

NOT YET SCHEDULED FOR ORAL ARGUMENT

**No. 25-5418**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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DISTRICT OF COLUMBIA,  
*Plaintiff-Appellee,*

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, *et. al.*,  
*Defendants-Appellants.*

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On Appeal from the United States District Court  
for the District of Columbia, Case No. 1:25-cv-3005  
Honorable Jia M. Cobb, U.S. District Judge

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**CORRECTED BRIEF OF *AMICUS CURIAE* NAACP LEGAL DEFENSE  
AND EDUCATIONAL FUND, INC. IN SUPPORT OF PLAINTIFF-  
APPELLEE AND OPPOSING STAY**

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**CERTIFICATE TO PARTIES, RULINGS, AND RELATED CASES**

Pursuant to D.C. Circuit Rule 28(a)(1), *Amicus Curiae* NAACP Legal Defense and Educational Fund, Inc. certifies as follows:

**A. PARTIES AND *AMICI***

All parties and *amicus curiae* appearing before the District Court and in this Court are listed in the Emergency Motion for Administrative Stay and for Stay Pending Appeal filed by Defendant-Appellants.

**B. RULINGS UNDER REVIEW**

References to the ruling at issue appear in the Motion filed by Defendants-Appellants.

**C. RELATED CASES**

Undersigned counsel is unaware of any related cases within the meaning of D.C. Circuit Rule 28(a)(1)(C).

/s/Jin Hee Lee  
Jin Hee Lee

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## **CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rules 26.1 and 29(b), *Amicus Curiae* is a non-profit organization that has not issued shared or debt securities to the public and does not have parents, subsidiaries, or affiliates that have issued shares or debt securities to the public.

**STATEMENT REGARDING CONSENT TO FILE AND JUSTIFICATION  
FOR SEPARATE BRIEFING**

Pursuant to Federal Rule of Appellate Procedure 29(a)(2), *Amicus Curiae* NAACP Legal Defense and Educational Fund, Inc. submits this brief with the consent of all parties to its filing. Pursuant to Circuit Rule 29(d), *Amicus Curiae* submits this brief separately because it presents a unique perspective on the irreparable harm the National Guard deployment has caused D.C. residents, and in particular Black D.C. residents. The arguments presented in this brief are distinct from the arguments presented in the briefs of other amici.

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## IDENTITY AND INTEREST OF *AMICUS CURIAE*<sup>1</sup>

The NAACP Legal Defense & Educational Fund, Inc. (“LDF”) is the nation’s first and foremost civil rights legal organization. Through litigation, advocacy, public education, and outreach, LDF strives to secure equal justice under the law for all Americans, and to break down barriers that prevent Black people in the United States from realizing their basic civil and human rights.

Since 2015, LDF’s Justice in Public Safety Project has worked to address unconstitutional police practices to foster confidence and trust in our public institutions. LDF has served as counsel of record or *amicus curiae* in multiple cases addressing such issues. *See* LDF Consent Mot. for Leave to File *Amicus Curiae* Br. LDF also filed an *amicus* brief to the District Court in this matter, in support of Plaintiff-Appellee’s motion for a preliminary injunction. Doc. 22-1. Counsel for Plaintiff-Appellee and Defendants-Appellees have advised undersigned counsel that they consent to the filing of this brief.

Given its extensive experience and expertise litigating issues pertaining to racially discriminatory law enforcement policies, LDF submits this *amicus curiae*

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 29(a)(4)(E), no party or counsel to any party in this matter authored this brief in part or in whole, no party or counsel to any party in this matter contributed money intended to fund the preparation or submission of this brief, and no person other than *amicus* contributed money intended to fund the preparation or submission of this brief.

brief to assist the Court in the adjudication of Defendants-Appellees' motion to stay the District Court's preliminary injunction.

### **INTRODUCTION AND SUMMARY OF ARGUMENT**

On November 20, 2025, the District Court correctly held that there was a substantial likelihood that Defendants-Appellants' deployment of the National Guard in the District of Columbia (the "District" or "D.C.") violated statutory law; that Plaintiff-Appellee's sovereign powers were irreparably harmed by the deployment; and that the balance of equities weighed in favor of issuing a preliminary injunction. Doc. 88 at 2.

