



DREYER·BOYAJIAN  
ATTORNEYS AT LAW

January 20, 2023

**Via NYSCEF**

Robert D. Mayberger, Clerk  
New York State Supreme Court  
Appellate Division, Third Department  
Robert Abrams Building for Law and Justice  
State Street, Room 511  
Albany, New York 12223

**Re: *Hoffmann et al. v. The New York State Independent Redistricting Commission et al.*  
(Appellate Division Case No. CV-22-2265)**

Dear Clerk Mayberger:

Appellant-Petitioners write to respectfully request a calendar preference in the hearing of the above-captioned appeal, pursuant to Rule 1250.15(a)(1) of the Practice Rules of the Appellate Division. Appellant-Petitioners filed a petition before the Supreme Court for Albany County, seeking a writ of mandamus to compel New York's Independent Redistricting Commission (the "IRC") to complete its constitutional duty to submit a second set of congressional redistricting plans to the Legislature for consideration. Appellant-Petitioners now seek this Court's review of Supreme Court's dismissal of that petition.

Appellant-Petitioners are entitled by law to a preference in the hearing of their appeal. Article III, Section 5 of the New York Constitution mandates that "any court before which a cause may be pending involving an apportionment [ . . . ] shall give precedence thereto over all other causes and proceedings." It also provides that "[t]he court shall render its decision within sixty days after a petition is filed."

Appellant-Petitioners propose the following expedited briefing timeline, which would assist this Court in rendering a decision regarding this appeal within sixty days:

- January 20, 2023: Appellant-Petitioners file brief in chief.
- February 17, 2023: Appellee-Respondents file response brief.
- February 24, 2023: Appellant-Petitioners file reply brief. Any proposed amicus curiae file briefs.
- Week of February 27, 2023: Suggested date for oral argument.
- March 23, 2023: Sixty days following filing of brief in chief.

Appellant-Petitioners thank the Court for its consideration and attention to this matter.

Respectfully,

DREYER BOYAJIAN LLP

A handwritten signature in black ink, appearing to read 'James R. Peluso', written over a horizontal line.

James R. Peluso  
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cc: All counsel via NYSCEF