

No. \_\_\_\_\_

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In the  
**Supreme Court of the United States**

RESPECT WASHINGTON,  
*Petitioner,*

v.

BURIEN COMMUNITIES FOR INCLUSION,  
et al.,  
*Respondents.*

On Petition for a Writ of Certiorari to the  
Washington Court of Appeals Division I

**PETITION FOR WRIT OF CERTIORARI**

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## QUESTION PRESENTED

Twenty four states allow citizens to propose state or local legislation through the initiative and referendum process—a remnant reminder of that consent from which just powers derive. Over 30 years ago this Court expressly recognized that the initiative process rests at the heart of the First Amendment’s protection because it involves communication about governmental policies and constitutes core political speech. Nonetheless, after an initiative has met all time, place and manner restrictions, a routine practice has developed for political opponents to seek an injunction prohibiting people from expressing their views at the ballot box and courts have repeatedly issued such injunctions expressly based on the subject matter of the initiatives.

### Question:

Whether the First Amendment protects the right of citizens to vote on an initiative that meets all time, place and manner requirements for the initiative to qualify for placement on the ballot.

## LIST OF ALL PARTIES

The parties to this proceeding are Petitioner Respect Washington and the Respondents are Burien Communities for Inclusion; King County Elections; Julie Wise, King County Director of Elections and the City of Burien.

## CORPORATE DISCLOSURE STATEMENT

Petitioner has no parent corporations or any publicly held corporations that own 10% or more of the stock of any parties to this proceeding.

## RELATED CASES

- *Burien Communities for Inclusion v. Respect Washington*, No. 17-2-23799-0-KNT, Superior Court for King County, Washington. Order entered on September 14, 2017.
- *Burien Communities for Inclusion v. Respect Washington*, No. 77500-6-1, Division I of the Washington Court of Appeals. Judgment entered on September 9, 2019.
- *Burien Communities for Inclusion v. Respect Washington*, No. 97755-1, Washington Supreme Court. Order denying petition for review entered on January 8, 2020.

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