

No. 25-CV-1994

In The
Supreme Court of the United
States

THE CHURCH OF LIGHT, LLC,
Petitioner,

v.

LAURA MARSHALL,
Respondent.

**Writ of Certiorari to
the United States Court
of Appeals for the
Fifteenth Circuit**

BRIEF FOR RESPONDENT

Team Number 14

No. 25-CV-1994

In The
Supreme Court of the United
States

THE CHURCH OF LIGHT, LLC,
Petitioner,

v.

LAURA MARSHALL,
Respondent.

**Writ of Certiorari to
the United States Court
of Appeals for the
Fifteenth Circuit**

BRIEF FOR RESPONDENT
Team Number 14

The Petition for a Writ of Certiorari to the United States Court of Appeals for the Fifteenth Circuit is **GRANTED** with respect to the following questions:

1. Does the Campus Anti-Doxxing Statute (CADS) violate the First Amendment Free Speech rights of The Church of Light, LLC?
2. Does the Campus Anti-Doxxing Statute (CADS) violate the First Amendment Free Exercise rights of The Church of Light, LLC?

Table of Contents

INTRODUCTION..... 6

STANDARD OF REVIEW..... 7

SUMMARY OF THE ARGUMENT..... 8

DISCUSSION..... 9

I. CADS does not violate the First Amendment Free Speech rights of The Church of Light, LLC because the speech they provided to dox Laura Marshall, a private individual, is unprotected...... Error! Bookmark not defined.

 A. The display of Laura’s photo was not a matter of public concern..... 11

 B. The posting of Laura’s photo from the Delmont Treatment Center right after her speech about a highly controversial topic constitutes a true threat that is unprotected by the First Amendment. 15

II. The Church of Lights’ display of Laura's photo falls outside the bounds of speech that is constitutionally protected under the First Amendment and is therefore subject to rational basis review. 17

III. CADS does not violate the First Exercise rights of The Church of Light, LLC because it is neutral and generally applicable to all citizens of Delmont...... 18

 A. CADS applies to all individuals and all types of communication when it comes to doxxing a Delmont citizen and student..... 18

 1. CADS is neutral towards all individuals of Delmont and therefore has no discriminatory purpose..... 18

 2. CADS is also generally applicable to all individuals of Delmont, regardless of religion, in order to protect everyone from harm by releasing private information to the public..... 24

 B. CADS is a statute that is neutral and generally applicable and should be subject to rational basis review. 25

CONCLUSION..... 26

CERTIFICATE..... 27

TABLE OF AUTHORITIES

CASES

<i>Anderson v Liberty Lobby, Inc.</i> , 477 U.S. 242, 248 (1986).....	6
<i>Church of Lukumi Bablu Aye, Inc. v Hialeah</i> , 508 U.S. 520 533 (1993)	passim
<i>Connick v. Myers</i> , 461 U.S. 138, 138–39 (1983).....	10
<i>Counterman v. Colorado</i> , 600 U.S. 66, 69 (2023).....	13, 14
<i>Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc.</i> , 472 U.S. 749, 762 (1985)	10
<i>Elonis v. United States</i> , 575 U. S. 723, 746 (2015)	14
<i>Free Speech Coal., Inc. v. Paxton</i> , 606 U.S. 461, 471 (2025).....	15
<i>Fulton v Philadelphia</i> , 593 U.S. 522, 533 (2020).....	23
<i>Gertz v. Robert Welch Inc.</i> , 418 U.S. 323, 342–43 (1974).....	9, 10
<i>Kennedy v Bremerton School District</i> , 597 U.S. 507 (2022).....	6
<i>Laura Marshall v The Church of Light, LLC.</i> , No. 25-CV-1994, at 4 (Dist. Ct. Delmont Dec. 8, 2025).....	5, 6
<i>Laura Marshall</i> , No. 25-CV-1994, at 5 (Dist. Ct. Delmont Dec. 8, 2025).....	6, 21
<i>League of Women Voters v. Schwab</i> , 549 P.3d 363, 374 (Kan. 2024).....	9
<i>Loffman v California Department of Education</i> , 119 F.4th 1147, 1170 (9th Cir. 2024).....	19
<i>Lyng v Northwest Indian Cemetery Protective Assn</i> , 485 U.S. 439, 450 (1988).....	17, 19
<i>Masterpiece Cakeshop v Colorado C.R. Comm’n</i> , 584 U.S. 617, 639 (2018)	18, 21, 22
<i>New York Times Co. v. Sullivan</i> , 376 U.S. 254, 265 (1964).....	10, 11
<i>Planned Parenthood of the Columbia/Willamette, Inc. v. Am. Coal. of Life Activists</i> , 290 F.3d 1058, 1075 (9th Cir. 2002).....	14
<i>Roman Catholic Diocese of Brooklyn v Cuomo</i> , 592 U.S. 14, 15-19 (2020)	18, 19, 20
<i>Snyder v. Phelps</i> , 562 U.S. 443, 451 (2011).....	9, 10
<i>Stormans, Inc. v Wiesman</i> , 794 F.3d 1064, 1084 (9th Cir. 2015).....	24
<i>Trinity Lutheran Church of Columbia, Inc. v Comer</i> , 582 U.S. 449, 458 (2017).....	passim
<i>United States v. Carolene Prods. Co.</i> , 304 U.S. 144, 152 (1938).....	16
<i>Virginia v. Black</i> , 538 U.S. 343, 359 (2003).....	13, 14
<i>W. Coast Hotel Co. v. Parrish</i> , 300 U.S. 379, 391 (1937).....	16
<i>Waldbaum v. Fairchild Publications, Inc.</i> , 627 F.2d at 1292 (D.C. Cir. 1980).....	11
<i>Williamson v. Lee Optical</i> , 348 U.S. 483, 487–88 (1955).....	16

