

No. 25-CV-1994

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IN THE  
**SUPREME COURT OF THE UNITED STATES**

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**LAURA MARSHALL,  
PETITIONER,**

**V.**

**THE CHURCH OF LIGHT, LLC,  
RESPONDENT.**

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*ON WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS FOR THE FIFTEENTH CIRCUIT*

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**BRIEF FOR PETITIONER**

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## **QUESTIONS PRESENTED FOR REVIEW**

The questions presented to this Court are as follows: (1) Whether the Campus Anti-Doxxing Statute (CADS) violates the First Amendment Free Speech Clause as applied to The Church of Light, LLC; and (2) Whether the Campus Anti-Doxxing Statute (CADS) violates the First Amendment Free Exercise Clause as applied to The Church of Light, LLC.

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## **JURISDICTIONAL STATEMENT**

This Court has the authority to review “all final decisions of the district courts of the United States.” 28 U.S.C. § 1291. This Court reviews decisions regarding motions for summary judgment de novo. *Thompson v. D.C.*, 832 F.3d 339, 344 (D.C. Cir. 2016). In its review, this court must “view the evidence in the light most favorable to the party opposing summary judgment, draw all reasonable inferences in that party's favor, and avoid weighing the evidence or making credibility determinations.” *Id.* Under the Federal Rules of Civil Procedure, a court can only grant summary judgment if “there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a). A genuine dispute of material fact exists if “the evidence is such that a reasonable jury could return a verdict for the nonmoving party.” *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS**

### **First Amendment**

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

U.S. CONST. amend. I.

## **STATEMENT OF THE CASE**

### **Procedural History**

On September 12, 2025, the Delmont State Legislature enacted the Campus Anti-Doxxing Statute (“CADS”), Del. Ann. Stat. §25.989 (2025). R. at 2.

On October 3, 2025, Petitioner. Marshall filed suit against The Church of Light, LLC under CADS seeking damages and injunction relief, alleging that she was “injured.” R. at 12. The District

Court for the District of Delmont, Western Division granted summary judgment in favor of The Church of Light, holding that CADS violated the Church's First Amendment rights free speech and free exercise and that no genuine dispute of material facts existed. R. at 31.

One appeal, the United States Court of Appeals for the Fifteenth Circuit reversed the district court's ruling and denied The Church of Light's motion for summary judgment, holding that CADS as applied and ruling in favor of Ms. Marshall. R. at 43.

### **STATEMENT OF FACTS**

In 2024, Delmont faced a statewide dispute over whether to convert "a total of nearly a thousand undeveloped acres" for state-land solar and wind energy. R. at 4. This divided the state between two interests, one for creating alternative energy sources at the cost of permanently destroying the natural ecological environment and the other for preserving natural habitats. *Id.*

As tension intensified between the two groups, violent protests grew on Delmont college campuses. *Id.* This quickly led to doxxing. R. at 5. Police data showed that doxxing increased "exponentially by 150%" almost exclusively on Delmont college campuses. *Id.* Police discovered that the student organizers were coordinating "flash shares" of victim's phone number, picture, location, and other personal info through various formats. *Id.* These incidents resulted in harassment, stalking, and violent confrontations. *Id.* In response to increasing unrest, the Delmont legislature enacted the Campus Anti-Doxxing Statute of Delmont" ("CADS"), Delmont Annotated Statutes §25.989 (2025). R. at 6. It created a private cause of action against any individual who without consent uses a communication platform of any type to disclose private information of an enrolled student, faculty member, administrative or staff member at a Delmont college or

university with the intent to “stalk, harass, or physically injure.” *Id.* CADS defines private information as:

- (A) The plaintiff’s home address, personal email address, personal phone number, social security number, or any other personally identifiable information;
- (B) Contact information for the plaintiff’s employer;
- (C) Contact information for a family member of the plaintiff;
- (D) Photographs of the plaintiff’s children;
- (E) Identification of the school that the plaintiff’s children attend.

