

Nos. 24-1576 (L), 24-1600, 24-1617

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

AMY BRYANT, M.D.,

Plaintiff-Appellee,

v.

TIMOTHY K. MOORE, et al.,

Intervenors / Defendants-Appellants

and

JEFFREY NEALE JACKSON, in his official capacity as Attorney General for
the State of North Carolina, et al.,

Defendants-Appellees.

On Appeal from the United States District Court
for the Middle District of North Carolina
Case No. 1:23-cv-00077-CCE-LPA

RESPONSE TO MOTION FOR LEAVE TO FILE AMICUS BRIEF

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The Motion for Leave to file an Amicus Curiae Brief by Taylor Morgan Dant should be denied as untimely. “Rule 29(a) governs amicus filings during a court’s initial consideration of a case on the merits.” Fed. R. App. P. 29(a)(1). Rule 29(a)(6) requires that an amicus brief be filed “no later than 7 days after the *principal brief* of the party being supported is filed.” *Id.* (emphasis added). The term “principal brief” refers “to the lead brief filed by a party in anticipation of argument,” not to other subsequent briefs. *LaRue v. DeWolff, Boberg & Assocs., Inc.*, 458 F.3d 359, 361 (4th Cir. 2006). Appellee’s principal brief was filed on October 10, 2024. Movant’s proposed amicus brief is untimely.

Anticipating that the proposed brief is untimely, Movant “asks this Court [sic] grant permission to file, or extend the timeline to file *amicus curiae* briefs to ... April 27, 2026.” Mot. at 3. But such motions are “disfavored.” *LaRue*, 458 F.3d at 361. Movant offers no rationale to overcome this presumption against permitting untimely briefs.

The Court should deny the Motion.

Dated: May 8, 2026

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Respectfully submitted,

s/Erin M. Hawley

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CERTIFICATE OF COMPLIANCE

This response complies with the word limit of Fed. R. App. P. 27(d)(2) because it contains 180 words, excluding parts of the response exempted by Fed. R. App. P. 32(f).

This response 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 it has been prepared in Word 365 using a proportionally spaced typeface, 14-point Century Schoolbook.

Dated: May 8, 2026

s/Erin M. Hawley
Erin M. Hawley
Counsel for Appellants

CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2026 I electronically filed the foregoing response with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit using the appellate CM/ECF system. I certify that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

s/Erin M. Hawley _____

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Counsel for Appellants