

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

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ROBERT C. LAITY,	)	
	)	
	)	
<i>Petitioner,</i>	)	
	)	
v.	)	No. 20-7109
	)	
KAMALA DEVI HARRIS,	)	
	)	
<i>Respondent.</i>	)	

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**RESPONDENT’S REPLY IN SUPPORT OF HER MOTION FOR  
SUMMARY AFFIRMANCE**

Laity’s attempts to explain why he has standing only confirm that the district court’s decision was correct.

Laity contends that he “has a legally protected interest in living under a constitution that is enforced.” Laity Opp. at 4-5. But standing cannot be based on the “generalized interest of all citizens in constitutional governance.” *Schlesinger v. Reservists Comm. to Stop the War*, 418 U.S. 208, 217 (1974); *see also Rodearmel v. Clinton*, 666 F. Supp. 2d 123, 129 (D.D.C. 2009) (“[Plaintiff’s] general interest as a citizen in the constitutionality of Clinton’s appointment does not give him standing.”). And Laity does not explain how, as he contends, Senator Harris’s ascension to the Vice Presidency poses “an imminent danger to Robert Laity individually.” Laity Opp. at 3. He states that he is “a (69) year old veteran

who has lived in freedom for that period of time,” and suggests that a Vice President Harris will lead to “[t]he sudden loss of that freedom and liberty.” Laity Opp. at 3-4. The claim that Senator Harris’s election to the Vice Presidency will somehow deprive Laity of his freedom is baseless and, in any case, far too speculative to establish standing. *See Attias v. Carefirst, Inc.*, 865 F.3d 620, 626 (D.C. Cir. 2017) (“An injury in fact must be . . . actual or imminent rather than speculative.”) (internal quotations omitted).

For these reasons and those set forth in Senator Harris’s opening memorandum, this Court should grant Senator Harris’s Motion for Summary Affirmance.

Respectfully submitted,

December 16, 2020

/s/ Beth S. Brinkmann  
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*Counsel for Respondent Kamala Devi  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 16, 2020, a true and correct copy of the foregoing was served on the following by the means set forth below:

*by overnight mail with courtesy copy by email:*

Robert C. Laity  
43 Mosher Drive  
Tonawanda, NY 14150  
robertlaity@roadrunner.com

DATED: December 16, 2020

/s/ Beth S. Brinkmann  
Beth S. Brinkmann

**CERTIFICATE OF COMPLIANCE**

Pursuant to Rule 32(g) of the Federal Rules of Appellate Procedure, I hereby certify that Respondent's reply in support of her motion for summary affirmance complies with Fed. R. App. P. 27(d)(2)(C) because it contains 292 words, according to the count of Microsoft Word, and complies with the typeface and type-style requirements of Fed. R. App. P. 27(d)(1)(E) because it has been prepared in 14-pt Times New Roman font using Microsoft Word.

DATED: December 16, 2020

/s/ Beth S. Brinkmann  
Beth S. Brinkmann