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Gibson Dunn Pro Bono Team Files Amicus Brief with U.S. Supreme Court on Behalf of PEN America

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On behalf of PEN America, a Gibson Dunn pro bono team has filed an amicus brief with the U.S. Supreme Court that highlights the importance of allowing judicial challenges to book removals from public libraries.

The case, *Little v. Llano County*, involves the removal of 17 books from the shelves of the public library in Llano County, Texas, based on objections to the viewpoints expressed in those books. After a district court granted a preliminary injunction ordering the return of the books to circulation, the U.S. Court of Appeals for the Fifth Circuit, sitting en banc, reversed that decision and held that a public library's decisions to remove books cannot ever be challenged as violating the First Amendment. A group of library patrons from Llano County have filed a petition for certiorari, asking the Supreme Court to review that decision.

In support of petitioners, Gibson Dunn's amicus brief for PEN America asks the Supreme Court to grant the petition for certiorari and reverse the Fifth Circuit's ruling. The Gibson Dunn brief argues that removing books based on viewpoint harms authors in many ways, including by curtailing free expression, chilling speech in future writings, and promoting government orthodoxy through censorship. Immunizing such removal decisions from judicial review will limit creative expression and dilute the valuable access to a range of viewpoints that only public libraries provide.

Our team included partners Amer S. Ahmed and Connor Sullivan and associates Apratim Vidyarthi, Alexander Fischer, Iason Togias, Peter Jacobs, Pleasant Garner, and Jesse Eaton-Luria.

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