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REPLY TO FLORIDA

April 29, 2020

By Electronic Filing

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

Re: No. 19-983
Colleen Reilly, et al. v. City of Harrisburg, et al.

Dear Mr. Harris:

I am co-counsel for Petitioners, Colleen Reilly and Becky Biter, in the above-referenced case. Pursuant to Rule 21.4, Petitioners oppose Respondents' April 28, 2020 letter motion for a second extension of time to file a response to the Petition for a Writ of Certiorari. The grounds offered by Respondents do not justify the second extension of time.

The Petition was filed February 3, 2020 and arises from a case Petitioners first filed in the district court over four years ago, on March 24, 2016. The Petition seeks review of the second of two opinions issued by the Third Circuit Court of Appeals concerning the district court's denial of Petitioners' motion for a preliminary injunction, to enjoin the enforcement of a city ordinance that infringes on Petitioners' rights to Free Speech under the First Amendment, among others.¹

Respondents already requested and received one 30-day extension of time to file their response to the Petition, to April 6, 2020, and used all of the extended time to file a Waiver advising the Court that Respondents did not intend to file a response.

¹ Petitioners prevailed in their first appeal to the Third Circuit Court of Appeals. See *Reilly v. City of Harrisburg*, 858 F.3d 173 (3d Cir. 2017).

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Now that the Court has requested a response to the Petition by May 18, 2020, Respondents ask the Court for another 30-day extension of time, to June 17, 2020—over fourth months after the Petition was filed.

Although Petitioners appreciate the circumstances on which Respondents' motion is based, the second 30-day extension requested is not justified given the extended time Respondents already used to consider a response (and file a Waiver), and given the continuing irreparable harm suffered by Petitioners each day during the four-year pendency of their claims against Respondents.²

Respondents motion should be denied.

Respectfully submitted,

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² “The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” *Elrod v. Burns*, 427 U.S. 347, 373 (1976).