

IN THE SUPREME COURT OF THE UNITED STATES

No. 24-624

WILLIAM TREVOR CASE, PETITIONER

v.

MONTANA

ON WRIT OF CERTIORARI
TO THE MONTANA SUPREME COURT

MOTION OF THE UNITED STATES FOR LEAVE TO
PARTICIPATE IN ORAL ARGUMENT AS AMICUS CURIAE
AND FOR DIVIDED ARGUMENT

Pursuant to Rules 28.4 and 28.7 of the Rules of this Court, the Solicitor General, on behalf of the United States, respectfully moves for leave to participate in the oral argument in this case as amicus curiae supporting respondent and requests that the United States be allowed ten minutes of argument time. Respondent consents to this motion and has agreed to cede ten minutes of argument time to the United States. Accordingly, if this motion were granted, the argument time would be divided as follows: 30 minutes for petitioner, 20 minutes for respondent, and 10 minutes for the United States.

This case concerns whether, under the Fourth Amendment, a government official who enters a residence without a warrant to provide emergency aid must have "probable cause" that a person

inside the residence is in danger. The United States is filing today a brief as amicus curiae supporting respondent.

The United States has a substantial interest in the Court's resolution of the question presented. The respondent in this case is a State, but the standard for a government official to make a warrantless entry into a home to provide emergency aid will affect federal officials as well. Federal officials make warrantless entries into residences in a variety of emergencies that pose a threat to health and safety. The federal government also prosecutes cases in which state or local officials making such entries may have encountered evidence of a crime.

The United States has previously presented oral argument as amicus curiae in cases concerning the interpretation and application of the Fourth Amendment, including in cases involving emergency aid. See, e.g., Barnes v. Felix, 145 S. Ct. 1353 (2025); Lange v. California, 594 U.S. 295 (2021); Caniglia v. Strom, 593 U.S. 194 (2021); Brigham City v. Stuart, 547 U.S. 398 (2006). We therefore believe that participation by the United States in oral argument in this case would be of material assistance to the Court.

Respectfully submitted.

D. JOHN SAUER
Solicitor General
Counsel of Record

SEPTEMBER 2025