

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

REVEREND PATRICK J. MAHONEY,

Plaintiff,

v.

Case No. _____

THE UNITED STATES CAPITOL POLICE BOARD, in its Official Capacity; KAREN H. GIBSON, in her Official Capacity as U.S. Senate Sergeant at Arms and Doorkeeper and Chair, Capitol Police Board; WILLIAM J. WALKER, in his Official Capacity as U.S. House of Representatives Sergeant at Arms and Member, Capitol Police Board; J. BRETT BLANTON, in his Official Capacity as Architect of the Capitol and Member, Capitol Police Board; J. THOMAS MANGER, in his Official Capacity as Chief of Police, Capitol Police, and Ex-Officio Member, Capitol Police Board, and JOHN DOES 1-5, in their Official and Individual Capacities,

Defendants.

**APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND PRELIMINARY
INJUNCTION IMMEDIATE RELIEF REQUESTED BY
SEPTEMBER 9, 2021 AT 5:00 PM**

Pursuant to Federal Rule of Civil Procedure 65 and LCvR 65.1, Plaintiff, Reverend Patrick J. Mahoney (“Rev. Mahoney”) hereby moves the Court to issue a temporary restraining order against Defendants (the “Government”) as follows:

1. The Government shall issue a permit to Rev. Mahoney so that his proposed prayer vigil on the Western Front Lawn may go forward on September 11, 2021;
2. The Government as well as their agents, employees, and successors in office, shall be restrained and enjoined from enforcing, attempting to enforce, threatening to enforce, or

otherwise requiring compliance with any unreasonable prohibition on Plaintiff's engagement in First Amendment protected activities at said prayer vigil;

3. The Government shall show cause, at a time and place to be directed by the Court, why a preliminary injunction should not issue requiring the Government to act as described above; and

4. The temporary restraining order shall remain in effect until such time as the Court has ruled on whether a preliminary injunction should issue, all such relief being necessary to prevent the Government from further violating Rev. Mahoney's constitutional rights, pending trial on the merits of his claims.

In support of this application, Plaintiff relies upon the attached memorandum of points and authorities, Plaintiff's declaration, Plaintiff's verified Complaint, and any argument of counsel at any hearing the Court may allow. A proposed order is attached. Oral argument is requested on or prior to September 9, 2021.

The Certification of Counsel Pursuant to LCvR 65.1(a) that immediately follows contains notifications made herein.

Dated: August 31, 2021

Respectfully submitted,

/s Harmeet K. Dhillon
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Counsel for Plaintiff Patrick J. Mahoney

CERTIFICATION OF COUNSEL PURSUANT TO LCvR 65.1(a)

Pursuant to LCvR 65.1(a), I hereby certify that on August 31, 2021, in addition to filing via ECF, I caused true and correct copies of Plaintiff's Complaint, Civil Cover Sheet, Application for Temporary Restraining Order and Preliminary Injunction, Memorandum of Points and Authorities in Support of Application for Temporary Restraining Order and Preliminary Injunction, including all exhibits, Motion for Admission Pro Hac Vice, and Declaration of Joshua Wallace Dixon to be (1) delivered by overnight delivery to the Defendants, and to the United States Attorney for the District of Columbia and (2) via email at the following addresses:

United States Capitol Police Board
Office of Professional Responsibility
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Dated: August 31, 2021

Respectfully submitted,

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