

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

OHIO NUCLEAR-FREE)	
NETWORK and BEYOND)	
NUCLEAR,)	Case No. 21-1162
)	
Petitioners,)	
)	
v.)	
)	
UNITED STATES NUCLEAR)	
REGULATORY COMMISSION and)	
the UNITED STATES OF)	
AMERICA,)	
)	
Respondents.)	

* * * * *

PETITIONERS’ MOTION FOR LEAVE TO FILE
OPENING BRIEF INSTANTER

Now come the Petitioners, Ohio Nuclear-Free Network and Beyond Nuclear, by and through counsel, and move the Court for leave to file their opening Brief *instanter*. Their initial Brief is tendered with this Motion.

Counsel represents that the deadline for filing of the Brief was March 14, 2022. It took about 2.5 hours beyond midnight on March 14 for counsel to finish preparing it for filing.

It is the middle of the night, and neither the Respondents nor their counsel

will be prejudiced by the short delay of about three hours.

WHEREFORE, Petitioners pray the Court accept their opening Brief for filing *instanter*.

Dated: March 15, 2022

Respectfully submitted,

/s/ Terry J. Lodge

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of March, 2022, I filed the foregoing Motion for Leave to File Opening Brief *Instanter* in the Court's electronic case filing system, which according to its protocols would automatically be served upon all counsel of record.

/s/ Terry J. Lodge

Terry J. Lodge

Co-Counsel for Petitioners

CERTIFICATE OF COMPLIANCE

The foregoing Petitioners' Memorandum in Opposition to Respondents' Motion to Dismiss complies with the typeface requirements of Fed. R. App. P. 32(a)(5); the type-style requirements of Fed. R. App. P. 32(a)(6); the length limitation set forth in F. R. App. P. 27(d)(2)(a); and the applicable rules for the U.S. Court of Appeals for the District of Columbia Circuit. The Memorandum was prepared in 14-point, double spaced Times New Roman font using Wordperfect 4X and contains 112 words.

/s/ Terry J. Lodge

Terry J. Lodge

Co-Counsel for Petitioners