No. 21-707

In the

Supreme Court of the United States

STUDENTS FOR FAIR ADMISSIONS, INC.,
Petitioner,

v.

UNIVERSITY OF NORTH CAROLINA, et al.,
Respondents.

On Writ of Certiorari to the
U.S. Court of Appeals for the Fourth Circuit

BRIEF FOR PETITIONER

STUDENT #1
Counsel of Record
School Name (jeshua rojas)

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STUDENT #2
School Name (Nicholas Peters)

Texas, Carrollton 75007

[Date]11/29/2022

QUESTIONS PRESENTED

Should this Court overrule *Grutter v. Bollinger*, 539 U.S. 306 (2003), and hold that institutions of higher education cannot use race as a factor in admissions?

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SUMMARY OF ARGUMENT

The fourteenth amendment says that every citizen in the U.S. is entitled to equal protection under the law. Affirmative action violates the fourteenth amendment because it focuses on a certain group of people who were discriminated against in the past. Most states and universities still use affirmative action in their application. Big universities like Harvard still use affirmative action, but in a good way they don't use race as one of the questions in the application. We Are for diversity in universities, but we don't like that they use race as one of the questions in the application. There has to be another way to get a certain type of people without using race as one of them. We'd also like it if the questions didn't use stereotypes in their questions,

ARGUMENT

I. Affirmative action and the fourteenth amendment/ equal protection clause

People and the jury would like if affirmative action was not to be a part of the questions in universities/colleges; Some people believe that programs that promote racial and economic equality violate the Fourteenth Amendment's guarantee of equal protection. However, many..legal..scholars argue that these programs are necessary to eliminate oppression. The Fourteenth Amendment requires all states to provide equal protection to citizens. The Civil Rights Act of 1964 banned most forms of discrimination. But, Affirmative action makes it unconstitutional to force people to meet specific standards based on their gender or race. This is also bringing us to what congress enacted in 1860-1870. The Fourteenth, Thirteenth, and FifteenthllAmendmentslloflltheIlConstitutionll protected former slaves from being disenfranchised. They also prohibited states from discriminating against voters based on their race. In some states, however, those rights were denied to African-Americans. We could assume that the same occurrence will happen 150 years ago in affirmative action We could accept that a similar event will happen on the grounds that a long time back governmental policy regarding minorities in society Resistance to the country's first governmental policy regarding minorities in society programs was stated in quite a while of simple visual impairment, a similar standard summoned by those complex race-cognizant confirmations programs today. Over a long time back, rivals reprimanded the Freedman's Department for making "a qualification by

virtue of variety between the two races." The law, they demanded, was "contrary to the plain soul" of the Constitution. The Designers of the Fourteenth Amendment reliably dismissed these contentions. We could also assume that there will be people going against this because no matter how good or bad you are someone or something will not like it even if it has so many benefits. Framed primarily by Republican Representative John Bingham, the Fourteenth Amendment was gone by the ordinal Congress mutually of the Reconstruction Amendments. It was passed partly to combat Black Codes, which were statutes passed in Southern states to limit the rights of African Americans when they were free of slavery by the liberation Proclamation. These statutes borrowed components and language from nonmodern slave laws and restricted rights, like the correct to maneuver freely, vote, and testify in court. The Fourteenth Amendment self-addressed Black Codes and alternative discriminatory legislation by guaranteeing rights to all or any voters, as well as those former slaves United Nations agencies were recently created, voters. The U.C. Davis medical school violated the equal protection clause, where 16 out of 100 were reserved for other candidates. The court told that this sytem "quota system" is unconsitutioinal but the universitie wanted diversity. there was twenty firefighters and weren't diverse 19 white and 1 hispanic and it out preformed minority on a test to see who gets promoted, in response to this the test was discarded and and no promotion was rewarded. The department violated the Title VII of the Civil Rights Act of 1964. Which means that "that the workplace be an environment free of discrimination, where race is not a barrier to opportunity." Every race should be treated equally according and under the 14 amendment.

the 14 amendment was originally brought to question and accepted, for the reason of equal protection for newly freed slaves but it can be used for other citizens from other descents, but the 14 amendment was originally

accepted for newly free slaves. And the fourteenth amendment Passed by the Senate on June eight, 1866, and approved 2 years later, on July 9, 1868, the amendment granted citizenship to all or any persons "born or naturalized within the us," and provided all voters with "equal protection beneath the laws," What would the Framers of the Fourteenth Amendment have thought about affirmative action policies that benefit people on the basis of sexual orientation or gender identity?

II. Part II

A. Subpart A

6-yes Brown v Board of Education prohibits race-conscious affirmative action because it is against the Fourteenth Amendment. The Fourteenth Amendment says that all people are created equal Race-conscious are unconstitutional.

7- affirmative action is as a conceptual framework, affirmative action remains relevant for a national racial justice agenda. Its surviving policies are critical for dismantling institutional practices that limit opportunities for highly qualified African Americans and other marginalized racial minorities. Yes they should because then theres not people saying this college doesn't admit only one race and this whole court case is because of people that were mad because of only one race gitting admitted in a college.

8-Yes Grutter v Bollinger should be overruled because someone who has a 4.0 GPA shouldn't be denied a college to a person that has 2.9 GPA just because of their skin color. Like in Grutter v. Bollinger. In Dobbs v Jackson the Supreme Court decided that the Constitution of the United States does not consider a right to abortion. But in most States like Mississippi they said Abortion is illegal.

9- Yes Grutter Will prevail because If the court declines the overrule then he will prevail. He will also prevail because You should not get in a college because of your skin color you should get chosen into a college for your skill.

10- yes the military will have difficulty recruiting a diverse armed service because if Only One race is better than another then they'll only have a lot of that race.

CONCLUSION

After our arguments the cases, affirmative action should no longer be included in college admissions because it violates the fourteenth amendment.

Respectfully submitted,

STUDENT #1
COUNSEL OF RECORD
SCHOOL NAME
SCHOOL ADDRESS
CITY, STATE ZIP

STUDENT #2
School Name
School Address
City, State Zip

[Date]