Defendants-Appellants now seek a stay of that preliminary injunction, which is an extraordinary remedy. *See Citizens for Resp. & Ethics in Washington v. Fed. Election Comm'n*, 904 F.3d 1014, 1017 (D.C. Cir. 2018). This Court must assess whether the issuance of a stay would "substantially injure the other parties interested in the proceeding" and "where the public interest lies." *Nken v. Holder*, 556 U.S. 418, 433 (2009) (citation omitted).

*Amicus curiae* LDF previously submitted a brief in support of the Plaintiff-Appellee's motion for preliminary injunction, explaining the history of militarized policing in the United States, the ineffectiveness of such policing in improving public safety, and the toll the National Guard deployment has had on Black communities in the District. Doc. 22-1 at 10–19.

That harm has persisted in the intervening months. The National Guard plays an integral role in the Trump administration's intrusion into the District's provision of public safety, operating as a "parallel federal presence" with other federal law enforcement agencies.<sup>2</sup> Moreover, Defendants-Appellants' have directed National Guard troops—many of which are now armed—to support both local and federal law enforcement. Arrests in D.C have increased, mostly for low-level offenses.<sup>3</sup> District residents, especially the city's Black residents and youth, continue to feel less safe because of the National Guard deployment, and remain fearful of aggressive, and at times, unlawful policing by local and federal law enforcement that the Guard protects and supports.

Continuing the deployment of the National Guard would cause further irreparable injuries to District residents, particularly those in Black communities, and weighs against the public interest. *See Nken*, 556 U.S. at 433. Accordingly, this Court should deny Defendants-Appellants' application for a stay.

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<sup>2</sup> Jamiles Lartey, *What Trump's D.C. Takeover Looks Like on the Ground, Two Weeks On*, Marshall Project (Aug. 23, 2025), <https://www.themarshallproject.org/2025/08/23/washington-trump-ice-police-fbi>.

<sup>3</sup> Salvador Rizzo, *D.C. Judge Excoriates Trump's Policing Surge and Demands Answers from Pirro*, Wash. Post (Sept. 4, 2025), <https://www.washingtonpost.com/dc-md-va/2025/09/04/judge-criticizes-trump-surge-pirro/>; Ryan Lucas, *Who Has Been Swept Up in the Federal Law Enforcement Surge in D.C. and What Charges Are They Facing?*, NPR (Sept. 5, 2025), <https://www.npr.org/2025/09/05/g-s1-86991/trump-dc-national-guard-police-federal-crime-stats>.

## ARGUMENT

### **I. The National Guard Deployment Causes Irreparable Harm to D.C. Residents, Especially in Black Communities.**

When President Trump first announced the deployment of over 2,000 National Guard troops to D.C., he suggested that law enforcement officers do “whatever the hell they want.”<sup>4</sup> This call was unfortunately answered. Since their deployment, National Guard troops have been charged with “assist[ing] the D.C. Metropolitan Police Department and federal law enforcement” with monument security, safety patrols, traffic control posts, and “area beautification.”<sup>5</sup> While Pentagon Press Secretary Kingsley Wilson stated that the National Guard “will not be arresting people,” she made clear that “they may temporarily limit the movement of an individual who has entered a restricted or secured area without permission.”<sup>6</sup> And, soon National Guard troops may “begin patrolling with D.C. police.”<sup>7</sup>

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<sup>4</sup> Josh Campbell, *As ICE Escalates Its Tactics, Are Federal Agents Truly ‘Untouchable’ in the Eyes of the Law?*, CNN (Nov. 15, 2025), <https://edition.cnn.com/2025/11/15/us/ice-federal-agents-immigration-force> (“You spit, and we hit, and [law enforcement] can hit real hard . . . [T]hey are allowed to do whatever the hell they want.”) (internal quotes omitted).

<sup>5</sup> C. Todd Lopez, *National Guard Mobilizes 800 Troops in D.C. to Support Federal, Local Law Enforcement*, U.S. Dep’t of War (Aug. 14, 2025), <https://www.war.gov/News/News-Stories/Article/Article/4275149/national-guard-mobilizes-800-troops-in-dc-to-support-federal-local-law-enforcem/>.