STATUTES

28 U.S.C. § 1254.....	5
Del. Ann. Stat. § 25.989 (2025).....	6

RULES

FED. R. CIV. P. 56(a)	6
-----------------------------	---

CONSTITUTIONAL PROVISIONS

U.S. CONST. ART. III § 2, cl. 2. 5

INTRODUCTION

In the past year, Delmont developed a statute to address the issue over the energy farms that was happening between the Energy Coalition and Nature Coalition. *Laura Marshall v The Church of Light, LLC.*, No. 25-CV-1994, at 4 (Dist. Ct. Delmont Dec. 8, 2025). The disagreements between the two groups have led to stalking, harassment, and violence due to private individuals' personal information. *Id.*, at 5. With the implementation of the Campus Anti-Doxxing Statute ("CADS"), it has come to have consequences for the Church of Light, due to the fact that they are connected to the Energy Coalition. *Id.*, at 8. The Energy Coalition has a student group at the Delmont Student University ("DSU"), which contains the "Lightbearers" who are the young members of the faith. *Id.* at 8. While Lightbearers are "pursuing higher education and preparing for careers," they are required to have a missionary year by giving "a live, personal, public proclamation of their message, accompanied by *The Lantern*." *Id.*, at 9. DSU students who are Lightbearers drive around vans with LED screens on the sides that broadcast "local news, information, Lightbearer live-streamed broadcasts, weather, event calendars, etc." *Id.*, at 9-10. Though the live proclamation is core to the religion, it doesn't cover the actions that have intent to harm those that are not members of the church or a part of a different group.

Laura Marshall is a victim of doxxing by the Lightbearers. The Church of Light took advantage of being the main religion of Delmont, became a part of the secular group Energy Coalition and chose to incite harm and violence. The Lightbearers of the DSU Lightbearers Missionary used a public video of Marshall making a statement, and used it to disseminate private information about her during one of their weekly news rotations. *Id.*, at 10. That private

information of Marshall led her to be attacked at her job, causing her to quit her job and stop her counseling due to the fear of her safety. *Laura Marshall*, No. 25-CV-1994, at 11 (Dist. Ct. Delmont Dec. 8, 2025). The Church of Light claims that the whole incident falls under the First Amendment, in relation to Free Speech and Free Exercise of religion because it is core to their religion to give live proclamations. The Church of Light Lightbearers violated Marshall's privacy by doxxing her personal information and violated the CADS statute by using the core of their religion to disguise their intent to harm. Using religion to incite violence and harm to individuals should not be protected and Laura Marshall deserves to feel safe as a private individual of Delmont.

STANDARD OF REVIEW

The Supreme Court has original and appellate jurisdiction. U.S. CONST. ART. III § 2, cl. 2. The court can grant certiorari for cases that are appealed from federal courts. 28 U.S.C. § 1254. The court can review decisions regarding motions for summary judgment *de novo*. *Kennedy v Bremerton School District*, 597 U.S. 507 (2022). In its review, the court must review the evidence in light that is favorable to the opposing party to the motion, which is drawing inferences in the party's favor. *Id.* A court can only grant summary judgment when there is no genuine dispute of material facts which would mean the movant is entitled to the judgement 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).

Procedural Posture

The issue at hand is based on the enactment of Campus Anti-Doxxing Statute ("CADS"), Del. Ann. Stat. § 25.989 (2025) and if it violates the Church of Light's First Amendment rights,

regarding Free Speech and Free Exercise. Laura Marshall filed a complaint against the Church of Light in the United States District Court for the District of Delmont, Western Division, due the fact that the Church of Light displayed a video of Marshall at her place of work. That picture included the address of her workplace, phone number and hours of operation which violated CADS, as it provided private information with the intent to subject Marshall to harassment, stalking and violence. Unfortunately, the District Court granted the Church of Light's motion for summary judgment, finding the statute violated their First Amendment rights.

