

In the Supreme Court of the United States

LEROY TORRES,

Petitioner

v.

TEXAS DEPARTMENT OF PUBLIC SAFETY

**ON WRIT OF CERTIORARI TO THE
COURT OF APPEALS FOR THE THIRTEENTH JUDICIAL DISTRICT,
CORPUS CHRISTI, TEXAS**

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

Pursuant to Supreme Court Rule 26.8, petitioner respectfully seeks leave to dispense with the requirement of a joint appendix in this case. Respondent agrees that a joint appendix is not necessary and concurs in the filing of this motion.

The question presented is whether Congress has the power to authorize suits against nonconsenting states pursuant to its War Powers. The appendix to the petition for writ of certiorari in this case includes all of the relevant lower court opinions and orders. Accordingly, a joint appendix, if prepared would contain only a listing of the “relevant docket entries.” S. Ct. R. 26.1. The parties do not believe that any other portion of the record merits special attention that warrants the preparation and expense of a joint

appendix, and preparation of a joint appendix would not materially assist the Court's consideration of this case.

For the foregoing reasons, the motion to dispense with the requirement of a joint appendix should be granted.

Respectfully submitted,

/s/ Andrew T. Tutt

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