

Wiley Rein Files Supreme Court *Amicus* Brief in 'Peace Cross' Case, Advocating the Memorial Does Not Violate the Establishment Clause

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Washington, DC—On July 27, Wiley Rein LLP filed an *amici curiae* brief on behalf of a group of Medal of Honor recipients supporting petitions for writ of certiorari in a highly publicized First Amendment case concerning the Bladensburg Peace Cross. In *American Humanist Association v. Maryland-National Capital Park and Planning Commission*, the U.S. Court of Appeals for the Fourth Circuit found that a memorial built in 1925 in memory of 49 Prince George's County veterans who died in World

War I violated the Establishment Clause. The American Legion, which built the memorial, and the Maryland-National Capital Park and Planning Commission, which has maintained the memorial since the 1960s, each filed petitions for writ of certiorari.

The firm represented Medal of Honor recipients Hershel Woodrow Williams, Charles S. Kettles, Robert Roland Ingram, and Allen James Lynch, all of whom have "lifelong commitments to honoring the history and memory of fallen American servicemen, a mission that is threatened by the Fourth Circuit's decision" and are among the nation's most distinguished veterans. Mr. Williams was honored for his heroic actions during the Battle of Iwo Jima and is the last surviving Medal of Honor recipient that served in the Pacific theatre of World War II. Mr. Kettles served in Korea and Vietnam, and Mr.

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Ingram and Mr. Lynch are both Vietnam veterans.

Wiley Rein's brief asks the Court to grant certiorari, arguing that the Fourth Circuit decision endangers the upkeep and maintenance of veterans memorials around the country and that the Bladensburg Peace Cross monument is consistent with the nation's long history of honoring veterans. The brief states: "Nothing in the memorial itself, let alone its routine maintenance or public usage, violates the Establishment Clause. The fact that the Fourth Circuit reached the opposite conclusion shows how far the court erred. Review is needed to save the Bladensburg memorial from destruction and dismemberment and to ensure that countless other veterans memorials are not endangered."

In addition to the brief filed by Wiley Rein, a diverse and bi-partisan coalition of 15 other *amici* filed briefs urging the Supreme Court to reverse the Fourth Circuit's decision, including briefs filed on behalf of 109 U.S. Senators and Members of the House of Representatives; 29 Governors; the Veterans of Foreign Wars (VFW); the Military Order of the Purple Heart; various Christian, Jewish, and Islamic advocacy groups; groups of retired generals and admirals; and numerous state and local governments.

The brief was authored by Wiley Rein lawyers Brian H. Pandya, Megan L. Brown, Louisa Brooks, Wesley E. Weeks, Bethany A. Corbin, Krystal B. Swendsboe, and Tatiana Sainati.

To read the brief, please [click here](#).