Marshall appealed the decision to the United States Court of Appeals of the Fifteenth Circuit because the lower court erred in granting the motion for summary judgment. The Court of Appeals reversed the judgement of the District Court and found that CADS does not violate the Church of Light's Free Speech and Free Exercise Rights, under the First Amendment.

SUMMARY OF THE ARGUMENT

CADS is a statute developed to protect the citizens of Delmont from their personal information from being shared with the intent of harming individuals.

Free Speech

The Free Speech Clause of the First Amendment allows for the free flow of speech within the marketplace of ideas in society and between individuals. However, there are some facets of speech in which the First Amendment does not extend its protection to such as matters of private concern and true threats. While the display of Laura Marshall's speech by the Church of Light was a matter of public concern due to its political significance to Delmont, the display of the photo of Laura at her place of work and place of treatment, is a matter of private concern that is unprotected by the First Amendment. The display of the photo by the Church is further

unprotected in their reckless disregard of the potential harm that could come to Laura in sharing the photo with the public and including the name, address, phone number, and hours of operation of the Delmont Treatment Center, constituting a true threat to Laura and her safety. In this, the Church's speech in this case is wholly unprotected by the First Amendment in that they disclosed the information about a private individual that was not of public concern and threatened her safety as a result. Because this kind of speech is unprotected, Delmont has the right to regulation it out of concerns of public safety, which it does through CADS.

Free Exercise

The Free Exercise clause of the First Amendment allows for everyone to practice their religion; however, the practice of the religion does not give a blanket cover for not abiding by federal and state laws. The Church of Light took advantage of their ability to practice their religion, without restrictions, by using the live proclamation to provide private information about Laura Marshall to the community. Providing this information has subjected her to harassment and violence that caused her to be concerned for her safety. The Church of Light should be held accountable for how they used their form of communication, LED screens on trucks that show their live proclamation of the religion, in combination with secular speech to say all of it is covered under the Free Exercise clause. CADS does not violate the Free Exercise clause because it is neutral law that is generally applicable to all individuals that live in Delmont.

We ask that the court affirms the appellate court's decision, to grant Marshall's motion for summary judgement, stating that CADS does not violate the First Amendment, respective to Free Speech and Free Exercise of religion and that CADS passes rational basis review.

DISCUSSION

I. CADS does not violate the First Amendment Free Speech rights of The Church of Light because sharing information on how to locate Laura after showing her controversial speech, is unprotected speech that Delmont has the right to regulate

The Free Speech Clause of the first amendment provides that “Congress shall make no law...abridging the freedom of speech, or of the press.” U.S. CONST. AMEND. I. While free speech is protected under law, not all speech is entitled to the same protection. The Supreme Court has held that some types of speech, such as “defamation, incitement, speech integral to criminal conduct, fighting words, true threats, [and] speech presenting some grave and imminent threat the government has the power to prevent”, are unprotected categories that do not enjoy First Amendment protections. *League of Women Voters v. Schwab*, 549 P.3d 363, 374 (Kan. 2024). In this, states have the right to impose regulations on constitutionally unprotected speech that “fall within the scope of its police power” and when “balanced against a state’s interest in protecting its residents from wrongful injury.” *League of Women Voters*, 539 P.3d at 1029 (Kan. 2023); *Gertz v. Robert Welch Inc.*, 418 U.S. 323, 342–43 (1974).

Here, the state’s interest lies in the safety of the public in light of the Energy Farm Controversy and the utilization of doxxing by individuals to instill fear in the other side. While it is true that the Courts do not want states to impose statutes that can chill the flow of speech between parties, it is also within the interest of the Courts that the flow of political speech is free and unrestricted by the fear of doxxing. If the state were to do nothing about the current doxxing situation, then it is likely that the political speech of persons in Delmont would be restricted out of the fear that the expression of the viewpoints might put their safety at risk. As applied to the Church, CADS is not violating their Free Speech rights because they are not using counter-speech, nor are they asserting any religious views which would be protected under the First

Amendment. CADS is only stopping them from doxxing the information of private individuals, like Laura, who oppose their secular views in relation to the Energy Farm Controversy.

The sharing of private information that makes Laura easy to find directly after showing her speaking about a highly contentious topic within Delmont constitutes speech that is unprotected under the First Amendment. Because this speech falls within Delmont's police power and the state's interest in promoting public safety is of higher concern than allowing unprotected speech, which adds nothing to the marketplace of ideas, to occur, Delmont has the right to impose regulations on the doxxing of individuals through the implementation of CADS.

A. The display of Laura's photo was not a matter of public concern as she is a private individual whose place of work is completely unrelated to the public concern surrounding the Energy Farm Controversy.

