

23-10385

United States Court of Appeals
for the
Eleventh Circuit

JANUARY LITTLEJOHN, JEFFREY LITTLEJOHN,

Plaintiffs – Appellants,

versus

SCHOOL BOARD OF LEON COUNTY, FLORIDA, ROBIN OLIVERI,
RACHEL THOMAS, ROCKY HANNA, DR. KATHLEEN RODGERS;

Defendants – Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA, TALLAHASSEE DIVISION
THE HONORABLE MARK E. WALKER
CASE NO. 4:21-CV-00415-MW-MJF

**MOTION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE*
PARENTAL RIGHTS FOUNDATION IN SUPPORT OF PLAINTIFFS –
APPELLANTS AND IN SUPPORT OF REVERSAL**

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Case No. 23-10385

**CERTIFICATE OF INTERESTED PERSONS AND CORPORATE
DISCLOSURE STATEMENT**

Amicus curiae Parental Rights Foundation is a nonprofit corporation, and does not issue stock, and is neither owned by nor is the owner of any other corporate entity, in part or in whole. Amicus curiae does not have any parent corporation, subsidiary, affiliate, or member that has issued shares or debt securities to the public, nor is there any publicly held company that owns 10% or more of amicus curiae's stock. Amicus curiae is operated by a volunteer board of directors.

Pursuant to this Court's Local Rules 26.1-1 through 26.1-3, Amicus Curiae certifies that the name of each person, attorney, association of persons, firm, law firm, partnership, nonprofit organization, and corporation that has or may have an interest in the outcome of this action — including subsidiaries, conglomerates, affiliates, parent corporations, publicly-traded companies that own 10% or more of a party's stock, and all other identifiable legal entities related to any party in the case is limited to the following:

Broyles, Vernadette – Counsel for Appellants

Child & Parental Rights Campaign, Inc. – Counsel for Appellants

Estrada, William A. – Counsel for Amicus Curiae

Hanna, Rocky – Defendant-Appellee

Harmon, Terry J. – Counsel for Appellees

Case No. 23-10385

Jones, Darryl – School Board Member

Lawson Cox, Laurie – School Board Member

Littlejohn, January – Appellant

Littlejohn, Jeffrey – Appellant

McAlister, Mary E. – Counsel for Appellants

Nicolas, Marcus – School Board Member

Oliveri, Robin – Appellee

Parental Rights Foundation – Amicus Curiae

Rodgers, Kathleen – Appellee

School Board of Leon County – Appellee

Slanker, Jeffrey D. – Counsel for Appellees

Sniffen & Spellman, P.A. – Counsel for Appellees

Spellman, Michael P. – Counsel for Appellees

Swafford Smith, Alva – School Board Member

Thomas, Rachel – Appellee

Trakas, Ernest G. – Counsel for Appellants

Walker, Hon. Mark E. – Chief United States District Judge

Wood, Rosanne – School Board Member

/s/ William A. Estrada
Counsel for Amicus Curiae
Parental Rights Foundation

**MOTION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE*
PARENTAL RIGHTS FOUNDATION**

Now comes Amicus Curiae Parental Rights Foundation, by and through Counsel, and seeks leave from this Court to file the enclosed brief in support of Plaintiffs-Appellants January Littlejohn and Jeffrey Littlejohn, and in support of reversal.

In support of this motion, Amicus Curiae Parental Rights Foundation states as follows:

1. Amicus Curiae is a national, nonprofit, nonpartisan advocacy organization which seeks to preserve the legal protection afforded to loving and fit parents to raise, nurture, and educate their children without undue state interference.
2. The District Court's decision has significant nationwide implications regarding the fundamental rights of parents. As an aid to the Court, Amicus Curiae's brief surveys the history of parental rights in our nation, and how federal courts have recognized this right, which is both desirable and relevant to the proper disposition of this case.
3. Amicus Curiae's brief complies with Rules 29 and 32 of the Federal Rules of Appellate Procedure, as well as all local rules of this Court.
4. Plaintiffs-Appellants have consented to the filing of this brief.

5. Prior to filing this motion, Amicus Curiae made a good-faith effort to secure the consent of Defendants-Appellees to the filing of this brief. As of the date of this motion, Defendants-Appellees have neither given their consent nor refused their consent. Defendants-Appellees have asked Amicus Curiae why Amicus Curiae was interested in filing an amicus brief, to which Amicus Curiae provided a substantive and good-faith response, which received no response from Defendants-Appellees.
6. It is the understanding of Amicus Curiae that *no* other amici have received consent from Defendants-Appellees, but have received similar responses, or no responses.

For the above-mentioned reasons, Amicus Curiae respectfully asks that this Court grant it leave to file the enclosed brief in support of Plaintiffs-Appellants.

Respectfully submitted this 30th Day of May, 2023,

/s/ William A. Estrada
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CERTIFICATE OF COMPLIANCE

1. This motion complies with type-volume limits because, excluding the parts of the document exempted by Fed. R. App. P. 32(f):

this motion contains 313 words.

this motion uses a monospaced type and contains [state the number of] lines of text.

2. This motion complies with the typeface and type style requirements because:

this motion has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14pt Times New Roman; or

this motion has been prepared in a monospaced typeface using [state name and version of word processing program] with [state number of characters per inch and name of type style].

DATED: May 30, 2023

/s/ William A. Estrada
Counsel for Amicus Curiae
Parental Rights Foundation

CERTIFICATE OF FILING AND SERVICE

I certify that I electronically filed the foregoing Motion for Leave to File Brief of *Amicus Curiae* Parental Rights Foundation in Support of Plaintiffs – Appellants and in Support of Reversal with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit for filing and transmittal of a Notice of Electronic Filing to the participants in this appeal who are registered CM/ECF users on May 30th, 2023.

/s/ William A. Estrada
Counsel for Amicus Curiae
Parental Rights Foundation