

VIRGINIA:

In the Circuit Court for the City of Richmond

CONNOR BLEAKLEY

Case No CL22002232-00-7

And

SAMI ALSAWAF,

Petitioners.

**UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE*
AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF VIRGINIA
IN SUPPORT OF PETITIONERS**

Corporate Disclosure Statement

Putative *amicus curiae* American Civil Liberties Union Foundation of Virginia (“ACLU” or “ACLU of Virginia”) is a 501(c)(3) non-profit organization. It has no parent company and no publicly held company owns 10% or more of its stock.

Motion for Leave to File *Amicus* Brief

The ACLU of Virginia seeks leave to file the attached brief as *amicus curiae* in the above-captioned case. The ACLU has a mission of protecting religious freedom as well as a deep expertise in constitutional law. Among many other cases, it served as counsel in the U.S. Supreme Court case *Loving v. Virginia* (concerning the right to marry) and the Fairfax County Circuit Court case *In re Dhanoa* (which considered the constitutionality of the sections of Virginia Code at issue in this case).

The role of *amicus curiae* “refers to persons who interpose in a judicial proceeding to assist the court by giving information.” *Jones v. Caldwell*, 61 Va. Cir. 408, at *5 (2003) (citing 4 Am. Jur. 2d, *Amicus Curiae* § 4). Such consent to file an *amicus* brief is granted liberally in courts in Virginia, particularly to advocacy groups with specialized knowledge and experience in an area of law. *See, e.g., Howell v. McAuliffe*, 292 Va. 320, 328 (2016) (noting participation of ACLU and ACLU of Virginia as *amici curiae* in voting rights case); *Vasquez v. Commonwealth*, 291 Va. 232 (2016) (noting participation of the Juvenile Law Center as *amicus curiae* in criminal

appeal of conviction of juveniles tried in circuit court); *In re Dhanoa*, 86 Va. Cir. 373 (2013) (noting that ACLU of Virginia was invited to file a brief as *amicus curiae* in religious freedom case before it began acting as counsel to some of the parties); *Soering v. McDonnell*, 84 Va. Cir. 564 (2012) (granting motion of civil rights group the Rutherford Institute to appear as *amicus curiae*).

The ACLU submits this brief to aid the Court by presenting law and argument not found in Petitioners' merits brief and to provide the Court with the benefit of its years of experience litigating in the civil rights space.

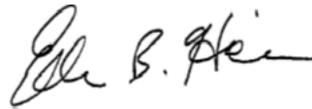
Note on the Unopposed Nature of This Brief

Petitioners have indicated that they do not oppose this motion.

Counsel for the Commonwealth indicated that the Commonwealth takes no position on the brief.

Dated: December 16, 2022

Respectfully submitted,



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CERTIFICATE OF SERVICE

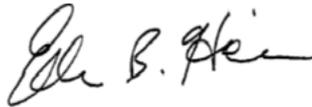
I HEREBY CERTIFY, that a true and accurate copy of the foregoing Proposed Order Granting Motion for Leave to File Brief of *Amicus Curiae* American Civil Liberties Union Foundation of Virginia was e-mailed to Petitioners (pursuant to an agreement between the parties) and sent via email and USPS mail to counsel for the Commonwealth at the following address:

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Dated: December 16, 2022

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