The determination of whether a state law is constrained by the Free Speech Clause of the Constitution and whether there is party liability "turns largely on whether that speech is a matter of public or private concern." *Snyder v. Phelps*, 562 U.S. 443, 451 (2011). A matter is of public concern and entitled to First Amendment Speech protections when it is of general interest, value, and concern to the public community especially when related to politics and society. *See Snyder*, 562 U.S. at 453 (2011) (holding that the Westboro Baptist Church picketing near a soldier's funeral about God's hate and punishment for the United States' tolerance of homosexuality within the military was a matter of public concern that was entitled to First Amendment protections). Comparatively, a matter is of private concern, not afforded First Amendment protection, when it is "solely in the individual interest of the speaker and its specific business audience," *Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc.*, 472 U.S. 749, 762 (1985) (holding that an individual's credit report is a private matter as it concerns no public issue); *e.g.*,

Connick v. Myers, 461 U.S. 138, 138–39 (1983) (holding that a public employee’s distribution of a questionnaire at work that primarily addressed their personal grievances was a private concern unprotected by the First Amendment). In assessing whether a matter is of public or private concern, the Court has found that the speech in question must be examined based on the “content, form, and context of that speech, as revealed by the whole record”, making its determination by evaluating “all the circumstances of the speech, including what was said, where it was said, and how it was said.” *Snyder*, 562 U.S. at 453-454 (2011) (internal quotes omitted) (quoting *Dun & Bradstreet, Inc.*, 472 U.S. at 761 (1985)).

In addition to allowing for First Amendment protections when publishing information about a public concern, the First Amendment also allows for the publishing of information involving public officials or public figures. *New York Times Co. v. Sullivan*, 376 U.S. 254, 265 (1964); *Gertz*, 418 U.S. at 351 (1974). A public figure is someone who has assumed a role of prominence within society or who has thrust themselves into particular controversies with the intent to influence the resolution of issues. *Gertz*, 418 U.S. at 351 (1974) (holding that an attorney who was a prominent member within society, serving as an officer in civic groups and publishing several books, was not a public figure within the meaning of the First Amendment because they had no fame or notoriety within the community). The court further defines limited-public figures in a later, D.C Circuit case as someone who is “attempting to have, or realistically can be expected to have, a major impact on the resolution of a specific public dispute that has foreseeable and substantial ramifications for persons beyond its immediate participants.” *Waldbaum v. Fairchild Publications, Inc.*, 627 F.2d at 1292 (D.C. Cir. 1980) (holding that Waldbaum, who served as president and chief executive officer of Greenbelt Consumer Services, Inc., and who promoted highly debated innovative policies was considered a limited-public

figure who voluntarily subjected himself to the press). Those who are considered public figures avail themselves to the media and should “expect that their acts will be commented on or criticized.” *New York Times Co. v. Sullivan*, 376 U.S. 254, 299 (1964).

This case is concerned with the Church of Light’s conduct in broadcasting Laura’s speech from the Nature Coalition’s on campus protest and their subsequent display of a photo of her at her place of work, the Delmont Treatment Center, where she was also a patient, with accompanying text detailing the Center’s address, phone number, and hours of operation. Similar to *Snyder*, the Energy Farm Controversy clearly fits into the Court’s definition of a public concern. Delmont is a state that is home to several national parks that bring tourism to the state. The possibility of the legislature deciding to convert thousands of acres of land, clearing woodlands near the Delmont mountain range and stretches of the interior plains, for solar panel and windmill farms is of great interest, value, and concern of the community regardless of what side a person may stand on. This is clearly demonstrated in the passion from both the Energy Coalition, whom the DSU Lightbearer Missionaries have taken the side of, and the Nature Coalition, whom Laura has taken the side of, who have organized, protested, and lobbied for their viewpoints on the matter for over a year now. Considering the fact that Laura’s speech was about a matter of political contention within the community and that it was made publicly in front of a crowd at the protest where anyone passing by could have overheard or stopped to listen, we are not contending that her speech was a private matter for which the Church’s display was unprotected by the First Amendment.

We are, however, contending that the Church’s subsequent display of the photo of her working at the Treatment Center with information needed for people to locate or contact her was a matter of private concern for which the First Amendment does not protect. The fact that the

photo of her at work and her place of treatment is private information is established by her not being a public figure and the significant degree of separation between where she works and the Energy Farm Controversy.

The Court of Appeals, in their decision, noted the fact that Laura, within the definition of the law, could not be classified as a public figure in just giving a one-time speech at the protest or for even helping to organize protests in the past for the Nature Coalition. In *Gertz*, the Court found that an attorney who was involved in a prominent civil suit and who was actively involved within society was not deemed to be a public figure within the legal definition because he lacked fame within the community. Comparatively the court found that the former CEO in *Waldbaum* who promoted highly debated innovative policies for years was concerned to be a public figure. Laura, similarly to the attorney in *Gertz*, is an active member within society who is advocating for the Nature Coalition movement, but she is unlike the former CEO in *Waldbaum* in that she only spoke about the topic of controversy once within a year. She is also unlike the public official *New York Times Co.* in that she is not an elected public official who deals with the state's public affairs. In this, Laura is not a public figure who has enough notoriety within her community, such as a politician or a big-time CEO, who would have the ability to resolve a year-long deeply contentious issue in just one speech, regardless of how many media outlets covered it.

