

No. 17-1091
IN THE
Supreme Court of the United States

TYSON TIMBS, ET AL.,

Petitioners,

v.

STATE OF INDIANA,

Respondent.

**ON WRIT OF CERTIORARI
TO THE INDIANA SUPREME COURT**

**MOTION FOR LEAVE TO DISPENSE WITH
PREPARATION OF JOINT APPENDIX**

Pursuant to Rule 26.8 of the Rules of this Court, Petitioners hereby respectfully seek leave to dispense with the requirement of a joint appendix in this case.

The question presented is whether the Eighth Amendment's Excessive Fines Clause is incorporated against the States under the Fourteenth Amendment. That question is a pure issue of law. Further, the opinions of the Indiana courts are included in the appendix to the petition for a writ of certiorari. *See* Sup. Ct. R. 26.1 (stating that any items "already reproduced in a petition for a writ of certiorari . . . need not be reproduced again in the joint appendix"). The parties can also cite

directly any other pleadings that they wish to bring to the Court's attention. Accordingly, preparation of a joint appendix would not meaningfully assist the presentation or consideration of this case.

Petitioners have conferred with counsel for Respondent regarding this matter, and they are authorized to say that Respondent does not oppose this motion.

Respectfully submitted,



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