

No. 18-8029

**In the
Supreme Court of the United States**

CHARLES RUSSELL RHINES,
Petitioner,

v.

DARIN YOUNG,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

**MOTION FOR LEAVE TO FILE BRIEF
AND BRIEF OF *AMICI CURIAE* LAW
PROFESSORS IN SUPPORT OF PETITIONER**

RICHARD D. SNYDER
Counsel of Record
CYNTHIA A. MOYER
ANDREW M. NICK
FREDRIKSON & BYRON, P.A.
200 S. Sixth Street, # 4000
Minneapolis, MN 55402
(612) 492-7145
rsnyder@fredlaw.com
Counsel for Amici Curiae

**Motion of *Amici Curiae* For Leave to
File in Support of Petitioner**

Forty-seven law professors (listed in the accompanying appendix) (collectively, *Amici*) respectfully move under Supreme Court Rule 37.2(b) for leave of Court to file the accompanying brief in support of the petition for a writ of certiorari in the above-captioned case. All parties were timely notified of proposed *Amici's* intent to file this amicus brief. Counsel for Petitioner consented to the filing of this brief. Counsel for Respondent denied *Amici's* request for consent. Proposed *Amici* thus file this motion seeking leave to file the amicus brief.

Amici have dedicated their careers to teaching and writing about Evidence and/or Criminal Procedure. *Amici's* interest lies in drawing a parallel between the split that developed among courts following this Court's opinion in *Batson v. Kentucky* and the split that has developed among courts following this Court's opinion in *Pena-Rodriguez v. Colorado*. Just as the Court granted certiorari in *J.E.B. v. Alabama ex. Rel. T.B.* to resolve the split after *Batson*, *Amici* urge this Court to grant certiorari here to resolve the split after *Pena-Rodriguez*.

For the foregoing reasons, the motion should be granted.

Respectfully submitted,
RICHARD D. SNYDER
Counsel of Record

2

FREDRIKSON & BYRON, P.A.
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Minneapolis, MN 55402
(612) 492-7145
rsnyder@fredlaw.com

Counsel for *Amici Curiae*