Further, the photo of Laura at her place of employment where she is also actively receiving treatment is not a matter of public concern as it is wholly unrelated to the Energy Farm Controversy. Like *Dun & Bradstreet, Inc.*, this information is only a matter of concern to the Delmont Treatment Center as her employer and treatment provider and Laura as the employee and client. Given the fact that Laura is not a public figure and that there is a complete degree of

separation of Laura's private information and the topic of public concern, the display of her photo by the Church is unprotected by the First Amendment's Free Speech Clause.

B. The posting of Laura's photo from the Delmont Treatment Center right after her speech about a highly controversial topic constitutes a true threat that is unprotected by the First Amendment.

The courts have held that true threats of violence are outside the bounds of First Amendment protection and punishable as crimes." *Counterman v. Colorado*, 600 U.S. 66, 69 (2023). True threats are "a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals." *Virginia v. Black*, 538 U.S. 343, 359 (2003). Courts do not require that true threats have to be explicit language, rather, something can count as a threat "based solely on its objective content." *Counterman v. Colorado*, 600 U.S. at 72 (2023). They do, however, require a "subjective mental state element" where the First Amendment requires "proof that the defendant had some subjective understanding of the threatening nature of his statements." *Counterman v. Colorado*, 600 U.S. at 69 (2023). In this, the person making the threat does not have to actually intend to carry it out, but rather the speaker is aware that others could regard his statements as threatening violence and delivers them anyway." *Elonis v. United States*, 575 U. S. 723, 746 (2015) (Alito, J., concurring in part and dissenting in part); *Planned Parenthood of the Columbia/Willamette, Inc. v. Am. Coal. of Life Activists*, 290 F.3d 1058, 1075 (9th Cir. 2002) (holding that the publishing the names and faces of abortion providers during a time where they were aware of the previous violence being committed against them constituted a true threat). By consciously disregarding how others could understand the message, the speaker can be found under law to have acted recklessly in that they accepted the "substantial risk of inflicting serious harm" on the person to whom their speech is

directed at. *Counterman*, 600 U.S. at 80 (2023). In their analysis, the courts also consider if the threats “subject the person to the fear of violence or any disruption that fear engenders.” *Elonis v. United States*, 575 U. S. 723, 746 (2015) (Alito, J., concurring in part and dissenting in part); *Virginia*, 538 U.S. at 357 (2003) (holding that the burning of a cross by the KKK intended to cause fear in the lives of those whom it was directed at). If the mens rea is properly asserted, then the speech is unprotected under the First Amendment of the Constitution.

The Church of Light broadcasting Laura’s speech from the Nature Coalition’s on campus protest and displaying the photo of her work along with the information needed to find and contact her is a reckless disregard for her safety. Similar to *Planned Parenthood*, the Church was aware of the instances of unrest between both the Energy Coalition, whom they support, and the Nature Coalition, whom Laura supports, that caused harm to individuals from both sides due to the doxxing of people’s personal information.

While the Church does commonly post information on various resources that are available to students, they have only done so in text form without photos until they found the photo of Laura. In that, they still chose to publicly broadcast Laura’s speech, knowing that it would reach both sides of the controversy, and then display a photo of her at her work with the name, address, phone number, and hours of operation of the Delmont Treatment Center clearly displayed. This lets the people who may oppose Laura’s speech know where they can find her and when putting her at risk of substantial harm especially when considering the fact that people have been hospitalized in the past from doxxing situations. In fact, within twenty-four hours after they ran the video of her speech and displayed her photo a group of around twenty people showed up to the Delmont Treatment Center wearing ski masks harassing her, keying her car, and causing her to clip a light pole. The situation that was sparked by the Church's display,

similarly to *Virginia*, caused Laura fear for her safety at her place of work causing her to quit her job and discontinue her treatments.

The Church may not have explicitly intended to cause harm to Laura themselves, but considering the fact that they knew of the recent uptick in violence due to the Energy Farm Controversy and chose to suddenly depart from their normal practices after Laura made her speech at the protest, it is clear that they recklessly disregarded the potential for harm that their message, when interpreted by others, could cause to Laura. In this, the mens rea standard for recklessness as established by the Court was met in their awareness of what their message could convey to an audience and still choosing to display it anyway, constituting their display of the photo as a true threat to Laura and her safety.

