

No.

In the Supreme Court of the United States

CHRISTOPHER DIER, PETITIONER,

v.

JEFFREY MARTIN LANDRY, GOVERNOR OF LOUISIANA,
ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT*

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

Louisiana law requires every public school in the state to display the Ten Commandments in every classroom. La. R.S. § 17:2124(B)(1)-(3). The law mandates a specific version of the Biblical text that includes the statements “I AM the Lord thy God,” “Thou shalt have no other gods before me,” “Thou shalt not take the Name of the Lord thy God in vain,” and “Remember the Sabbath day, to keep it holy.” According to the Book of Exodus these and the other Commandments are the literal words of God; “written with the finger of God.”

In addition to prescribing the specific Biblical text, Louisiana’s law mandates that God’s words appear on a poster or framed document at least eleven inches by fourteen inches and mandates that they be the central focus of the display in a large, easily readable font. The law also pairs God’s words with a state-written statement titled “The History of the Ten Commandments in American Public Education.”

Petitioner Christopher Dier, Louisiana’s 2020 Teacher of the Year, teaches all of his classes in a single public-school classroom. He strongly objects to the message these state-mandated displays convey—that the State officially endorses a particular religion’s authority and moral teachings—and has sworn that he cannot comply with the law, even at the risk of losing his job. Applying recent, binding en banc circuit precedent, the courts below held his challenge unripe and meritless.

The questions presented are:

1. Whether petitioner’s Establishment Clause challenge to Louisiana’s law is ripe.
2. Whether Louisiana’s law violates the Establishment Clause.

**PARTIES TO THE PROCEEDING AND RULE 29.6
STATEMENT**

Petitioner is Christopher Dier. Because petitioner is an individual, Rule 29.6 does not require a corporate disclosure statement.

Respondents are Jeffrey Martin Landry, in his official capacity as Governor of Louisiana; Elizabeth Murrill, in her official capacity as Attorney General of Louisiana; Cade Brumley, in his official capacity as the Louisiana State Superintendent of Education; and Conrad Appel, Judy Armstrong, Kevin Berken, Preston Castille, Simone Champagne, Sharon Latten-Clark, Lance Harris, Paul Hollis, Sandy Holloway, Stacey Melerine, and Ronnie Morris, each in his or her official capacity as a member of the Louisiana State Board of Elementary and Secondary Education. No respondent is a nongovernmental corporation.

RELATED PROCEEDINGS

United States District Court for the Eastern District of Louisiana: *Dier v. Landry*, No. 2:24-cv-2306, Order and Reasons granting motion to dismiss, R. Doc. 87 (Apr. 22, 2026), and final judgment, R. Doc. 88 (Apr. 23, 2026).

United States Court of Appeals for the Fifth Circuit: *Dier v. Landry*, No. 26-30243, order granting summary affirmance entered July 10, 2026.

Related Fifth Circuit proceedings include *Roake v. Brumley*, 170 F.4th 292 (5th Cir. 2026) (en banc) (per curiam), and *Nathan v. Alamo Heights Indep. Sch. Dist.*, 173 F.4th 576 (5th Cir. 2026) (en banc).

Related proceedings in this Court include *Brumley v. Roake*, No. 25-1360 (petition filed May 21, 2026), and *Nathan v. Alamo Heights Independent School District* (petition for a writ of certiorari filed August 17, 2026; docket number not yet assigned).

TABLE OF CONTENTS

	Page
Opinions Below	1
Jurisdiction	1
Constitutional and Statutory Provisions Involved	1
Introduction	1
Statement of The Case	3
Reasons For Granting The Petition.....	6
I. The Questions Presented Are Of Exceptional National Importance.	6
II. Both Sides Of This Controversy Seek This Court’s Review, And The Companion Cases Make This The Moment.	8
III. The Decision Below Is Wrong And This Case Is An Ideal Vehicle.....	9
Conclusion	11
Appendix A: Order of the United States Court of Appeals for the Fifth Circuit Granting Summary Affirmance, No. 26-30243 (July 10, 2026).....	1a
Appendix B: Order and Reasons of the United States District Court for the Eastern District of Louisiana (Guidry, J.) (Apr. 22, 2026)	3a
Appendix C: Constitutional and Statutory Provisions Involved (U.S. Const. amend. I; U.S. Const. amend. XIV, § 1; La. R.S. § 17:2124 (H.B. 71)).....	23a
Appendix D: Verified Complaint (E.D. La. R. Doc. 1) (Sept. 23, 2024)	30a
Appendix E: Declaration of Christopher Dier (E.D. La. R. Doc. 47-2) (Oct. 11, 2024) ...	53a