A plaintiff can recover “economic and non-economic damages, punitive damages, and injunctive relief. R. at 6-7.

The Church of Light, LLC, (The Church or Church of Light) is a religious denomination established in Delmont in 1873. R. at 44. According to The Church, practicing the faith requires “the personal, live, and public proclamation of their religious message and then sharing the same through some kind of communicative format.” R. at 8. The Church views both the personal interaction and the printed witness as inseparable as “an individual encounter that leaves testimony of its impact it made.” *Id.*

Members, known as Lightbearers, traveled throughout Delmont “proclaiming their message in public places and disseminating a free, church-made publication, *The Lantern*. *Id.* The *Lantern* combines “news of local interest” and “religious tracts.” *Id.* Communities “grew dependent” on the periodical for accessible local news. As The Church grew, public proclamation responsibilities fell to members between the ages of 18 to 22 who were require to serve a missionary year during that age period. R. at 8-9. These Lightbearers at college campuses became known as “Lightbearer Missionaries.” R. at 9.

When print media became “increasingly supplanted by other communicative formats in the 1990s,” The Church concluded that both the internet and radio communication were insufficient due to the faith’s “living witness testimony” requirement. *Id.* As a result, the *Lantern* would be

“disseminated by way of live TV broadcasts on community access channels in Delmont college towns, produced by Lightbearer Missionaries in studios on college campuses” *Id.*

In 2024, the Lightbearer Missionaries starting “driv[ing] vans around campuses” with “high-definition LED screens on the sides” showing “local news, information, live-streamed broadcasts, weather, and calendar” events. R. at 10. Lightbearers took shifts during the week to drive the vans, park outside popular campus areas, and stand alongside the vans” to answer questions. *Id.*

Ms. Laura Marshall is a student at Delmont State University (DSU) and a participant in the Nature Coalition. R. at 2, 10. In September 2025, the DSU Lightbearer Missionaries recorded a “powerful speech” that Ms. Marshall made at a campus protest concerning the Energy Farm Controversy. R. at 10. The speech received “extensive news coverage due to the strength of her rhetoric.” *Id.*

The Lightbearer Missionary vans broadcasted a looped clip of Marshall’s speech several times a day as part of their weekly news rotation. *Id.* Immediately following the clip, the vans displayed a still photograph of Ms. Marshall “sitting at the front desk of the Delmont Treatment Center,” a non-profit substance-abuse treatment facility located five blocks from DSU. R. at 2, 10. Ms. Marshall can be seen with Delmont Treatment Center’s name “clearly visible” and accompanying text listing “the address, phone number, and the hours of operation.” R. at 10, 11.

At the time of the broadcast, Ms. Marshall was both “a part-time employee” and “a patient under treatment” at the Delmont Treatment Center. R. at 11. In the twenty-four hours after the broadcast, Ms. Marshall was confronted outside the center by 20 members of the Energy Coalition. These attackers photographed, catcalled, and insulted Ms. Marshall for her status as an active Energy Coalition members and as a patient. *Id.* She was also followed to her car where the group

surrounded both sides and keyed it. *Id.* The next night, Ms. Marshall hit a light pole when she attempted to circumvent a group of protesters, causing damage to the left front portion of her car. This caused the car's airbag to release. *Id.* Ms. Marshall was able to contact law enforcement, but the group could not be verified. *Id.* The next day, Ms. Marshall quit her job for her and withdrew from counseling at the Delmont Treatment Center. *Id.*

## SUMMARY OF ARGUMENT

### First Issue

The Campus Anti-Doxxing Statute does not violate the First Amendment's Free Speech Clause because it permissibly regulates harmful conduct, is content-neutral, and survives intermediate scrutiny.

### Second Issue

The Campus Anti-Doxxing Statute does not violate the First Amendment's Free Exercise Clause because it is a neutral and generally applicable law that imposes no substantial burden on religious exercise.