<sup>6</sup> *Id.*

<sup>7</sup> Scott Gelman, *DC Police May Pair Up with National Guard Members After Shooting near White House*, WTOP (Nov. 28, 2025), <https://wtop.com/dc/2025/11/dc-police-may-pair-up-with-national-guard-members-after-shooting-near-white-house/>.



The number of armed personnel deployed to D.C. is staggering: more than 2,000 National Guard troops<sup>8</sup> have supported a patchwork of more than 6,000 local and federal officers.<sup>9</sup> This dramatic show of force by armed troops in military gear makes D.C. residents feel less safe.<sup>10</sup> Indeed, federal and local law enforcement are routinely stopping people for minor infractions.<sup>11</sup> Arrests have increased significantly, some without legal basis.<sup>12</sup> As of September 2025, more than eighty percent of arrests were for low-level offenses,<sup>13</sup> and arrests have increased overall.<sup>14</sup>

United States Magistrate Judge Zia M. Faruqi noted a number of arrests involving

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<sup>8</sup> Jon Soucy, *Guard Members From Six States, D.C. on Duty in Washington in Support of Local, Fed Authorities*, Nat'l Guard (Aug. 29, 2025), <https://www.nationalguard.mil/News/Article-View/Article/4290072/guard-members-from-six-states-dc-on-duty-in-washington-in-support-of-local-fed/>.

<sup>9</sup> Wash. Post, *Where National Guard Troops and Federal Agents Are Patrolling D.C.*, (Aug. 15, 2025), <https://www.washingtonpost.com/dc-md-va/2025/08/15/dc-police-national-guard-map-trump/>; Metro. Police Dep't D.C., *Cooperative Agreements*, DC.Gov (2025), <https://mpdc.dc.gov/page/cooperative-agreements> (last visited Dec. 1, 2025) (describing the large number of law enforcement agencies in cooperation with Metropolitan Police Department, including thirty-two federal agencies, seven university police departments, the Metro Transit Police and the Housing Authority Police).

<sup>10</sup> The presence of National Guard troops creates risks not only for D.C. residents, but for National Guard members themselves, as evidenced by the tragic shooting of two Guard members on November 28, 2025. Nadine Yousif, *National Guard Member Dies After Shooting in Washington DC*, BBC (Nov. 28, 2025), <https://www.bbc.com/news/articles/cwyx4y6007lo>.

<sup>11</sup> *Id.*

<sup>12</sup> Jeff Levine et al., *Data Shows Enforcement Surge Blunts DC Crime, Though Many Face Minor Charges*, DC Witness (Sept. 4, 2025), <https://dcwitness.org/data-shows-enforcement-surge-blunts-dc-crime-though-many-face-minor-charges/>

<sup>13</sup> Erica Bryant, *Sending In the National Guard Won't Make Our Cities Safer*, Vera Inst. J. (Sept. 26, 2025), <https://www.vera.org/news/sending-in-the-national-guard-wont-make-our-cities-safer>.

<sup>14</sup> Lartey, *supra* note 2; Bryant, *supra* note 13; Levine et al., *supra* note 12.



“implausible, illegal, [and] immoral” charges.<sup>15</sup> “The rule of law is being flushed down the toilet,” he said, suggesting that people are getting the message to “be very afraid.”<sup>16</sup>

Black residents feared the deployment and surge in law enforcement would lead to abusive policing in their communities.<sup>17</sup> Those fears have come to fruition. Judge Faruqui, for example, recently dismissed charges against a Black man whom federal agents and D.C. police subjected to what he described “without a doubt the most illegal search I’ve ever seen in my life.”<sup>18</sup> Another Black man reported that, while speaking to another Black man on the street, roughly thirty vehicles surrounded him, grabbed his arms, put him in handcuffs, and seized a bottle of alcohol from his back pocket.<sup>19</sup> He was arrested, detained overnight, and released without charges the next day.<sup>20</sup>

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<sup>15</sup> Rizzo, *supra* note 3; Brad Reed, *Judges Alarmed at Spree of Spurious Charges amid Trump’s DC Crackdown*, Truthout (Aug. 26, 2025), <https://truthout.org/articles/judges-alarmed-at-spree-of-spurious-charges-amid-trumps-dc-crackdown/>.

<sup>16</sup> Bryant, *supra* note 13.

