

No. \_\_\_\_\_

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IN THE  
SUPREME COURT OF THE UNITED STATES

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*Coral Ridge Ministries Media, Inc., d/b/a  
D. James Kennedy Ministries,*

Applicant-Petitioner,

v.

*Amazon.com, Inc., AmazonSmile Foundation, and  
Southern Poverty Law Center, Inc.,*

Respondents.

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UNOPPOSED APPLICATION TO EXTEND THE TIME TO FILE  
PETITION FOR A WRIT OF CERTIORARI

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To the Honorable Clarence Thomas, Associate Justice of the Supreme Court and Circuit Justice for the United States Court of Appeals for the Eleventh Circuit:

Pursuant to Supreme Court Rules 13(5), 22, and 30, Petitioner, *Coral Ridge Ministries Media, Inc., d/b/a D. James Kennedy Ministries* (“DJKM”), requests that the time to file a petition for writ of certiorari in this case be extended for thirty (30) days to and including November 26, 2021. In support of its application, Petitioner states as follows:

1. DJKM will be filing a petition for writ of certiorari seeking review of the judgment of the United States Court of Appeals for the Eleventh Circuit affirming the district court’s dismissing DJKM’s case with prejudice. (*See Appendix A*)

2. The Eleventh Circuit Court of Appeals issued its opinion on *Coral Ridge Ministries Media, Inc., d/b/a D. James Kennedy Ministries, Plaintiff, v. Amazon.com, Inc., et al.*, 6 F.4th 1247 (11th Cir. 2021) (opinion affirming judgment of district court, issued July 28, 2021). (*See Appendix A*) Absent an extension of time, the petition for writ of certiorari would be due on October 26, 2021. In compliance with Rule 13(5), Petitioner is filing this application more than 10 days before that date. This Court would have jurisdiction over the judgment under 28 U.S.C. § 1257(a).

3. Petitioner is a not-for-profit Christian ministry that primarily broadcasts previously-recorded messages of its (now-deceased) founder, Dr. D. James Kennedy. (*See Appendix A*) These messages are Biblically-based religious teaching. (*See Appendix A*) Petitioner brought this action for defamation, among other claims, for its being labeled as a “Hate Group” by Respondent, Southern Poverty Law Center,

Inc., with the sole basis for the “Hate Group” moniker being Petitioner’s religious beliefs. For nearly 175 years after the First Amendment was ratified, the states were perfectly capable of striking an acceptable balance between protecting the right to free and diverse public discourse and providing a meaningful remedy for the tort of defamation. A non-elected “public official” should not lose his or her right to recover for reputational harm simply because of the “public figure” label that has no basis in the text of history of the First Amendment. This case will squarely present the issue whether this Court should overrule its decision in *New York Times v. Sullivan* and de-federalize defamation law.

4. Undersigned counsel has numerous litigation and non-litigation deadlines in the weeks leading up to and immediately following the current petition deadline, including a jury trial, appellate briefs in other matters, among many other things.

5. Additionally, Petitioner has retained additional counsel specifically for the preparing and filing of the petition with this Court. Petitioner understands that newly-retained counsel needs additional time to review the record material filed to date, and the necessary time to prepare the petition to be filed with this Court.

6. Petitioner’s counsel has communicated with Respondents’ counsel, Ms. Ambika Kumar, counsel for Amazon.com and AmazonSmile Foundation, and Ms. Shannon Holiday, counsel for the Southern Poverty Law Center, regarding this application and the relief requested. Mr. Kumar and Ms. Murray state that the Respondents do not object to the requested extension.

7. Counsel for Petitioner files this application in good faith and not for the purpose of causing undue delay. In addition, an extension will not cause any prejudice to Respondents.

### Conclusion

For the foregoing reasons, Petitioner respectfully requests that the time to file a petition for writ of certiorari in this case be extended from October 26, 2021, to and including November 26, 2021.

Respectfully submitted,



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October 14, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that on October 14, 2021, a copy of this Application was served on counsel for Respondents via email and U.S. Mail at these addresses:

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Dated: October 14, 2021

Respectfully submitted,



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## Appendix A