## ARGUMENT

### **I. THIS COURT SHOULD AFFIRM THE APPELLATE COURT'S DENIAL OF SUMMARY JUDGMENT BECAUSE CADS DOES NOT VIOLATE THE FREE SPEECH CLAUSE UNDER THE FIRST AMENDMENT.**

This Court should affirm the appellate court's denial of summary judgment because CADS is a permissible regulation of speech that satisfies intermediate scrutiny by advancing Delmont's important interest in public safety without discriminating based on viewpoint. Even if deemed content-based, CADS survives strict scrutiny as a narrowly tailored response to foreseeable harm

from the dissemination of personal identifying information and, in the alternative, withstands rational basis review where the regulated speech falls outside First Amendment protection.

**A. CADS is a permissible regulation of speech that satisfies intermediate scrutiny.**

This Court must uphold CADS as an authorized regulation of speech that survives intermediate scrutiny. The First Amendment does not afford equal protection to all forms of expression and allows the State to regulate speech that creates a risk of wrongful injury to protect public safety. *See Virginia v. Black*, 538 U.S. 343, 363 (2003). Because CADS targets harmful conduct rather than offensive viewpoints, it falls within Delmont’s authority to regulate speech to keep its citizens safe. *Id.*

Moreover, CADS satisfies intermediate scrutiny because it advances the substantial governmental interest of preventing further violence and harassment within the Delmont community. *See United States v. O’Brien*, 391 U.S. 367, 377 (1968). The statute is unrelated to the suppression of expression and creates only a narrow burden on speech by regulating just the dissemination of personal identifying information. *Id.* Accordingly, CADS is a constitutionally valid regulation under the First Amendment.

*i. The First Amendment does not afford equal protection to all forms of speech, and CADS reflects the State’s authority to regulate expression that creates a serious risk of wrongful injury to protect public safety.*

The Supreme Court has made clear that not all speech is of equal First Amendment importance. *Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc.*, 472 U.S. 749, 758 (1985). Accordingly, the Constitution permits the State to balance expressive interests against the need to protect individuals from wrongful injury. *Gertz v. Robert Welch Inc.*, 418 U.S. 323, 342-43 (1974). The First Amendment allows the State to restrict certain narrow categories of speech that contribute minimal social value and are outweighed by the State’s interest in maintaining public

order and morality. *Black*, 538 U.S. at 358-59. Therefore, a State can step in when words “which by their very utterance inflict injury or tend to incite an immediate breach of the peace.” *Id.* (quoting *Chaplinsky v. New Hampshire*, 315 U.S. 568, 572 (1942)). Taken together, these principles confirm that the First Amendment does not bar the State from regulating speech that poses a serious risk of wrongful injury, even where the speech contains expressive elements.

The Constitution allows regulations of speech when its function is to intimidate or cause harm, because the State has a legitimate interest in protecting individuals and maintaining public safety. *Black*, 538 U.S. at 358-59. In *Black*, members of the Ku Klux Klan held a rally where members loudly stated what they stood for before by standing in a circle while lighting a cross on fire. *Id.* at 348-49. The head of the rally was then charged with “burning a cross with the intent of intimidating a person or group of persons,” a violation of a state statute. *Id.* at 349.

The Court acknowledged that while cross burning can contain expressive elements, it has historically been used as a mechanism of intimidation. *Id.* at 354. Since intimidation exposes individuals to significant bodily harm and instills fear, the Court held that the State was permitted to regulate the expression without violating the First Amendment. *Id.* at 363. The Court reasoned that the statute did not target unfavorable viewpoints but rather acknowledged the real and serious harms caused by speech that threatens individuals. *Id.* Accordingly, the First Amendment does not prevent the State from intervening when expression creates intimidation and in turn, threatens public safety.