II. The Church of Lights' display of Laura's photo falls outside the bounds of speech that is constitutionally protected under the First Amendment and is therefore subject to rational basis review.

It has been held that if speech is outside of the scope of the First Amendment, then the court should apply a rational basis test, rather than strict scrutiny. *Free Speech Coal., Inc. v. Paxton*, 606 U.S. 461, 471 (2025). Under rational basis, the statute must be “reasonable in relation to its subject and . . . adopted in the interests of the community.” *W. Coast Hotel Co. v. Parrish*, 300 U.S. 379, 391 (1937). In their review, courts must assume that the legislation “rests upon some rational basis within the knowledge and experience of the legislators,” the burden of proving the unconstitutionality of a statute lies with the challenging party. *United States v. Carolene Prods. Co.*, 304 U.S. 144, 152 (1938).

Unlike strict scrutiny, under rational basis review, there is not a requirement for narrow tailoring and the way of achieving the legislature's goals does not need to be the best option.

Williamson v. Lee Optical, 348 U.S. 483, 487–88 (1955). There only needs to be a problem at hand that calls for corrections and that the statute at hand is a rational way to correct it. *Id.* In this case, the problem that needs remedy in Delmont is the harassment, stalking, and injuries that are being suffered by individuals as a result of the doxxing of personal information that makes them easy to find in person, on the phone, or through the internet. The Delmont legislature, knowing the problems within their community best, chose CADS as their way of combating the problem. Under rational basis review, it is beyond the authority of the court to second-guess that decision unless the challenging party provides compelling evidence to state otherwise. In this, the Court should find the CADS passes rational basis review and should uphold the appellate court's decision.

III. CADS does not violate the First Exercise rights of The Church of Light, LLC because it is neutral and generally applicable to all citizens of Delmont.

The Free Exercise clause “protect[s] religious observers against unequal treatment.” *Trinity Lutheran Church of Columbia, Inc. v Comer*, 582 U.S. 449, 458 (2017) citing *Church of Lukumi Bablu Aye, Inc. v Hialeah*, 508 U.S. 520 533 (1993). However, it does “not entitle the church members” of that specific religion “to a special dispensation from general criminal laws” even if they are disguising their actions under the religious practices. *Id.* at 460. The Church of Light is claiming that CADS is discriminatory and not neutral or generally applicable, however it was made to protect those like Marshall from harm imposed by doxxing an individual.

A. CADS applies to all individuals and all types of communication when it comes to doxxing a Delmont citizen and student

1. CADS is neutral towards all individuals of Delmont and therefore has no discriminatory purpose

CADS applies to everyone who lives within Delmont, regardless of what type of communication is being used to disseminate any type of content or information. Campus Anti-Doxxing Statute (“CADS”), Del. Ann. Stat. § 25.989 (2025). The Free Exercise Clause protects against “indirect coercion, ... not just outright prohibitions.” *Trinity Lutheran*, 582 U.S. at 450 - 51 (2017) (finding a violation of the free exercise clause when a grant application was denied because they are a religiously affiliated applicant) *citing Lyng v Northwest Indian Cemetery Protective Assn*, 485 U.S. 439, 450 (1988) (finding no violation of the free exercise clause when there was government activity on land that was used for religious activities because the land was public and areas were left for religious activities to still commence). However, “incidental effects of government programs” can disrupt different practices of certain religions “but which have no tendency to coerce [anyone] into acting contrary to their religious beliefs [.]” *Lyng*, 485 U.S. at 440 (1988) (finding no violation of the free exercise clause when the government permitted timber harvesting and road construction on land that held specific ritual sites because the land was public and the government did not disrupt the ritual sites). The statute does not coerce any affected individuals from foregoing their religious practices but requires practices that do not contribute to doxxing individuals. *Id.* If a religion has a certain practice that is essential to the core of the religion, a government action can violate the free exercise clause. *Roman Catholic Diocese of Brooklyn v Cuomo*, 592 U.S. 14, 15-19 (2020) (finding violation of the free exercise clause when occupancy restrictions on houses of worship were implemented under a COVID-19 Executive Order though other businesses had no occupancy restriction and worship in person is core to the religion). CADS was not developed to disrupt certain practices that are essential to the Church of Light’s religion, but to overall protect all of its citizens, even those who practice within the Church of Light.

Even with CADS neutrality, the statute was also not enacted with a discriminatory purpose toward religion and should be reviewed under rational basis review. A statute can show a discriminatory purpose by being facially discriminatory. *Lukumi*, 508 U.S. at 533 (1993) (finding a discriminatory purpose when the state statute spells out the principal form of religious activity and prohibits it). If there is no outright callout of how the statute applies to one group versus another, a discriminatory purpose can be determined based on how the statute has been applied. *Roman Catholic*, 592 U.S. at 17 (2020) (finding a discriminatory purpose when the COVID19 restriction is only applied to houses of worship). If no discriminatory purpose is found, the statute would still be under rational basis review if there is or isn't a discriminatory effect.

