

IN THE
SUPREME COURT OF THE UNITED STATES

No. 21-1271

TIMOTHY K. MOORE, in his
official capacity as Speaker of the North
Carolina House of Representatives, *et al.*,
Petitioners,

v.
REBECCA HARPER, *et al.*,
Respondents,

&

TIMOTHY K. MOORE, in his
official capacity as Speaker of the North
Carolina House of Representatives, *et al.*,
Petitioners,

v.

NORTH CAROLINA LEAGUE OF
CONSERVATION VOTERS, INC., *et al.*,
Respondents.

PETITIONERS' APPLICATION TO EXCEED WORD LIMIT

Pursuant to Rule 22 and 33.1(d) of the Rules of this Court, Petitioners respectfully seek leave to file a reply brief on the merits of 11,000 words.

1. Petitioners filed their petition for a writ of certiorari on March 17, which the Court granted on June 30. Petitioners filed their opening brief on August 29.

2. On September 30, the Non-State Respondents sought leave to file a consolidated response brief on the merits of 20,000 words, which is in excess of the ordinary 13,000 word limit otherwise set by Supreme Court Rule 33(g)(vi). In their September 30 application, the Non-State Respondents noted that Petitioners did not oppose their application to file a brief in excess of the word limits "provided that

Petitioners receive 11,000 words to file an omnibus reply brief⁷ responding to the response briefs to be filed by both the Non-State Respondents and the State Respondents. This Court granted the September 30 application.

3. On October 19, the Non-State Respondents filed their response brief on the merits with a certified word count of 19,983 words. Also on October 19, the State Respondents filed their response brief on the merits with a certified word count of 13,000 words.

4. As a result, Petitioners' reply brief will respond to two briefs with a total of 32,983 words, rather than a single brief of 13,000 words, as ordinarily contemplated by Supreme Court Rule 33(g)(vi). In light of that fact, Petitioners submit that it is reasonable to allow a single reply brief not to exceed 11,000 words, rather than the 6,000 word limit set by Supreme Court Rule 33(g)(vii).

5. Petitioners have conferred with Respondents. The Non-State Respondents consent to Petitioners' request to file a reply brief of 11,000 words, and the State Respondents do not object to that request. *See* Non-State Respondents' Unopposed Application to Exceed Word Limit, at ¶ 6 (Sept. 30, 2022).

Respectfully submitted,

/S/DAVID H. THOMPSON

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October 27, 2022