

No. 21-_____

In The
Supreme Court of the United States

CORAL RIDGE MINISTRIES MEDIA, INC., d/b/a
D. JAMES KENNEDY MINISTRIES,

Petitioner,

v.

SOUTHERN POVERTY LAW CENTER,

Respondent.

**On Petition For A Writ Of Certiorari
To The United States Court Of Appeals
For The Eleventh Circuit**

PETITION FOR A WRIT OF CERTIORARI

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QUESTION PRESENTED

In *New York Times v. Sullivan*, this Court upended common law defamation jurisprudence creating a more-often-than-not insurmountable bar for a public figure to plead and prove a defamation claim—the “actual-malice” standard. The term “public figure” was later expanded to explicitly include non-elected public officials in *Curtis Publishing Co. v. Butts*. Since the “actual malice” standard, particularly as applied to non-elected public officials, conflicts with the correct, original understanding of the First Amendment, this Court should untangle defamation claims from the clutches of the First Amendment and ensure a public figure’s right to assert a common law defamation claim for redress for reputational harm remains protected.

1. Whether this Court should reconsider *Sullivan*’s “actual-malice” standard or, at a minimum, cabin *Sullivan*’s “actual malice” standard to speech concerning public officials and be eliminated altogether for private public figures.

PARTIES TO THE PROCEEDING

Petitioner is Coral Ridge Ministries Media, Inc., d/b/a D. James Kennedy Ministries. Petitioner was plaintiff in the district court and plaintiff-appellant in the court of appeals. Petitioner has no parent corporation and no publicly held company owns 10% or more of Petitioner's stock.

Respondent is Southern Poverty Law Center ("SPLC"). Respondent was defendant in the district court and defendant-appellee in the court of appeals.

RELATED PROCEEDINGS

This case arises from the following lower court proceedings:

- *Coral Ridge Ministries Media, Inc., d/b/a D. James Kennedy Ministries v. Amazon.com, Inc., et al.*, No. 19-14125 (11th Cir.) (opinion affirming judgment of district court, issued July 28, 2021) (reported at 6 F.4th 1247);
- *Coral Ridge Ministries Media, Inc., d/b/a D. James Kennedy Ministries v. Amazon.com, Inc., et al.*, No. 2:17-cv-566-MHT (N.D. Ala.) (order adopting report and recommendation and granting the motions to dismiss, filed September 19, 2019 (reported at 406 F.Supp.3d 1258); and
- *Coral Ridge Ministries Media, Inc., d/b/a D. James Kennedy Ministries v. Amazon.com, Inc., et al.*, No. 2:17-cv-566-MHT (N.D. Ala.) (report and recommendation recommending the district court grant the motions to dismiss, filed February 21, 2018) (unreported, available at 2018 WL 4697073).

There are no other proceedings in state or federal trial or appellate courts, or in this Court, directly related to this case within the meaning of this Court's Rule 14.1(b)(iii).

TABLE OF CONTENTS

	Page
QUESTION PRESENTED.....	i
PARTIES TO THE PROCEEDING.....	ii
RELATED PROCEEDINGS	iii
TABLE OF CONTENTS	iv
TABLE OF AUTHORITIES	vi
PETITION FOR REVIEW	1
OPINIONS BELOW.....	1
JURISDICTION.....	1
CONSTITUTIONAL PROVISIONS INVOLVED....	2
STATEMENT OF THE CASE.....	2
A. Factual Background	3
B. Procedural History	5
REASONS FOR GRANTING THE PETITION.....	7
I. <i>SULLIVAN</i> HAS BEEN RIGHTLY CRITICIZED FOR ITS UNINTENDED CONSEQUENCES AND ITS SHAKY CONSTITUTIONAL UNDERPINNINGS	10
A. <i>Sullivan's</i> Disastrous Practical Effects Should be Enough for This Court to Reconsider its Decision	11
B. <i>Sullivan's</i> Actual-Malice Test Finds No Support in Either the Text or Historical Understanding of the Constitution.....	21

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