With determining there is no discriminatory purpose and effect, the Supreme Court has also identified factors that assess the neutrality of a government statute. *Masterpiece Cakeshop v Colorado C.R. Comm'n*, 584 U.S. 617, 639 (2018) (finding no violation of the free exercise clause when a statute is weighted against the neutrality aspects). These factors include “the historical background of the decision under challenge, the specific series of events leading to the enactment or official policy in question, and the legislative or administrative history, including contemporaneous statements made by members of the decision-making body.” *Id.* (quoting *Lukumi*, 508 U.S. at 540). The neutrality test fails when it singles out a religious entity with harsh treatment. *Loffman v California Department of Education*, 119 F.4th 1147, 1170 (9th Cir. 2024) (finding a statute is not neutral when there is a requirement to provide a program to children means the school has to remove its religious affiliation to obtain the benefit) citing *Roman Catholic*, 592 U.S. at 17. Here, CADS doesn't point to harsh treatment just for the Church of Light; the treatment is towards all citizens regardless of religion.

Unlike in *Trinity*, where the government would not provide a benefit to its program unless the church disavowed its religion, the Church of Light is not being coerced to remove the living tradition practice of its religion to abide by the statutory language. *Trinity Lutheran*, 582 U.S. at 462 (2017). Here, the neutrality is that the statute does not coerce anyone in the way they practice their religion. The statute focuses on the exercise of freedom of speech that does not incite violence against their fellow neighbors or coerce someone not to speak or practice their religion.

Like in *Lyng*, where the government used the land but avoided areas used for religious activities, they did not affect the way the Northwest Indians practiced their religion. *Lyng*, 485 U.S. at 449 (1988). Here, there is no coercion to compel the Church of Light members to act contrary to their religious beliefs. The statute prohibits all individuals of Delmont from utilizing personal information to incite harassment and violence. Though the Church of Light has a live proclamation requirement for all its members, especially for the Lightbearers during their missionary year, which the Church believes they must use the latest technology to disseminate information about the religion, the statute does not coerce them to cease that practice. The statute asks all citizens not to use their communication platforms to harm others, which is not part of the Church of Light's core religious practices.

Unlike *Roman Catholic*, where the Governor imposed restrictions on religious services through an executive order, the Church of Light is not being restricted in the type of communication it may use to demonstrate its live proclamation through the Lightbearers to gather more members. *Roman Catholic*, 592 U.S. at 17 (2020). Here, though the live proclamation is a core of the religion for the Church of Light, the Church has ways to provide its live proclamation through different forms of communication (i.e., live Youtube videos, social

media streams, etc.) to have free exercise of religion that would exclude the inciting speech used to dox Marshall. The city of Delmont is motivated to prohibit doxxing through all forms of communication, regardless of the type of speech or religion practiced.

Unlike *Lukumi*, where the city government used words with strong religious connotations, specific to the religious practices in question, and incorporated them into the law developed, the statute contains no words that target the core living tradition of the Church of Light religion. Here, the statute is not facially discriminatory. *Lukumi*, 508 U.S. at 534 (1993). The language doesn't reference a specific religion and applies to "any individual," and it applies to "any form of communication" in connection with doxxing an individual who is a member of the Delmont Community.

Unlike *Roman Catholic*, where the government issued an executive order solely to discriminate against religious gatherings and observances, this statute was developed without a discriminatory purpose and treats all groups the same when it comes to disseminating personal information for the sole purpose of doxxing an individual to incite harm. *Roman Catholic*, 592 U.S. at 17 (2020). Here, the statute is applied to all groups, religious and secular, in the same way. The background of this statute stems from two secular groups, Energy Coalition and the Nature Coalition, engaging in doxxing each other and causing violence in Delmont, leaving the community, including university students, feeling unprotected. The Church of Light is being subjected to this statute because its Lightbearers are also university students, who could be victims of doxxing as much as students who are not involved with the church, in addition to being a part of the Energy Coalition.

Unlike *Masterpiece Cakeshop*, where the LGBTQ+ community historically has been treated as an inferior class of persons, the Church of Light has always been treated with respect,

is the main religion of Delmont, and the decision to make the statue was focused on the two secular groups that developed based on conflicting views around alternative energy. *Masterpiece Cakeshop*, 584 U.S. at 631 (2018). Here, the decision to develop the statute was due to the doxxing issues between the Energy Coalition and Nature Coalition. In the past, there were “flash-shares” of persons/students' personal information such as phone numbers, home addresses, pictures, etc. *Laura Marshall*, No. 25-CV-1994, at 5 (Dist. Ct. Delmont Dec. 8, 2025).