TABLE OF AUTHORITIES

Cases	Page(s)
<i>Kennedy v. Bremerton School District</i> , 597 U.S. 507 (2022).....	9, 10
<i>Nathan v. Alamo Heights Indep. Sch. Dist.</i> , 173 F.4th 576 (5th Cir. 2026)	1, 2, 6, 7, 8, 9
<i>Roake v. Brumley</i> , 170 F.4th 292 (5th Cir. 2026)	1, 3, 6, 8, 9, 11
<i>Van Orden v. Perry</i> , 545 U.S. 677 (2005).....	4
Constitutional Provisions	
U.S. Const. amend. I	1
U.S. Const. amend. XIV, § 1	1
Statutes	
28 U.S.C. § 1254(1).....	1
42 U.S.C. § 1983	5
Ala. S.B. 99, 2026 Reg. Sess.....	2, 7
Ark. Act 573 of 2025	2, 7
La. Acts 2024, No. 676	3
La. R.S. § 17:2124.....	1, 3, 4
Tenn. Pub. Acts ch. 924 (May 7, 2026)	2, 7
Rule	
Fed. R. Civ. P. 12(b)(1)	6

PETITION FOR A WRIT OF CERTIORARI

OPINIONS BELOW

The order of the court of appeals granting summary affirmance (App. 1a-2a) is unreported. The district court's Order and Reasons granting respondents' motion to dismiss (App. 3a-22a) is unreported. The related en banc decisions of the Fifth Circuit are reported: *Roake v. Brumley*, 170 F.4th 292 (5th Cir. 2026) (en banc) (per curiam), and *Nathan v. Alamo Heights Indep. Sch. Dist.*, 173 F.4th 576 (5th Cir. 2026) (en banc).

JURISDICTION

The court of appeals entered its judgment on July 10, 2026, summarily affirming the district court's judgment of dismissal. This Court's jurisdiction is invoked under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Relevant constitutional and statutory provisions are reproduced in the petition appendix at App. 23a-29a.

INTRODUCTION

Louisiana has ordered that a specific version of the Ten Commandments be posted in every public-school classroom in Louisiana. The text must appear on a poster or framed document of prescribed minimum size; it must be the central focus of that display; it must be printed in a large, easily readable font; and it must carry the State's statement of the Commandments' place in American public education. La. R.S. § 17:2124(B)(1)-(3).

The question whether a State may do this is one of exceptional and growing national importance. Louisiana acted first. Texas followed with a materially similar mandate, which the en banc Fifth Circuit has now upheld.

Nathan v. Alamo Heights Indep. Sch. Dist., 173 F.4th 576 (5th Cir. 2026) (en banc). Arkansas has enacted a classroom-and-library display mandate, Alabama a classroom and common-area law, and Tennessee a permissive display statute. Ark. Act 573 of 2025; Ala. S.B. 99, 2026 Reg. Sess.; Tenn. Pub. Acts ch. 924 (May 7, 2026). Millions of schoolchildren, required by law to attend school, and hundreds of thousands of teachers, required by their offices to serve there, now learn and work beneath state-prescribed religious displays or soon will. Whether the Establishment Clause permits that arrangement will be settled for the Nation by this Court. The only question is when and with which parties before it.

Petitioner Christopher Dier is Louisiana’s 2020 Teacher of the Year, a National Teacher of the Year finalist, with more than fifteen years in the classroom. Dier Decl. ¶¶ 2, 9 (App. 55a, 56a). He teaches every one of his classes in a single U.S. History classroom, into which his students rotate throughout the day. *Id.* ¶ 16 (App. 58a). The State has decreed that his room, like every other classroom in Louisiana, will henceforth carry its chosen sacred text at the center of a required display. Dier has sworn that he cannot and will not allow the Ten Commandments to hang on the wall of his classroom, though the consequence of his defiance is likely to be termination. *Id.* ¶¶ 17, 22 (App. 58a-59a).

Dier’s is one of a handful of challenges reaching or poised to reach this Court at the same time. His is the only one brought by a teacher and the only one that raises both justiciability and the merits in the same case. His petition thus allows this Court to settle questions of the constitutionality of these laws in cases brought by everyone these laws most affect—parents, students, and teachers.