Here, the Delmont legislature lawfully enacted CADS to protect the public and stop the mayhem that resulted from the Energy Farm Controversy. In *Black*, individuals used extremely bad language and set crosses on fire to intimidate minorities. *Id.* at 348-49. This is similar to the case at hand because members of one coalition would share personal information of their opposers,

which would allow them to be quickly identified, followed by being harassed and stalked to create intimidation. R. at 5-6. The acts in both cases incited immediate breaches of peace across the communities. *Id.*

The state statute in *Black* did not target distasteful opinions and only focused on the harm created to the community by the speech. *Id.* at 363. Likewise, CADS does not target any of the viewpoints within the Energy Farm Controversy. R. at 6. Instead, CADS solely protects individuals from the disclosure of their private information to create violence or cause other chaos. *Id.* The governments in both cases stepped in and created the statute for the purpose of protecting individuals and maintaining public safety. Therefore, just as this Court in *Black* held that the state could regulate the expression, it must similarly hold that CADS fits within Delmont's regulatory authority under the First Amendment.

*ii. CADS satisfies intermediate scrutiny by advancing the State's important interest in public safety by regulating harmful conduct without restricting political viewpoints or counter speech.*

Having established that the State may regulate speech that poses a serious risk of harm, the constitutionality of CADS turns on whether it satisfies intermediate scrutiny. To satisfy intermediate scrutiny, it asks if the law "furthers an important or substantial governmental interest; if the governmental interest is unrelated to the suppression of free expression; and if the incidental restriction on alleged First Amendment freedoms is no greater than is essential to the furtherance of that interest" *O'Brien*, 391 U.S. at 377. The law does not need to be perfect or the least restrictive means. *Ward v. Rock Against Racism*, 491 U.S. 781,799 (1989). It only needs to "promote[] a substantial government interest that would be achieved less effectively absent the regulation." *Id.*

While the First Amendment strongly protects offensive political expression on matters of public concern, that protection has been applied primarily to limit tort liability for speech, rather than to prevent regulations designed to prevent harm to the public. *See Snyder v. Phelps*, 562 U.S.

443 (2011). In *Snyder*, a church congregation believed God hated homosexuality in the military and punished the United States for allowing it. *Id.* at 448. As a result, the congregation would picket at military funerals to show their message, but always followed police rules, never used profanity, and did not participate in any sort of violence. *Id.* at 448-49. After a particular funeral, a family sued the church and tort damages based on the content of the speech. *Id.* at 449-50.

The Supreme Court held that since the speech addressed matters of public concern including politics and public policy, the First Amendment prevented them from seeking tort liability. *Id.* at 458. The Court emphasized (1) that the government does not have the power to punish speech simply for being offensive or upsetting, (2) the protest was not “unruly,” and the members properly followed the laws, and (3) allowing damages would risk the loss of public debate and sharing counter speech. *Id.* at 457-58. Thus, the Constitution protects even extremely unpopular expressions when it is contributing to public discourse.

Here, the Delmont legislature is not punishing speech because of its offensiveness but rather regulates the dissemination of personally identifying information that enables stalking, harassment, and violence. R. at 6-7. In *Snyder*, the speech was labeled as deeply offensive, but it was not targeted at creating harm, nor did it expose anyone’s personal details. 562 U.S. at 457-58. Since the speech was contributing to public discourse, the Court upheld the upsetting speech. *Id.* at 458.

The Church of Light is characterizing its conduct like *Snyder*, as political speech that encompasses a public concern and is therefore shielded by the First Amendment; however, this interpretation is inaccurate. R. at 15-16. CADS does not restrict the Church’s ability to protest or engage in counter speech but solely restricts the dissemination of personal identifying into that creates a risk of harm. R. at 6-7. In fact, The Church is not participating in counter speech or

political discourse at all; it simply replay's Ms. Marshall's speech before "flash sharing" her personal information on a van. R. at 10. This is vastly different from the church members in *Snyder*, who shared their general opinions about homosexuality, irrespective of whose funeral was commencing. 562 U.S. at 448. The public-concern inquiry that The Church keeps pushing arises primarily in tort liability cases like *Snyder*, not in cases like this where the State's regulation of conduct is to protect public safety. *See id.* at 451. Thus, *Snyder* is not applicable to the case at hand.

