

1 MICHAEL T. RISHER (Bar No. 191627)
2 NOVELLA COLEMAN (Bar No. 281632)
3 American Civil Liberties Union Foundation
4 of Northern California
5 39 Drumm Street
6 San Francisco, CA 94111
7 Telephone: (415) 621-2493
8 Facsimile: (415) 255-8437

9 Attorneys for *Amicus Curiae*
10 AMERICAN CIVIL LIBERTIES UNION
11 OF NORTHERN CALIFORNIA

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CRUZ

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

BRADLEY ALLEN,
ALEX DAROCY,
et al.,

Defendants.

Case Nos. F22193, F22195

Application of American Civil Liberties Union of Northern California to file an Amicus Brief in support of Bradley Stuart Allen and Alex Darocy's Motion to Dismiss (Penal Code § 995)

Date: May 8, 2012
Time: 9:00 a.m.
Dept.: 6

1
2 The American Civil Liberties Union of Northern California (“ACLU-NC”) requests
3 permission to file a brief as amicus curiae in support of Defendants Bradley Stuart Allen and Alex
4 Darocy’s motion to dismiss, pursuant to Penal Code § 995, pending before this Court. A copy of the
5 proposed brief is being lodged with the Court together with this Application.

6
7 The ACLU-NC is the regional affiliate of the American Civil Liberties Union, a nationwide,
8 nonprofit nonpartisan membership organization with over 550,000 members. The ACLU-NC, the
9 largest affiliate of the ACLU, is dedicated to the defense and promotion of the guarantees of liberty
10 and individual rights embodied in the federal and state constitutions.

11 The proposed brief will address a point that Amicus believes is critical for this Court to
12 address in considering Defendants’ motion to dismiss: the First Amendment’s limitations on the
13 imposition of criminal liability under theories of conspiracy and aiding and abetting arising from
14 Allen and Darocy’s taking and publishing photographs of a group of protesters who occupied a
15 building.
16

17 I discussed the matter with Assistant District Attorney Rebekah Young on May 3, 2012, and
18 she informed me that she does not object to the ACLU-NC filing an amicus brief. Defendants also
19 consent to the filing of this brief.

20 Accordingly, the ACLU-NC respectfully requests leave of this Court to file the accompanying
21 Brief.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

1 DATED: May 3, 2012

Respectfully Submitted,

2 AMERICAN CIVIL LIBERTIES
3 UNION OF NORTHERN CALIFORNIA

4
5 By: 

6 Michael T. Risher
7 Novella Coleman
8 Attorneys for Amicus Curiae
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28