

No. 23-423

IN THE
Supreme Court of the United States

SUSAN PORTER

Petitioner,

v.

KELLY MARTINEZ, IN HER
OFFICIAL CAPACITY AS SHERIFF
OF SAN DIEGO COUNTY, ET AL.,

Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SHERIFF KELLY MARTINEZ'S BRIEF IN
OPPOSITION TO PETITION FOR WRIT OF
CERTIORARI

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REASONS FOR DENYING CERTIORARI

The petition and the Ninth Circuit's Opinion below address the constitutionality of a state statute (Cal. Vehicle Code Section 27001), and do not separately address the policies or practices of local law enforcement. *See* Pet. 1; Pet. App. 76a fn. 1. Accordingly, Kelly Martinez, sued in her official capacity as Sheriff of the County of San Diego, joins in the Brief in Opposition filed by Sean Duryee, in his official capacity as Commissioner of the California Highway Patrol.

CONCLUSION

Sheriff Martinez agrees that the Petition should be denied for the reasons stated therein.

Respectfully submitted,

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