Delmont's enactment of CADS satisfies intermediate scrutiny. First, it "furthers an important or substantial government interest" by protecting the Delmont community from additional violence related to the Energy Farm Controversy. R. at 48; *O'Brien* 391 U.S. at 377. Second, it is "unrelated to the suppression of free expression" in that individuals remain free to engage in public discourse and disagree with the opposing coalition. R. at 47-48; *O'Brien* 391 U.S. at 377. Third, the restriction is not any greater than necessary because it only prohibits the "flash sharing" of personal identifying information. R. at 6-7. Thus, based on the substantial evidence available, CADS successfully passes intermediate scrutiny.

**B. Even if this Court labels CADS content-based, it survives strict scrutiny because Delmont has a compelling interest in protecting public safety and is narrowly tailored to address the dissemination of personal identifying information that creates a foreseeable risk of harm.**

Even assuming CADS is content-based, it satisfies strict scrutiny and can remain upheld. For a regulation to survive strict scrutiny, it "requires the Government to prove that the restriction furthers a compelling interest and is narrowly tailored to achieve that interest." *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015) (quoting *Citizens United v. Federal Election Com'n*, 558 U.S. 310, 340 (2010)). A law or regulation is considered narrowly tailored "if it targets and eliminates no more than the exact source of 'evil' it seeks to remedy." *Frisby v. Schultz*, 487 U.S. 474, 485

(1988) (quoting *Members of City Council of Los Angeles v. Taxpayers for Vincent*, 466 U.S. 789, 808 (1984)).

First, the Delmont legislature has a compelling interest in protecting its citizens from the harassment, violence, and threats that follow the “flash sharing” of personal identifying information. R. at 5-6. The overwhelming evidence of both student factions engaging in ambushes and cyberstalking highlights the seriousness of the harm the statute seeks to prevent. *Id.* This Court has already established that a state’s interest in “ensuring public safety and order” is legitimate. *McCullen v. Coakley*, 573 U.S. 464, 486 (2014). This Court should uphold its precedent by recognizing Delmont’s compelling interest.

Second, CADS is narrowly tailored to achieve Delmont’s compelling interest in protecting campus safety. CADS solely prohibits the “disclos[ure [of] private information of an enrolled student, faculty member, administrative or staff member at a Delmont college or university with intent to ‘stalk, harass, or physically injure.’” R. at 6. In effect, the statute only eliminates “flash sharing,” while leaving individuals free to share their views on the controversy. *Id.* By focusing specifically on the conduct that created the threats and violence across Delmont campuses, the statute solely targets the exact “evil” at issue and is therefore narrowly tailored to serve its compelling interest.

**C. In the alternative, if the regulated speech falls outside the scope of First Amendment protection, CADS survives rational basis review.**

If this Court disagrees with the lower courts and finds that the speech falls outside the scope of the First Amendment, then rational basis review must be applied. *Free Speech Coal., Inc. v. Paxton*, 606 U.S. 461, 471 (2025). This Court has previously held that not all speech can be protected, and certain categories including fraud, obscenity, and incitement, can fall outside the scope of the First Amendment. *Id.* States may prohibit these categories of speech if such regulation

falls within their police power. *Id.* These prohibitions are accordingly “subject only to rational basis review, the minimum constitutional standard that all legislation must satisfy.” *Id.*

Under rational basis review, a law must be upheld if the State could reasonably conclude that the enactment would serve a legitimate governmental interest. *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. 215, 221 (2022). A law does not need to perfectly align with its objectives to be constitutional. *Williamson v. Lee Optical*, 348 U.S. 483, 487-88 (1955). Instead, as long as the State shows a rational connection between the law and the “evil” it seeks to address, it will be sustained. *Id.* On rational basis review, courts possess a heavy presumption of validity, meaning those challenging have a strong “burden to negate every conceivable basis that might support it.” *F.C.C. v. Beach Commc’ns, Inc.*, 508 U.S. 307, 313 (1993).