<sup>17</sup> Alecia Taylor & Brandon Tensley, *Black D.C. Residents Say Trump’s Tactics Bring More Fear, Not Safety*, Cap. B News (Aug. 14, 2025), <https://capitalbnews.org/dc-federal-takeover-trump-black-residents/>.

<sup>18</sup> Carrie Johnson, *‘The Most Illegal Search’: Judges Push Back Against D.C. Criminal Charges*, NPR (Aug. 26, 2025), <https://www.npr.org/2025/08/26/g-s1-85119/crime-washington-dc-judges-arrests>.

<sup>19</sup> Kira Lerner, *‘It’s Not Safe in DC as an Immigrant’: Racial Profiling Surged During Trump’s Washington Takeover*, The Guardian (Sept. 10, 2025), <https://www.theguardian.com/us-news/2025/sep/10/trump-washington-dc-takeover>.

<sup>20</sup> *Id.*

Roughly 80% of D.C. residents oppose the deployment, and 61% of residents “feel less safe as a result of Trump’s action.”<sup>21</sup> While National Guard forces were initially unarmed, Secretary of Defense Pete Hegseth later authorized troops to carry military assault rifles, such as the dangerous M4 carbine.<sup>22</sup> The potential, lethal consequences of that decision should not be underestimated, especially given reasonable concerns about the current administration’s disdain for lawful, constitutionally-protected protests.<sup>23</sup>

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<sup>21</sup> Ariel Edwards-Levy, *DC Residents Feel Less Safe After Trump Takeover: Poll*, CNN (Aug. 20, 2025), <https://www.cnn.com/2025/08/20/politics/washington-dc-police-national-guard-poll>.

<sup>22</sup> Moshen Gains et al., *The Weapons that National Guard Troops Now Carry in Washington, D.C.*, NBC News (Aug. 25, 2025), <https://www.nbcnews.com/politics/politics-news/weapons-national-guard-troops-now-carry-washington-dc-rcna227134>.

<sup>23</sup> For example, President Trump called the “No Kings” protests, which drew millions of people to approximately 2,700 events in all 50 states, a “joke” and described participating protesters as “whacked out.” Stephen Collinson, *Trump’s Response to ‘No Kings’ Marches Only Proved the Protesters’ Point*, CNN (Oct. 20, 2025), <https://www.cnn.com/2025/10/20/politics/trump-no-kings-protests-vance-cia-analysis>. Transportation Secretary Sean Duffy claimed that the protests were “part of antifa,” and White House Press Secretary Karoline Leavitt inaccurately characterized people engaged in lawful protests as violent, asserting that the “Democrat Party’s main constituency are made up of Hamas terrorists, illegal aliens, and violent criminals.” Aaron Blake, *The GOP’s Extraordinary Rhetoric About the ‘No Kings’ Rallies*, CNN (Oct. 18, 2025), <https://www.cnn.com/2025/10/18/politics/gop-rhetoric-no-kings-protests-analysis> (discussing non-partisan “No Kings” protests in October 2025).

## II. The National Guard Deployment Is Particularly Harmful to the District's Youth.

Youth have not fully matured biologically and can thus experience police encounters as “extremely frightening, harmful, or threatening,” creating negative emotions detrimental to their brain development.<sup>24</sup> Data shows that the chronic fear caused risks posed by the National Guard can compromise students’ academic achievement and psychological health.<sup>25</sup>

Despite these heightened concerns, National Guard members were documented chasing youth, dispersing crowds in Navy Yard, and providing back up for several arrests of youth on Halloween night.<sup>26</sup> Even before these incidents, young people expressed concerns about the surge in law enforcement activity associated with the National Guard deployment. For example, in response to federal officers patrolling near Howard University’s campus, one person commented: “[W]e’re afraid to go out because . . . one wrong step, one wrong move, off the crosswalk and

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<sup>24</sup> Dylan B. Jackson, *The Case for Conceptualizing Youth–Police Contact as a Racialized Adverse Childhood Experience*, 111 Am. J. Pub. Health 1189 (2021), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8493136/>.

<sup>25</sup> Rebecca Schneid, *Trump Railed Against Youth Crime in D.C. Experts Say His Crackdown Won’t Work*, TIME (Aug. 28, 2025), <https://time.com/7312528/trump-dc-takeover-youth-crackdowncrime/>.