Unlike *Masterpiece Cakeshop*, where the Civil Rights Division permitted the refusal to make cakes for a same-sex wedding on the basis of precedent in three other cases for bakers but found the opposite conclusion based on the owner’s religion, this statute is not based on a series of events that are specific to the Church of Light and the exercise of its religion. *Masterpiece Cakeshop*, 584 U.S. at 633-35 (2018). Here, the doxxing led to threatening messages to a student’s personal phone number and it would even lead to severe violence towards the student that was doxxed. It was happening so frequently that the police were not able to stop the violence. *Id.*, at 6.

Unlike *Masterpiece Cakeshop*, where the administrative record showed a pattern of hostility toward the cake shop's owner on religious grounds, the statute's history is based solely on doxxing arising from disagreements over alternative energy that escalated into violence. *Masterpiece Cakeshop*, 584 U.S. at 636-37 (2018). Here, the statute was enacted after the governor's office had explored all available options. They looked to current laws on harassment and stalking; however, “they required harm to occur” and wouldn’t have “address[ed] the initial disclosure practice that created the risk.” *Affidavit of Governor Morrison*, n.7 (November 24, 2025).

Therefore, the statute was developed to make sure that it was all encompassing in protecting the students and community from the continued violence that doxxing was developing as a normality in the city. Here, the statute did not have a discriminatory purpose to single out any religion, including the Church of Light. CADS has not singled out the Church of Light for harsh treatment and has been neutral towards the treatment of anyone that participates in doxxing a student of Delmont University.

2. CADS is also generally applicable to all individuals of Delmont, regardless of religion, in order to protect everyone from harm by releasing private information to the public

CADS was constructed to protect the citizens of Delmont from doxxing, particularly incidents that have led to violent reactions, thereby making it generally applicable to the entire city. A penalty on the Free Exercise Clause would deny the general applicability of the benefit that comes from the neutral law that has been developed; this is not the case here. *Trinity Lutheran*, 582 U.S. at 450 (2017) (finding no general applicability when a law that “single[s] out the religious for disfavored treatment”). Here, the CADS text provides a benefit to all citizens of Delmont by protecting them from doxxing and affording them legal recourse if such conduct occurs. However, “if [a law] prohibits religious conduct while permitting secular conduct that undermines the government’s asserted interest in a similar way[,]” then it would not be considered generally applicable. *Fulton v Philadelphia*, 593 U.S. 522, 533 (2020) (quoting *Smith*, 494 U.S. at 884); see also *Lukumi*, 508 U.S. at 542-46 (1993) (finding no general applicability of a neutral law when an ordinance suppresses a specific religion).

Unlike in *Trinity*, where the government denied the church a public benefit because of its religious status, the Church of Light is benefiting from the public benefit that results from

implementing the statute. *Trinity Lutheran*, 582 U.S. at 462 (2017). Here, the statute is neutral in the sense that the benefit and the detriment from its implementation apply to all citizens of Delmont. The statute's neutrality punishes those who participate in doxxing, regardless of the religion they practice. In addition, the statute protects all citizens of Delmont, especially those who attend the university, given the divide over alternative energy coming to the city.

Unlike *Lukumi*, where the law is only applicable to a certain religion when it comes to animal sacrifices but permits other types of animal killings and is underinclusive for public health, the statute is overinclusive of the public's health and safety by protecting the university students who make up the majority of Delmont. *Lukumi*, 508 U.S. at 544-46 (1993). Here, the statute does not prohibit the Church of Light from using the communication it wishes to use. The statute is intended to protect the safety of all students from doxxing through any communication used in that process. Those students include the Lightbearers, who are required to conduct a live broadcast to disseminate the Church's message.

CADS was developed without a discriminatory purpose to enable a neutral approach that is generally applicable to the Delmont community. The Delmont government reviewed all options with the Church of Light in mind, as well as the safety of the entire community, including its congregation and members. Since CADS satisfies the neutrality test and is generally applicable, we ask the court to subject it to rational basis review.

B. CADS is a statute that is neutral and generally applicable and should be subject to rational basis review.

As CADS is neutral and generally applicable, we apply rational basis. Under rational basis review, there must be a legitimate state interest, and the law must be rationally related to that interest. *Stormans, Inc. v Wiesman*, 794 F.3d 1064, 1084 (9th Cir. 2015). In line with the

Appellate Court, we contend that the decision that CADS has a legitimate interest in protecting its citizens and restricting individuals' ability to share information for doxxing purposes is rationally related.

CONCLUSION

For the foregoing reasons, we ask the court to affirm the Appellate court's decision, by denying the Church of Light's motion for summary judgement and finding for Laura Marshall.

CERTIFICATE

The work product contained in all copies of the Team 14's brief is the work product of solely the team members. The team has completely and fully complied with our law school's governing Code of Conduct and all the Seigenthaler-Sutherland Catholic Law School Competition Rules.