Here, Governor Morrison witnessed intense incidents over the Energy Farm Controversy. R. at 47. Victims’ personally identifiable information was “flashed shared” without their consent, to specifically target them. *Id.* This led to violence and harassment of victims, destruction around campus, and even hospitalizations R. at 5. The Delmont legislature considered multiple ways to manage the university wide problem, before deciding its best course of action. R. at 48. After much consideration, CADS was enacted to address the violence and harassment and protect public safety. R. at 6.

Given the substantial evidence before the legislature, there is no scenario where the Church of Light can challenge every single basis that supports the enactment of CADS to protect the public’s safety across Delmont University. First, CADS is solely focused on making sure dissemination of an individual’s identifying information is not shared across campus without consent. R. at 5-6. Second, Delmont has a strong legitimate interest in protecting its community, and steps were necessary to be taken to stop the violence and harassment. *Id.* Third, CADS helps

students be less fearful from speaking out about the controversy, without their personal information being spread across campus to harm them. R. at 47-48. Thus, even assuming the First Amendment does not apply, CADS remains constitutionally valid under rational basis and must be upheld.

## **II. CADS DOES NOT VIOLATE THE FIRST AMENDMENT FREE EXERCISE RIGHTS OF THE CHURCH OF LIGHT.**

CADS does not violate the Free Exercise Clause because it is a neutral, generally applicable law that applies equally to religious and secular conduct and therefore survives rational basis review. Even if heightened scrutiny applied, CADS withstands strict scrutiny.

### **A. CADS is a neutral, generally applicable law and survives rational basis.**

The Court must hold that CADS does not infringe on the Church of Light's right to exercise its religions. The Free Exercise Clause was drafted to protect American's right against religious persecution and intolerance. *Church of Lukumi Babalu Aye, Inc. v. City of Hialeah.*, 508 U.S. 520, 532 (1993). This principle is well understood that few violations are recorded by the Supreme Court. *Id.*

A Free Exercise challenge may be reviewed under rational basis or strict scrutiny depending on the nature of the law. *Cent. Rabbinical Cong. of the United States & Canada v. N.Y. City Dep't of Health & Mental Hygiene*, 763 F.3d 183, 186 (2d Cir. 2014). Statues that incidentally burden religion, are not subject to strict scrutiny under the Free Exercise Clause as long as they are both neutral and generally applicable, therefore, CADS is subjected to a rational basis review. *Fulton v. City of Philadelphia, Pennsylvania*, 593 U.S. 522, 533 (2021).

*i. The Community Anti Doxxing Statute is facially neutral and does not covertly suppress the Church of Light's religious practices.*

The government fails to act neutrally when it proceeds in a manner intolerant of religious beliefs or restricts practices because of its religious nature. *Id.* When assessing a Free Exercise challenge, courts start with its text. *Lukumi*, 508 U.S. at 533. A law lacks facial neutrality if it refers to a religious practice without a secular meaning discernable from the language or context. *Id.* While improper targeting on a statute's face represents overt suppression, the Free Exercise Clause also protects against covert suppression. *Id.* at 534. Therefore, when evaluating whether a law is neutral, courts need to consider its object. *Id.* The law's effect in its real operation is compelling evidence of that object. *Id.* at 535. In determining whether a law is neutral, we are guided by equal protection law; assessing patterns of animosity, what led to the law, and legislative or administrative history. *Id.* at 540.

In *Lukumi*, the Supreme Court rejected upholding a city ordinance forbidding animal sacrifice. 508 U.S. at 547. In *Lukumi*, the case focused on the principles of Santería devotion that included animal sacrifice. *Id.* at 526. As members of the Santería religion began settling in the City of Hialeah, residents became distressed. *Id.* This prompted an emergency public meeting followed by resolutions and ordinances passed criminalizing animal sacrifice. *Id.*

Although the Supreme Court found the use of the words "sacrifice" and "ritual" in the text of the ordinance to be probative of improper targeting, the use of the word - given their secular definitions - were nondeterminative but supportive. *Id.* at 534. The Court found that there were other ways ordinance text showed an attempt to target Santería. *Id.* at 534. The first enactment read "residents of the City of Hialeah have expressed their concern that certain religions may propose to engage in practice which are inconsistent with public morals, peace, or safety. . ." *Id.* The Court

makes it clear that there was no evidence suggesting that the ordinance had any other religion in mind besides that of Santería. *Id.* at 535.