This case arrives in the cleanest possible posture. The district court dismissed on the authority of the Fifth Circuit’s en banc decision in *Roake v. Brumley*, 170 F.4th 292 (5th Cir. 2026) (en banc) (per curiam), and that decision bound every panel of the court of appeals. So Dier moved for summary affirmance of the judgment against him—asking the Fifth Circuit to make its judgment final so that this Court could act—and the court granted the motion within three days. The judgment is final. The record consists of a statute, a verified complaint, and a declaration. The questions presented are purely legal. And Dier supplies the one perspective missing from every other case in this line: the teacher who must conduct public instruction beneath the State’s chosen religious text, on pain of losing the job he has held with distinction for more than fifteen years.

The Establishment Clause forbids the government from commanding the placement of a single favored faith’s sacred text on the wall of every schoolroom as clearly as it would forbid the placement of that text on the wall of every courtroom. The Constitution was framed for religious pluralism—the bedrock commitment that one religious denomination cannot be officially preferred over another, and that all citizens are equally American, no matter what religion they are, or if they have no religion at all. This case calls upon the Court to reaffirm that founding commitment. The petition for a writ of certiorari should be granted.

STATEMENT OF THE CASE

A. In 2024, Louisiana enacted H.B. 71, codified at La. R.S. § 17:2124. Acts 2024, No. 676, § 1, eff. June 19, 2024. The statute commands that “[n]o later than January 1, 2025, each public school governing authority shall display the Ten Commandments in each classroom in each school under its jurisdiction.” La. R.S. § 17:2124(B)(1). Local

authorities may determine the “nature of the display,” but only above a mandatory statutory floor: the Ten Commandments must appear on a poster or framed document at least eleven inches by fourteen inches; the text “shall be the central focus” of that poster or framed document; and it must be printed “in a large, easily readable font.” *Id.*

The statute prescribes the specific text, beginning “I AM the Lord thy God.” La. R.S. § 17:2124(B)(2) (“The text shall read as follows: . . .”). The complaint alleges that the prescribed version tracks a Protestant form that differs from Jewish, Catholic, Lutheran, and other traditions in numbering, translation, and canon. Compl. ¶¶ 17, 32-45 (App. 37a, 41a-46a). Louisiana states that the text is “identical to the text of the Ten Commandments monument” upheld in *Van Orden v. Perry*, 545 U.S. 677 (2005). La. R.S. § 17:2124(A)(6). Each display must also include a state-written “context statement” titled “The History of the Ten Commandments in American Public Education.” *Id.* § 17:2124(B)(3). Schools may add the Mayflower Compact, the Declaration of Independence, and the Northwest Ordinance, *id.* § 17:2124(B)(4), but those documents are optional. The State’s prescribed version of the Ten Commandments is mandatory.

The Act applies to every classroom and every subject. Compl. ¶ 26 (App. 39a). It is not limited to history, civics, or comparative religion, or to any unit of study in which the Ten Commandments figure as an object of academic examination. The same state-selected religious text is required in elementary school classrooms, middle school classrooms, history, math, and science classrooms, and every other public-school classroom in Louisiana.

B. Christopher Dier teaches at Benjamin Franklin High School in New Orleans. He has taught for more than fifteen years; he teaches AP U.S. History, AP

Government, and World History; and he has been recognized as the 2020 Louisiana Teacher of the Year, a 2020 National Teacher of the Year finalist, and the 2021 Gilder Lehrman Louisiana History Teacher of the Year. Dier Decl. ¶¶ 2, 9 (App. 55a, 56a). He teaches all of his classes in a single classroom, used exclusively for educational instruction, into which more than 140 students rotate for ninety-three-minute periods throughout the day. *Id.* ¶¶ 4, 16 (App. 55a, 58a).

Dier's objection is not rooted in any disagreement with the Ten Commandments. He was raised a devout Catholic, served as an altar boy, attended a Baptist university, and has explained that religious values inform his teaching. Dier Decl. ¶¶ 12-14 (App. 57a). His objection is to the State's official endorsement of the Ten Commandments; he has declared that posting the Ten Commandments in his classroom "in my role as a teacher and during time set aside specifically for educational instruction" would make him the "messenger of a state-sponsored program of religious proselytization." *Id.* ¶ 18 (App. 58a). He objects, too, to being made to promote a specific translation of the Commandments not shared by all Christians, Jews, or Muslims. *Id.* ¶ 19 (App. 58a).

