

No. _____

IN THE
Supreme Court of the United States

SARAH K. MOLINA and CHRISTINA VOGEL,

Petitioners,

—v.—

DANIEL BOOK, *et al.*,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE EIGHTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Whether words printed on clothing are pure speech, and thus presumptively entitled to First Amendment protection—as the Fourth, Fifth, and Ninth Circuits have held—or whether they are protected only if they convey a “particularized message,” as the Eighth Circuit below, and the Sixth and Seventh Circuits, have held.
2. Whether, in light of important new historical evidence, this Court should reconsider the doctrine of qualified immunity.
3. Whether the court of appeals erred in holding that a First Amendment right to unobtrusively observe and record police performing their duties in public is not clearly established.

PARTIES TO THE PROCEEDING

Petitioners, plaintiffs below, are Sarah K. Molina and Christina Vogel. Peter Groce was plaintiff-appellee below but does not join the petition.

Respondents, defendants below, are Daniel Book, Joseph Busso, Stephen Dodge, Michael Mayo, Lane Coats, Joseph Mader, Mark Seper, and William Wethington, in their individual capacities.

The City of St. Louis is a defendant in the district court; proceedings against the city are currently stayed. Jason Chambers was initially a defendant in the district court, but petitioners moved to voluntarily dismiss their claims against him. The County of St. Clair, Illinois was also initially a defendant in the district court.

RELATED PROCEEDINGS

Molina v. City of St. Louis, No. 4:17-cv-02498-AGF (E.D. Mo. March 31, 2021) (Memorandum & Order denying in part and granting in part Defendants' motion for summary judgment).

Molina v. City of St. Louis, No. 21-1830 (8th Cir. Feb. 2, 2023) (Panel opinion).

Molina v. City of St. Louis, No. 21-1830 (8th Cir. Apr. 24, 2023) (Order denying rehearing en banc).

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