Moving away from the text, the Court considered the ordinance's operation and concluded that the central element of Santería worship was the object of the ordinance. *Id.* The *subject* of the ordinance implies legitimate social concerns. *Id.* However, the ordinance failed to show that the government had a legitimate concern as to the social harm caused by sacrificing animals such as suffering, health hazards, or improper disposal. *Id.* at 535. Rather, the ordinance targeted the Santería religion itself. *Id.* at 536. Here, CADS is facially neutral. The language of the statute is secular and does not target religious behavior as it creates a private cause of action against *any* individual that discloses private information.

Doxxing created a legitimate public safety concern for Delmont. The operation of the CADS statute further demonstrates its neutrality. To date, two successful CADS lawsuits have been brought, neither of which involved members of the Church of Light or any religious institution. *R.* at 7. The record explains that the Energy Farm Controversy divided the community into two opposing sides, with the Church of Light aligning itself with the Energy Coalition. *Id.* One lawsuit was brought by an Energy Coalition supporter against a Nature Coalition supporter, and the other involved the reverse. *Id.* These outcomes show that CADS applies to secular conduct and does not target one side more than another. *Id.* The Church of Light contends that public dissemination of information is a core tenet of its faith and that CADS restricts this practice. *R.* at 22. It further argues that the government, aware of the Church's long presence in Delmont, understood the statute's impact and ignored its lobbying efforts. *R.* at 22. But the mere presence of a religious institution does not require the government to provide special accommodation when enacting generally applicable laws designed to protect the public.

*ii. CADS is generally applicable because its prohibitions apply equally to secular and religious content.*

A law may impose a burden on a particular group if that burden is constitutionally permissible. *Fulton*, 593 U.S. at 532. When a law is generally applicable, it does *not* prohibit religious conduct while permitting secular conduct that undermines the interest of the statute. *Id.* at 522.

The ordinance shut down in *Lukumi* is a perfect example of a law that is not generally applicable. The city claimed that the ordinances were necessary in part to protect public health, which was “threatened by the disposal of animal carcasses in open public places.” *Id.* at 544. However, the ordinances did not regulate hunters’ disposal of their kills or improper garbage disposal by restaurants, even when both posed a similar hazard. *Id.* at 544-545. The Court concluded that under inclusiveness meant the ordinances were not generally applicable. *Id.* at 534.

Despite the Church of Light’s frustration with the lawsuit, this Court should conclude that CADS does not burden the Church of Light’s religious practices. The core tenet of the church is not to publicize personal information but rather to “proclaim their message personally, publicly, and in live settings.” The church remains free to publicly display their messages so long as it does not violate CADS’ content neutral restrictions.

CADS is intended to prevent university members from being harmed through the disclosure of their personal information. The prior lawsuits applied CADS to a message published in a group chats that did not refer to religious affiliation. This statute would also apply to a nonprofit opposing Ms. Marshalls’ views, or a theatre placing Ms. Marshall’s information on their marquee. Where the ordinance in *Lukumi* was exclusive, CADS proves to be an inclusive statute.

The statute is facially neutral and does not covertly suppress religious activity but rather is generally applicable to both religious and secular activity. CADS survives rational basis review; therefore, it is constitutional.

**B. Even if CADS fails on a rational basis, it survives strict scrutiny.**

A law can survive strict scrutiny only if it advances compelling interests and is narrowly tailored to achieve those interests. *Fulton*, 593 U.S. at 524; *Lukumi*, 508 U.S. at 546; *Tandon v. Newsom*, 593 U.S. 61, 63 (2021). A law found to be restrictive of religious practice must advance interests of the highest order. *Lukumi*, 508 U.S. at 546.

