

No. 25-677

IN THE
Supreme Court of the United States

CITY OF CLEVELAND, OHIO,

Petitioner,

v.

ALBERT PICKETT, ET AL.,

Respondents.

**JOINT MOTION TO DEFER CONSIDERATION
OF THE PETITION FOR A WRIT OF CERTIORARI**

Petitioner and respondents jointly move the Court under Rule 21 to defer its consideration of the petition for a writ of certiorari, which has been distributed for the Court's conference of May 14, 2026.

On May 1, 2026, the parties reached an agreement to settle this case. 19-cv-2911 Docket entry (N.D. Ohio May 1, 2026) (minute entry summarizing settlement conference). Federal Rule of Civil Procedure 23(e) requires review and approval of the settlement by the district court. The parties are currently preparing a formal settlement agreement, which they anticipate submitting to the court within 60 days (*i.e.*, by June 30) for its review and approval. See *ibid.* Upon approval of the settlement, the parties intend to stipulate to dismissal of the petition for a writ of certiorari pursuant to this Court's Rule 46.

Deferring consideration of the petition pending the preparation of the settlement agreement and the district court's review and approval is appropriate. Deferral will preserve the Court's judicial resources while preserving all parties' rights. This Court has granted similar requests to defer consideration in analogous circumstances. See, e.g., *Premier Nutrition Corp. v. Montera*, No. 24-999 (Oct. 14, 2025) (granting joint motion to hold a petition in abeyance); *Dow Chemical Co. v. Indus. Polymers, Inc.*, 577 U.S. 1191 (2016) (No. 14-1091) (holding certiorari petition in abeyance pending approval of class settlement); *Cities Serv. Gas Co. v. Mobil Oil Corp.*, 487 U.S. 1245 (1988) (No. 87-796) (similar). The same course is warranted here.

Respectfully submitted.

/s/ Alexandra Thompson

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