The stakes of his objection are his career. Dier has declared that he "cannot and will not abide by H.B. 71 if it is implemented in my school, even if it would put my job at risk," and that the consequence of a teacher's noncompliance is termination. Dier Decl. ¶¶ 17, 22 (App. 58a-59a). He also faces reputational consequences. He teaches his students that citizens must comply with the law, and he must model that principle in his own conduct. *Id.* ¶ 23 (App. 60a).

C. Dier filed this pre-implementation action under 42 U.S.C. § 1983, alleging that H.B. 71 violates the Establishment Clause, the Free Exercise Clause, and the

Free Speech Clause, and seeking declaratory and injunctive relief. The district court dismissed under Federal Rule of Civil Procedure 12(b)(1), holding the claims unripe under the Fifth Circuit’s en banc decision in *Roake*, which had held a challenge to the same statute by parents and schoolchildren premature while local implementation details remained unresolved. App. 3a-22a; *Roake*, 170 F.4th at 297-300. Weeks later, the same en banc court held a materially similar Texas classroom-display mandate ripe and upheld that mandate on the merits. *Nathan*, 173 F.4th 576.

Those two en banc decisions bound every panel of the court of appeals, so further proceedings there could not alter the judgment. Dier therefore moved for summary affirmance of the judgment against him to facilitate this Court’s review. The court suspended briefing, and on July 10, 2026—three days after the motion was filed—the Fifth Circuit granted the motion and affirmed. App. 1a-2a. The judgment is final, and both questions—whether the challenge is ripe, and whether Louisiana’s mandate is constitutional—are presented to this Court on a purely legal record: the statute (App. 23a-29a), the verified complaint (App. 30a-52a), and petitioner’s sworn declaration (App. 53a-60a).

REASONS FOR GRANTING THE PETITION

I. THE QUESTIONS PRESENTED ARE OF EXCEPTIONAL NATIONAL IMPORTANCE.

Few questions come closer to the core of this Court’s certiorari jurisdiction than this. The case concerns religion in the public schools—the setting in which the Nation’s commitments under the Religion Clauses are most visible, most intimate, and most consequential—and it concerns every public school in a State. Louisiana’s statute reaches every classroom, every teacher, and every

child in Louisiana’s public schools, from kindergarten through twelfth grade. The children are in those rooms because the law compels their attendance. The teachers are there because the State employs them to perform a vital public function. The statute’s deadline has come and gone; displays are going up now. Each school year that passes is a year in which the instructional environment of an entire State is defined by a statute whose constitutionality this Court has never reviewed.

Nor is the question confined to Louisiana. Texas enacted a materially similar mandate for every public elementary and secondary classroom, and the en banc Fifth Circuit upheld it. *Nathan*, 173 F.4th 576. Arkansas has enacted a classroom-and-library display mandate. Ark. Act 573 of 2025. Alabama has enacted a classroom and common-area law, and Tennessee has authorized displays by statute. Ala. S.B. 99, 2026 Reg. Sess.; Tenn. Pub. Acts ch. 924 (May 7, 2026). The pattern is unmistakable: state legislatures are enacting Ten Commandments classroom mandates in reliance on the Fifth Circuit’s approval, and each new statute multiplies the number of students and teachers governed by a rule of constitutional law that only this Court can settle.

The en banc Fifth Circuit’s merits holding makes review imperative. A sharply divided full court of appeals has sustained a state law prescribing a sacred text for permanent display in every public-school classroom. Whatever else may be said of that holding, it is a constitutional ruling of the first magnitude—governing Louisiana, Texas, and Mississippi, and serving as the model for legislation across the country—and it now stands as the controlling word on the subject. A question of this consequence, resolved by an en banc court against the backdrop of an actively expanding legislative pattern, should receive this Court’s swift plenary consideration.

The en banc court's decisions also fix the terms on which these mandates can be challenged at all. Read together, *Roake* and *Nathan* set the national template: a State that delegates the details of implementation renders pre-implementation challenges premature, while a State that prescribes the details prevails on the merits. Every legislature drafting a display statute is choosing now between those two paths, and that choice determines not only whether its statute is valid but when and whether anyone may challenge its validity. When review is available is as consequential, nationally, as what the answer will be. That is why the two questions presented belong in a single grant.

