

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

MATTHEW JONES; THOMAS FURRH;
PWGG, L.P., DBA Poway Weapons
and Gear and PWG Range; NORTH
COUNTY SHOOTING CENTER, INC.;
BEEBE FAMILY ARMS AND
MUNITIONS LLC, DBA BFAM and
Beebe Family Arms and Munitions;
FIREARMS POLICY COALITION, INC.;
FIREARMS POLICY FOUNDATION; THE
CALGUNS FOUNDATION; SECOND
AMENDMENT FOUNDATION; KYLE
YAMAMOTO,

Plaintiffs-Appellants,

v.

ROB BONTA, in his official capacity
as Attorney General of the State of
California; MARTIN HORAN, in his
official capacity as Director of the
Department of Justice Bureau of
Firearms; DOES, 1–20,

Defendants-Appellees.

No. 20-56174

D.C. No.
3:19-cv-01226-
L-AHG

ORDER

Filed September 7, 2022

Before: Ryan D. Nelson and Kenneth K. Lee, Circuit Judges, and Sidney H. Stein,* District Judge.

Order

COUNSEL

Haley N. Proctor (argued), David H. Thompson, Peter A. Patterson, and John D. Ohlendorf, Cooper and Kirk PLLC, Washington, D.C.; John W. Dillon, Dillon Law Group APC, Carlsbad, California; for Plaintiffs-Appellants.

Jennifer E. Rosenberg (argued) and John D. Echeverria, Deputy Attorneys General; Samuel P. Siegel, Deputy Solicitor General; Janill L. Richards, Principal Deputy Solicitor General; Michael J. Mongan, Solicitor General; Mark R. Beckington, Supervising Deputy Attorney General; Thomas S. Patterson, Senior Assistant Attorney General; Rob Bonta, Attorney General; Office of the Attorney General, San Francisco, California; Defendants-Appellees.

Sarah A. Hunger, Deputy Solicitor General; Jane Elinor Notz, Solicitor General; Kwame Raoul, Attorney General; Office of the Attorney General, Chicago, Illinois; William Tong, Attorney General, Hartford, Connecticut; Kathleen Jennings, Attorney General, Wilmington, Delaware; Karl A. Racine, Attorney General, Washington, D.C.; Clare E. Connors, Attorney General, Honolulu, Hawaii; Brian E. Frosh, Attorney General, Baltimore, Maryland; Maura Healey, Attorney General, Boston, Massachusetts; Dana Nessel, Attorney General, Lansing, Michigan; Keith Ellison,

* The Honorable Sidney H. Stein, United States District Judge for the Southern District of New York, sitting by designation.

Attorney General, St. Paul, Minnesota; Gurbir S. Grewal, Attorney General, Trenton, New Jersey; Hector Balderas, Attorney General, Santa Fe, New Mexico; Letitia James, Attorney General, Albany, New York; Ellen F. Rosenblum, Attorney General, Salem, Oregon; Josh Shapiro, Attorney General, Harrisburg, Pennsylvania; Peter F. Neronha, Attorney General, Providence, Rhode Island; Thomas J. Donovan Jr., Attorney General, Montpelier, Vermont; Mark R. Herring, Attorney General, Richmond, Virginia; Robert W. Ferguson, Attorney General, Olympia, Washington; for Amici Curiae Illinois, Connecticut, Delaware, District of Columbia, Hawaii, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington.

Hannah Shearer, Giffords Law Center to Prevent Gun Violence, San Francisco, California; J. Adam Skaggs, Giffords Law Center to Prevent Gun Violence, New York, New York; Robert A. Sacks and Leonid Traps, Sullivan & Cromwell LLP, New York, New York; Angela N. Ellis, Jackson Froliklong, Rachel H. VanGelder, and Madeline B. Jenks, Sullivan & Cromwell LLP, Washington, D.C.; for Amici Curiae Giffords Law Center to Prevent Gun Violence, Brady, and American Federation of Teachers.

Glenn Rothner, Rothner Segall & Greenstone, Pasadena, California, for Amicus Curiae California Federation of Teachers.

Lisa Kobialka, Kramer Levin Naftalis & Frankel LLP, Menlo Park, California; Darren A. LaVerne, Karen S. Kennedy, and Daniel M. Ketani, Kramer Levin Naftalis & Frankel LLP, New York, New York; Janet Carter, William J. Taylor Jr., and Lisa M. Ebersole, Everytown Law, New

York, New York; for Amicus Curiae Everytown for Gun Safety.

Jason Walta, National Education Association, Washington, D.C., for Amicus Curiae National Education Association.

Neal Goldfarb, Washington, D.C., pro se Amicus Curiae.

ORDER

Appellee's petition for panel rehearing is **GRANTED**. The panel's opinion is **VACATED**, the district court's order denying the plaintiffs' motion for a preliminary injunction is **VACATED**, and this case is **REMANDED** to the district court for further proceedings consistent with the United States Supreme Court's decision in *New York State Rifle & Pistol Association, Inc. v. Bruen*, 597 U.S. ____ (2022).

Appellees' Petition for Panel Rehearing En Banc (Dkt. No. 93) is **DENIED** as moot.

Appellants' Petition Pursuant to the All Writs Act (Dkt. No. 98) is dismissed without prejudice to being refiled with the district court upon remand. Any party appealing an order from the district court may request expedited consideration before this Court.

The parties shall bear their own attorney's fees, costs, and expenses. This order constitutes the mandate of this court.

VACATED AND REMANDED.