

THOMAS, J., concurring in judgment

**SUPREME COURT OF THE UNITED STATES**

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No. 98–387

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GREATER NEW ORLEANS BROADCASTING  
ASSOCIATION, INC., ETC., ET AL., PETI-  
TIONERS v. UNITED STATES ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE FIFTH CIRCUIT

[June 14, 1999]

JUSTICE THOMAS, concurring in the judgment.

I continue to adhere to my view that “[i]n cases such as this, in which the government’s asserted interest is to keep legal users of a product or service ignorant in order to manipulate their choices in the marketplace,” the *Central Hudson* test should not be applied because “such an ‘interest’ is *per se* illegitimate and can no more justify regulation of ‘commercial’ speech than it can justify regulation of ‘noncommercial’ speech.” *44 Liquormart, Inc. v. Rhode Island*, 517 U. S. 484, 518 (1996) (concurring in part and concurring in the judgment). Accordingly, I concur only in the judgment.