



CITY OF DALLAS

December 18, 2024

VIA E-FILE

Scott S. Harris, Clerk
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543-0001

Re: ***Dawes v. City of Dallas***, No. 24-570
Waiver Filed by Respondent City of Dallas

Mr. Harris:

Respondent, the City of Dallas (the “City”), is filing a waiver in lieu of a brief in opposition to the petition for writ of certiorari filed by Petitioners in the above-referenced matter. The City does not intend to participate further in the proceedings before the Court, as the Fifth Circuit reversed the district court’s summary judgment with respect to the City and remanded Petitioners’ claims against the City to the district court for further proceedings. App.10a, 124a-25a. Petitioners’ petition for writ of certiorari challenges the Fifth Circuit’s judgment in favor of Respondents Christopher Hess and Jason Kimpel, but it does not seek to disturb the Fifth Circuit’s judgment as to the City. Nevertheless, because Petitioners have listed the City as a respondent in their petition for writ of certiorari, the City is filing a waiver out of an abundance of caution.

Thank you.

Sincerely,

Nicholas D. Palmer
Executive Assistant City Attorney
nicholas.palmer@dallas.gov

cc: Shelby White
Counsel of Record for Petitioners

Mark E. Goldstucker
Counsel for Respondents Hess & Kimpel

W A I V E R

SUPREME COURT OF THE UNITED STATES

No. 24-570

Dawes

(Petitioner)

City of Dallas

V.

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

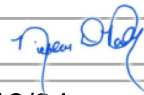
- ☐ I am filing this waiver on behalf of all respondents.
- ☒ I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

City of Dallas

Please check the appropriate box:

- ☒ I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- ☐ I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature:



Date:

12/18/24

(Type or print) Name

Nicholas D. Palmer

☒ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Firm

Dallas City Attorney's Office

Address

1500 Marilla Street, Suite 7DN

City & State

Dallas, Texas

Zip 75201

Phone

214-670-3519

Email

nicholas.palmer@dallas.gov

A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc:

Shelby White, Thad D. Spalding, and Daryl K. Washington, Counsel for Petitioners
Mark E. Goldstucker, Counsel for Respondents Hess and Kimpel