

No. 21-1065

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IN THE SUPREME COURT OF THE UNITED STATES

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DENNIS WAYNE HOPE,  
*Petitioner,*

v.

TODD HARRIS, ET. AL.,  
*Respondents.*

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**EMERGENCY JOINT MOTION TO HOLD PETITION IN ABEYANCE**

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June 8, 2022

## EMERGENCY JOINT MOTION TO HOLD PETITION IN ABEYANCE

Pursuant to Rule 21 of the Rules of this Court, petitioner and respondents hereby jointly move the Court to defer consideration of the petition for certiorari in the above-referenced case pending the outcome of ongoing settlement negotiations. Emergency consideration is necessary because the Petition is currently distributed for this Court's June 9, 2022, conference and because over the past three weeks, Petitioner has been hospitalized and transferred to a new facility, such that undersigned counsel was only able to confer with Petitioner today regarding holding the petition in abeyance.

This Court has deferred consideration of certiorari petitions to allow settlement negotiations to proceed. *See, e.g., Peterson v. Linear Controls, Inc.*, 141 S. Ct. 83 (2020) (granting joint motion to defer consideration of petition for certiorari pending settlement negotiations); *Ortiz v. United States*, 578 U.S. 943 (2016) (same); *Dow Chemical Co. v. Industrial Polymers, Inc.*, 577 U.S. 1191 (2016) (same); *Cities Serv. Gas Co. v. Mobil Oil Corp.*, 487 U.S. 1231 (1988) (same); *Trans World Airlines, Inc. v. Zipes*, 442 U.S. 916 (1979) (same). Counsel could find no record of this court denying such a motion when jointly filed.

In this case, the parties' uncertainty concerning whether the Court will grant or deny the Petition is a necessary ingredient to the parties' ability to reach a settlement at this juncture. Thus, the parties respectfully request that the Court defer consideration of the Petition in order to allow settlement negotiations to continue. Should the parties reach a settlement, they anticipate filing a motion under this Court's Rule 46.

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