819 F.3d at 634. Instead, Sergeant Diaz just wanted “to make sure that everybody was okay” and ascertain the “welfare of the children.” *Hayat*, 188 F.4th at 692- 93. This generalized concern,

without more, is not an exigent circumstance and cannot excuse standard Fourth Amendment prerequisites for forcibly entering a home. *See Payton*, 445 U.S. at 590 (“[T]he Fourth Amendment has drawn a firm line at the entrance to the house. Absent exigent circumstances, that threshold may not reasonably be crossed without a warrant.”).

If the panel’s decision stands, state officials will be able to justify almost any entry into a home by claiming a concern for child well-being, weakening the core of the Fourth Amendment and exposing more children to the harms of vicarious police contact. Given the racialized perceptions of parent-child interactions, families of color will face disproportionate harm if bystander reports of a common parenting behavior can create exigency.

### CONCLUSION

We respectfully urge the Court to grant an en banc hearing and reverse the panel’s decision.

Respectfully submitted, this 12th day of October, 2026.

/s/ Karen U. Lindell

Karen U. Lindell  
3501 Sansom St.  
Philadelphia, PA, 19104  
Telephone: (215) 898-8419  
lindellk@law.upenn.edu

/s/ Jessica R. Feierman

Jessica R. Feierman  
Courtney M. Alexander

Christine Lorica  
Juvenile Law Center  
1800 JFK Blvd., Ste. 1900B  
Philadelphia, PA 19103  
(215) 625-0551  
jfeierman@jlc.org  
calexander@jlc.org  
clorica@jlc.org

**Counsel for Amici Curiae**

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT,  
TYPEFACE REQUIREMENTS, AND TYPE-STYLE REQUIREMENTS**

I certify that this document complies with the word limit of Fed. R. App. P. 29(b)(4) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 2,591 words.

I further certify that this document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared using Microsoft Word in 14-point Times New Roman font, a proportionally spaced typeface.

/s/ Karen U. Lindell

Karen U. Lindell

*Counsel for Amici Curiae*

Dated: October 12, 2026