

Reply Brief Filed Against Gov. Newsom's Continued Worship Restrictions

Liberty Counsel filed the reply brief to the 9th Circuit Court of Appeals on behalf of Ché Ahn's Harvest Rock Church and Harvest International Ministry requesting that the district court ruling be reversed and the preliminary injunction be issued against Gov. Gavin Newsom's worship restrictions.

In a 6-3 decision, the Supreme Court enjoined California from enforcing the total ban on worship in Tier 1 of the "Blueprint" pending disposition of the case at the 9th Circuit Court of Appeals and a petition for writ of certiorari to the Supreme Court. Newsom then imposed a 25% building capacity limit in tier 1. Based on the current record, a majority did not enjoin the ban on singing and chanting but did conclude that could be further addressed on remand. Justices Kagan, Breyer and Sotomayor dissented.

In today's brief, the churches argue "the governor has never 'permitted' churches to worship in California and only stopped purporting to impose total prohibitions and discriminatory restrictions on religious worship services after he was dragged to the Supreme Court three times." The churches further contend they "have scratched and clawed for lasting relief for 250 days now, and this court should reverse the district court's refusal to enjoin the governor from enforcing his discriminatory restrictions on religious worship services. Though the total ban on worship in Tier 1 and 100 and 200 person limits in Tiers 2-3 have been enjoined pending appeal, Tiers 1-4 continue to discriminate against churches, as does the singing and chanting ban."

The Supreme Court granted an injunction pending appeal.

Liberty Counsel is requesting the 9th Circuit grant a preliminary injunction to prevent Newsom from re-imposing his total ban in tier 1, his 100-and 200-person limits in tiers 2-3, and to strike down the remaining discriminatory restrictions on places of worship that remain in Tiers 1-4, including the singing and chanting ban.

Liberty Counsel chairman and founder Mat Staver said, "The Supreme Court ruled that Governor Gavin Newsom's total ban on worship must come to an end. However, he continues to violate the First Amendment by discriminating against houses of worship. Every person in California has the constitutional right to worship, and these churches will continue to press forward until religious freedom is totally restored." {eo}

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