

No. 25-352

In The
Supreme Court of the United States

DR. JASMINE YOUNGE
Petitioner,
v.

FULTON JUDICIAL CIRCUIT
DISTRICT ATTORNEY'S OFFICE, GEORGIA,
Respondent

On Writ of Certiorari
To The United States Court of Appeals
For The Eleventh Circuit

**MOTION FOR LEAVE TO DISPENSE
WITH PREPARATION OF A JOINT APPENDIX**

Pursuant to Rule 26.8 of the Rules of this Court, petitioner Jasmine Younge respectfully moves for leave to dispense with the requirement of a joint appendix in this case. The respondent agrees that a joint appendix is not necessary.

This case presents a pure question of law: Whether a defendant which has filed an answer without pleading an affirmative defense may nonetheless assert that affirmative

defense as the basis for a summary judgment motion, without amending or seeking to amend its answer to plead the affirmative defense, and may do so even if an amendment adding that affirmative defense would be barred by Rule 16(b)(4)? The relevant opinions of the lower courts are included in the appendix to the petition for a writ of certiorari.

In the parties' view, no other portion of the record merits special attention such as would warrant the preparation and expense of a joint appendix, and a joint appendix would not materially assist the Court in its consideration of the case.

Dated: May 20, 2026

Respectfully submitted,

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