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January 7, 2016

The Hon. Lyle W. Cace  
Clerk, United States Court of Appeals  
for the Fifth Circuit  
600 S. Maestri Place  
New Orleans, LA 70130

Re: *Mance v. Lynch*  
U.S. Court of Appeals, 5<sup>th</sup> Cir., No. 15-10311

Supplemental Authority per Fed. R. App. P. 28(j)

Dear Mr. Cace:

At argument, Judge Owen asked how FFLs learn of state and local laws, so that they may comply with interstate transactions under Section 922(b)(3).

The Director shall annually revise and furnish Federal firearms licensees with a compilation of State laws and published ordinances which are relevant to the enforcement of this part. The Director annually revises the compilation and publishes it as “State Laws and Published Ordinances—Firearms” which is furnished free of charge to licensees under this part . . . .

27 C.F.R. § 478.24(a).

[T]his book will assist Licensees in making lawful over-the-counter sales of rifles and shotguns to out-of-State residents—transactions that must meet the legal requirements of

Mr. Cace  
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both the dealer's State of residence and the purchaser's State of residence.

U.S. Government Bookstore, <https://bookstore.gpo.gov/products/sku/027-000-01423-2>

BATFE apparently hosts this publication's most recent version online. It also describes the guide as an aid in making interstate long gun sales. <https://www.atf.gov/file/58536/download>, at i. "When deciding whether to make a sale, you should first consult the full text of the State requirements, and if appropriate, contact State and local authorities before making a decision." *Id.* "[U]sers of this publication are encouraged to consult with State and local authorities to ascertain the most current firearms laws and regulations applicable to their particular situation." *Id.* at iii.

The Government's publications, including its online publications, are within judicial notice. *See, e.g., Kitty Hawk Aircargo, Inc. v. Chao*, 418 F.3d 453, 457 (5th Cir. 2005); *Gent v. Cuna Mut. Ins. Soc'y*, 611 F.3d 79, 84 n.5 (1st Cir. 2010); *Denius v. Dunlap*, 330 F.3d 919, 926-27 (7th Cir. 2003).

Sincerely,

/s/ Alan Gura

Alan Gura  
Counsel for Plaintiffs-Appellees

### Certificate of Compliance

This letter complies with the word count limitation of Fed. R. App. 28(j), as it contains 269 words in the body of the letter as automatically totaled by WordPerfect X4.

/s/ Alan Gura

Alan Gura

### Certificate of Service

On this, the 7<sup>th</sup> day of January, 2016, I electronically filed the attached Letter with the Clerk of the Court for the United States Court of Appeals for the Fifth Circuit by using the CM/ECF system. Participants in this appeal are registered CM/ECF users who will be served by the CM/ECF system.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Alan Gura

Alan Gura