The Church of Light concedes that the State's interest in protecting its citizens from stalking, harassment, and physical harm is compelling. R. at 27. The argument that CADS unduly burdens the Church and prohibits actions far beyond the target evil is unpersuasive. First, the Church argues that CADS would prohibit a Lightbearer from sharing a CEO's business address for lawful lobbying purposes. R. at 27. This is not prohibited as the intent of CADS is to prohibit the use of information to harass, stalk or physically harm. Lightbearers would be able to provide the information as far as the intent did not violate CADS, thus, the Church's tenet of publicly spreading their faith is not compromised. There are no less restrictive means available to prevent doxxing harm. CADS narrowly targets the public dissemination of private information with the intent to harm or intimidate. If the Church's activity does not disclose private information with the intent to harm, CADS does not prohibit their ability to public proclaim its faith.

Even if strict scrutiny is applied, CADS would survive because the government advances a conceded compelling interest through a narrowly tailored matter. Nevertheless, CADS is neutral, generally applicable, and does not burden religious activity thus survives rational basis review.

**C. CADS does not fall under the hybrid rights exception or the exception raised in the *Yoder/Mahmoud* cases.**

The Church of Light unsuccessfully attempts to apply strict scrutiny to CADS by invoking either the hybrid rights or the exceptions recognized in *Wisconsin v. Yoder*, 406 U.S. 205 (1972) and affirmed in *Mahmoud v. Taylor*, 606 U.S. at 522, 526 (2025).

As the Court of Appeals rightly noted, the hybrid rights exception has been met with skepticism from lower courts. R. at 40. Courts have found it difficult to delineate the exact contours of the hybrid-rights theory as discussed in *Smith. Swanson By & Through Swanson v. Guthrie Indep. Sch. Dist. No. I-L*, 135 F.3d 694, 699 (10th Cir. 1998). This exception is not a talisman that automatically leads to the application of the compelling-interest test. *Id.* The *Fulton* concurrence reasons that requiring a successful companion claim to adopt a strict scrutiny standard would make the Free Exercise Clause redundant. 593 U.S. at 604. Given the lack of judicial corroboration over the validity of the hybrid rights exception, a neutral, generally applicable law like CADS does not need to be subjected to such an unclear exception.

CADS likewise does not meet the *Yoder/Mahmoud* exception. The *Mahmoud* court held that when a law imposes a burden of the same character as that in *Yoder*, strict scrutiny is appropriate regardless of whether the law is neutral or generally applicable. *Smith*, 494 U.S. at 881; *Mahmoud*, 606 U.S. at 526. In *Yoder*, Amish parents wanted to withdraw their children from conventional schooling after the eighth grade in direct violation of a Wisconsin law requiring children to attend school until the age of 16. *Mahmoud*, 606 U.S. at 543. The *Yoder* court affirmed that parents have a right “to direct the religious upbringing of their children.” *Id.* This right can be violated by laws that pose “a very real threat of undermining” the religious beliefs and practices that parents wish to instill in their children. *Id.* Given the substantial burdens that Wisconsin's compulsory-attendance law placed on the religious practices of the Amish, the Court held this was

precisely the kind of objective danger to the free exercise of religion that the First Amendment was designed to prevent. *Id.* Unlike *Yoder*, CADS does not impose restrictions on what religious beliefs and practice can be excised, *Yoder/Mahound* is inapplicable.

### **CONCLUSION**

For the abovementioned reasons, the petitioner respectfully requests that this Court should affirm the lower court's decision and uphold the constitutionality of the Campus Anti-Doxxing Statute as applied.

Dated February 6, 2026

Respectfully submitted,

*Counsel for Petitioner*

## **COMPLIANCE CERTIFICATION**

We, Team 13, hereby certify that the work product contained in all copies of the team's brief is the original work of the team members. We further certify that the team has fully complied with the governing honor code of our law school. We also certify that the team has complied with all the Competition Rules governing the Seigenthaler-Sutherland Cup National First Amendment Moot Court Competition.

Respectfully submitted,

Team 13.

February 6, 2026