<sup>26</sup> *Police, National Guard Clear Halloween Crowd Gathered in Washington’s Navy Yard Neighborhood*, Associated Press (Nov. 1, 2025), <https://apnews.com/article/washington-navy-yard-crowd-dispersed-national-guard-b145e57e2043aba5b4d5bcf895aaba49>; Ittai Sopher & John Doran, *DC Police Arrest Teens, Get Backup from National Guard After Chaotic Scene in Navy Yard Closes Streets*, WUSA 9 (Nov. 1, 2025), <https://www.wusa9.com/article/news/crime/dc-police-navy-yard-teen-takeover/65-29b2a362-469f-495c-971e-cc94d17c05df>.

I'm getting flagged down for something.”<sup>27</sup> A 16-year-old similarly expressed: “I understand public safety is important, but they look more like they’re bullying us than being our community guardians. It’s hard not to feel intimidated.”<sup>28</sup>

The justification for the deployment also reinforces false and deeply harmful stereotypes about the criminality of young Black people. In deploying the Guard, President Trump espoused false claims that D.C. “has been overtaken by violent gangs and bloodthirsty criminals, roving mobs of wild youth, drugged-out maniacs, and homeless people.”<sup>29</sup> This language is strikingly similar to rhetoric surrounding the “superpredator” myth of the 1990s, which weaponized the public’s fear of crime to and criminalize young people, particularly in Black communities.<sup>30</sup> The superpredator theory “was baseless when it originally was espoused and has since been thoroughly debunked.”<sup>31</sup> President Trump’s colorful descriptions of D.C.’s

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<sup>27</sup> Meg Anderson, *Teenagers in Washington, D.C., Say the Federal Police Takeover Makes Them Feel Unsafe*, NPR (Aug. 16, 2025), <https://www.npr.org/2025/08/16/nx-s1-5501528/federal-police-takeover-washington-dc-teenagers>.

<sup>28</sup> *Id.* (citation modified).

<sup>29</sup> Maya Pendleton, *DC’s Militarization Shows How Policing Targets Black Youth*, upEND (Aug. 15, 2025), <https://upendmovement.org/2025/08/15/dcs-militarization-shows-how-policing-targets-black-youth/>.

<sup>30</sup> See Carroll Bogert & Lynnell Hancock, *Superpredator: The Media Myth that Demonized a Generation of Black Youth*, Marshall Project (Nov. 20, 2020), <https://www.themarshallproject.org/2020/11/20/superpredator-the-media-myth-that-demonized-a-generation-of-black-youth>.

<sup>31</sup> *Connecticut Supreme Court Holds Sentence Based on Discredited Superpredator Myth Is Illegal*, Equal Just. Initiative (Jan. 24, 2022), <https://eji.org/news/connecticut-supreme-court-holds-sentence-based-on->  
(continued...)

crime conditions are equally baseless. According to Justice Department data, violent crime is at a 30-year low in D.C.<sup>32</sup>

These dehumanizing narratives regarding the criminality of Black youth can be damning: Black boys are seen as older, and less innocent than their white, same-age counterparts,<sup>33</sup> and prosecutors are more likely to request that Black youth be tried as adults.<sup>34</sup> This causes irreparable and repercussive harms well into adulthood, with Black men more likely than any other demographic to be stopped<sup>35</sup> by police

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discredited-superpredator-myth-is-illegal/ (quoting *State v. Belcher*, 268 A.3d 616, 625 (Conn. 2022)).

<sup>32</sup> Brian Mann, *Trump's Washington, D.C., Takeover Targets a Host of Groups, Many of Them Vulnerable*, OPB (Aug. 12, 2025), <https://www.opb.org/article/2025/08/12/trump-vowed-to-rid-washington-of-homeless-people-and-crack-down-on-crime/>; Press Release, Cong. Black Caucus, Statement on Trump Seizing Control of D.C. Police, Deploying National Guard (Aug. 12, 2025), <https://cbc.house.gov/news/documentsingle.aspx?DocumentID=3054>.

<sup>33</sup> Phillip Atiba Solomon (formerly, Goff) et al., *The Essence of Innocence: Consequences of Dehumanizing Black Children*, 106 J. Personality & Soc. Psych. 526 (2014), <https://psycnet.apa.org/doi/10.1037/a0035663>.

