
Nos. 23-16026 & No. 23-16030 consolidated
IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

HELEN DOE, parent and next friend of Jane Doe; et al.,

Plaintiffs-Appellees,

v.

THOMAS C. HORNE, in his official capacity as
State Superintendent of Public Instruction; et al.,

Defendants-Appellants.

On Appeal from the United States District Court
for the District of Arizona

**APPELLANT HORNE'S MOTION FOR PERMISSION
TO APPEAR REMOTELY BY VIDEO**

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Pursuant to this Court’s December 31, 2023 Notice of Oral Argument, Defendant-Appellant Thomas C. Horne (“Horne”), in his capacity as State Superintendent of Public Instruction, files this motion requesting permission to appear at the March 14, 2024 oral argument remotely by video. Appearing in person would impose hardship on Horne’s counsel because travel to and from San Francisco for an argument on the morning of Thursday March 14, 2024 would conflict with other deadlines on counsel’s calendar.

Respectfully Submitted this 10th day of January, 2024.

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**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

This document complies with the type-volume limit of Federal Rule of Appellate Procedure 35(b)(2) and Circuit Rule 35-4 because it contains 77 words, excluding those portions pursuant to Federal Rule of Appellate Procedure 32(f), according to Microsoft Word.

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/s/ Dennis Wilenchik
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the appellate CM/ECF system on January 10, 2024.

In addition, a courtesy copy of the foregoing has been provided via email to the following counsel for Plaintiffs and other real parties in interest:

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