


In the
Supreme Court of the United States



CITY OF TAHLEQUAH, OKLAHOMA;
BRANDON VICK; JOSH GIRDNER,

Petitioners,

v.

AUSTIN P. BOND, AS SPECIAL ADMINISTRATOR OF
THE ESTATE OF DOMINIC F. ROLLICE, DECEASED,

Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit

**MOTION FOR LEAVE TO FILE AND
BRIEF OF AMICUS CURIAE THE NATIONAL SHERIFFS'
ASSOCIATION IN SUPPORT OF PETITIONERS**

GREGORY C. CHAMPAGNE

COUNSEL OF RECORD

MAURICE E. BOSTICK

ST. CHARLES PARISH SHERIFF'S OFFICE

260 JUDGE EDWARD DUFRESNE PARKWAY

LULING, LA 70070

(985) 783-2883

SHERIFFGC@STCHARLESSHERIFF.ORG

MOTION FOR LEAVE TO FILE BRIEF

Pursuant to Supreme Court Rule 37.2(b), the National Sheriffs' Association ("NSA") respectfully moves the Court for leave to file the accompanying brief as *amicus curiae*. The consent of counsel of petitioners, City of Tahlequah, Oklahoma, et al., has been obtained, but the consent of counsel for respondent Austin Bond was withheld by letter dated June 7, 2021, without stating a reason. Supreme Court Rule 37.2(a) requires that the consent of counsel be obtained at least 10 days prior to submission of an *amicus curiae* brief. In respect for this rule, NSA requested consent of respondent, Austin Bond, on June 3, 2021, by certified letter, well before the deadline to file *amicus curiae* briefs of June 30, 2021, as to provide notice of this organization's interest in this case prior to drafting any brief.

The NSA is a non-profit association formed under 26 U.S.C. 501(c)(4). Formed in 1940 the NSA seeks to promote the fair and efficient administration of criminal justice throughout the United States and in particular to advance and protect the Office of Sheriff throughout the United States. The NSA has over 13,000 members and is the advocate for 3,080 sheriffs throughout the United States.

The NSA also works to promote the public interest goals and policies of law enforcement throughout the nation. It participates in the judicial process where the vital interests of law enforcement and its members are affected. NSA has filed numerous *amicus curiae* briefs with this Court in the interest of public safety and law enforcement.

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As more fully set forth in the *amicus* brief filed concurrently herewith, the decision below not only challenges binding Supreme Court precedent, but also endangers public safety and officer safety by prohibiting law enforcement officers from taking necessary actions to safeguard the public and themselves in life or death situations. Such public policy concerns, included in the accompanying *amicus curiae* brief, provide an important perspective as to why the Court should grant this motion.

Respectfully submitted,

GREGORY C. CHAMPAGNE
COUNSEL OF RECORD
ST. CHARLES PARISH SHERIFF'S OFFICE
260 JUDGE EDWARD DUFRESNE PARKWAY
LULING, LA 70070
(985) 783-2883
SHERIFFGCC@STCHARLESSHERIFF.ORG

MAURICE E. BOSTICK
ST. CHARLES PARISH SHERIFF'S OFFICE
260 JUDGE EDWARD DUFRESNE PARKWAY
LULING, LA 70070
(985) 783-0213
MBOSTICK@STCHARLESSHERIFF.ORG

COUNSEL FOR AMICUS CURIAE
THE NATIONAL SHERIFFS' ASSOCIATION

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