II. BOTH SIDES OF THIS CONTROVERSY SEEK THIS COURT'S REVIEW, AND THE COMPANION CASES MAKE THIS THE MOMENT.

Louisiana has already asked this Court to take up these mandates. In *Brumley v. Roake*, No. 25-1360, the State's conditional petition urges that if the Court reviews the parents' challenge in *Nathan*, "it should consider both cases together just as the Fifth Circuit did." Pet. 3. The *Nathan* plaintiffs have now filed their petition for a writ of certiorari as well. *Nathan v. Alamo Heights Indep. Sch. Dist.* (U.S., filed Aug. 17, 2026). It is the rare constitutional controversy in which those who defend these laws and those who challenge them come to this Court seeking the same thing: a definitive answer.

This petition brings Louisiana's statute to the Court in the ordinary way. The *Roake* plaintiffs did not seek this Court's review. The State's own petition is, by its terms, "purely protective": it asks the Court to deny review unless *Nathan* is granted. Dier alone comes to this Court aggrieved by a final judgment and affirmatively seeking plenary review of both questions.

The companion cases also show what this petition uniquely adds. The *Roake* and *Nathan* plaintiffs are parents and schoolchildren. Dier is a teacher: the public official whose classroom the State has transformed, and who under the ripeness decision below must choose between compliance and termination before any court will even entertain his claim. That is the position these mandates consign to hundreds of thousands of public educators today, with more added each legislative session. If the Court is to resolve whether States may mandate religious displays for every classroom and decree the specific religious text, it should do so with the person whose classroom it is before it.

III. THE DECISION BELOW IS WRONG AND THIS CASE IS AN IDEAL VEHICLE.

The Fifth Circuit’s ripeness and merits rulings are wrong. Dier’s Establishment Clause claim is ripe because the facts necessary to determine whether the State’s displays violate the Establishment Clause are all known. And the displays violate the Establishment Clause because no historical practice or understanding—the touchstone under *Kennedy v. Bremerton School District*, 597 U.S. 507, 535 (2022)—has ever sanctioned a state law commanding that the State’s chosen version of a sacred text preside over every public-school classroom in a State.

Dier’s claim is fit for judicial resolution. The statute fixes everything material: the specific Biblical text, the classroom setting, the display’s minimum size, the text’s centrality and readability, and the official context statement. The Fifth Circuit’s contrary conclusion conflated the merits with ripeness. The law requires the State’s context statement and permits schools to add other historical documents that, in the State’s view, can make the displays permissible under the Establishment Clause. Whether those additions could save a display is a

merits question—an argument about what the Establishment Clause allows—not a reason no court may decide it. Because every fact material to Dier’s facial claim is fixed by the law itself, there is no question about the ripeness of Dier’s challenge, only about its merits.

On the merits, the mandate cannot stand. There is no American tradition—not at the founding, not at Reconstruction, not since—of laws commanding that a sacred text be posted in every schoolroom in a State and decreeing what the scripture “shall read.” What history reveals instead are the hallmarks of establishment that the founders knew and rejected: government prescription of an official religious text, backed by law, in institutions the public is compelled to attend, carried out through commands public officials are bound to follow. *Kennedy*, 597 U.S. at 537. Those hallmarks are not abstractions in the schoolhouse. When Boston’s public schools required recitation of the Ten Commandments in the King James rendering, a ten-year-old Catholic boy named Thomas Whall was beaten until his hands bled for refusing to read the State’s version of the Decalogue rather than his church’s own. And when the federal government of the nineteenth century turned the schooling of Native children toward darker designs, its boarding schools frequently subjected them to compulsory Christian instruction as an instrument of what the government styled its “civilization” project. The children who must learn in the classrooms in which these texts appear have a powerful Establishment Clause claim. But so too teachers, who must conduct official instruction beneath the State’s chosen version of a sacred text.

This case is a clean vehicle to resolve the questions presented. The Fifth Circuit granted a summary affirmance motion in three days based on recent binding en banc circuit precedent. Both sides of this case have done everything within their power to speed the question

to this Court. There are no unresolved claims and no interlocutory complications. Petitioner has deliberately abandoned his Free Exercise and Free Speech claims to facilitate this Court's review of the Establishment Clause questions this case presents.

The questions presented are purely legal. And granting both questions lets the Court resolve the threshold and the merits in a single case—just as the Fifth Circuit resolved them in its paired en banc decisions, and just as the State's own petition in *Roake* proposes.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted.

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