<sup>34</sup> Elizabeth Sun, *The Dangerous Racialization of Crime in U.S. News Media*, Ctr. Am. Progress (Aug. 29, 2018), <https://www.americanprogress.org/article/dangerous-racialization-crime-u-s-news-media/>.

<sup>35</sup> Emma Pierson et al., *A Large-Scale Analysis of Racial Disparities in Police Stops Across the United States*, 4 Nature Hum. Behav. 736 (2020); Nigel Roberts, *Report Shows California Black Teens at Higher Risk of Being Stopped by Police*, BET (Jan 6, 2023), <https://www.bet.com/article/hrs0lp/report-california-police-stop-search-black-teens-disproportionately-high>; Clifton B. Parker, *Stanford Big Data Study Finds Racial Disparities in Oakland, Calif., Police Behavior, Offers Solutions*, Stanford Univ. (June 15, 2016), <https://news.stanford.edu/stories/2016/06/stanford-big-data-study-finds-racial-disparities-oakland-calif-police-behavior-offers-solutions>; Frank Edwards et al., *Risk of Being Killed by Police Use of Force in the United States by Age, Race-Ethnicity, and Sex*, 116 PNAS 16793 (Aug. 5, 2019) <https://www.pnas.org/doi/abs/10.1073/pnas.1821204116>.

and receive sentences that are, on average, 19.1% longer than those of their white counterparts.<sup>36</sup> The disproportional representation of Black people in our criminal legal system is not a reflection of their propensity for crime, but instead a reflection of disparate policing and a lack of access to resources.<sup>37</sup>

## CONCLUSION

The Trump administration has deployed National Guard troops or attempted to do so largely in cities with significant Black populations and Black leadership—including Los Angeles, Chicago, Memphis, and Washington, D.C.<sup>38</sup> In a meeting of U.S. generals, the President discussed using the military against “the enemy from within.”<sup>39</sup> By casting cities with large Black populations as enemy territory, the administration is resurrecting a narrative that has perpetuated false stereotypes of

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<sup>36</sup> Sun, *supra* note 34.

<sup>37</sup> Cynthia J. Najdowski, *How the “Black Criminal” Stereotype Shapes Black People’s Psychological Experience of Policing: Evidence of Stereotype Threat and Remaining Questions*, 78 Am. Psych. 69 (2023).

<sup>38</sup> NNPA, *Trump Targets Black-Led Cities Despite Record Crime Declines*, San Diego Voice & Viewpoint (Aug. 25, 2025), <https://sdvoice.info/trump-targets-black-led-cities-despite-record-crime-declines/>; Kat Lonsdorf, *Trump Is Deploying the National Guard to Memphis. Experts Worry It’s Becoming Normal*, OPB (Sept. 18, 2025), <https://www.opb.org/article/2025/09/18/trump-is-deploying-the-national-guard-to-memphis-experts-worry-its-becoming-normal/>; Gov. Jeff Landry *Expects Crime-Detering National Guard Deployment in New Orleans Within Two Weeks*, Fox 8, <https://www.fox8live.com/video/2025/12/02/gov-jeff-landry-expects-crime-detering-national-guard-deployment-new-orleans-within-two-weeks/> (last updated Dec. 2, 2025).

<sup>39</sup> NPR Wash. Desk, *Trump Defends Use of U.S. Military Against ‘Enemy Within’*, NPR (Sept. 30, 2025) <https://www.npr.org/2025/09/30/nx-s1-5557232/hegseth-generals-trump>.

Black people for generations. Defendants-Appellants' motion to continue this irreparable harm is undoubtedly against the public interest.

We urge this Court to reject Defendant-Appellees' Motion, as the requested stay would cause substantial and irreparable injury to D.C. residents, especially the city's Black residents.

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Respectfully submitted,

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### CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing brief complies with the typeface requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(5) and the type-style requirements of Rule 32(a)(6) because it has been prepared in proportionally spaced 14-point Times New Roman typeface, using Microsoft Word. There is no word limitation that specifically applies to an *amicus* brief at the emergency-motion stage. This brief contains 2,710 words, excluding the exempt portions.

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**CERTIFICATE OF SERVICE**

I hereby certify that, on December 3, 2025, the foregoing brief was filed electronically and will be sent electronically to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

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