

13-502 REED V. GILBERT, AZ

DECISION BELOW: 707 F.3d 1057

LOWER COURT CASE NUMBER: 11-15588

QUESTION PRESENTED:

The Town of Gilbert's Sign Code categorizes temporary signs based on their content and then restricts their size, duration, location, and other characteristics depending on the category into which each sign is placed. Under the Sign Code, Good News Community Church's temporary signs promoting church services receive far worse treatment than temporary signs promoting political, ideological, and various other messages, even though they equally impact Gilbert's interests in safety and aesthetics. By finding the Sign Code content neutral and upholding it under the First Amendment, the Ninth Circuit deepened a three-way conflict among eight Courts of Appeals.

The question presented is:

Does Gilbert's mere assertion of a lack of discriminatory motive render its facially content--based sign code content-neutral and justify the code's differential treatment of Petitioners' religious signs?

CERT. GRANTED 7/1/2014