

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

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**TOM G. PALMER, GEORGE LYON,  
EDWARD RAYMOND, AMY MCVEY,  
and SECOND AMENDMENT FOUNDATION,  
INC.,**

**Plaintiffs,**

**v.**

**1:09-CV-1482  
(FJS)**

**DISTRICT OF COLUMBIA and  
CATHY LANIER,**

**Defendants.**

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**APPEARANCES**

**OF COUNSEL**

**GURA & POSSESSKY, PLLC**  
101 North Columbus Street, Suite 405  
Alexandria, Virginia 22314  
Attorneys for Plaintiffs

**ALAN GURA, ESQ.**

**OFFICE OF THE ATTORNEY  
GENERAL FOR THE DISTRICT  
OF COLUMBIA**  
441 Fourth Street, N.W.  
6th Floor South  
Washington, D.C. 20001  
Attorneys for Defendants

**ANDREW J. SAINDON, ESQ.**

**SCULLIN, Senior Judge**

**ORDER**

In a Memorandum-Decision and Order dated July 24, 2014, this Court concluded that the

District of Columbia's total ban on the carrying of handguns in public was unconstitutional; and, therefore, the Court permanently enjoined Defendants from enforcing D.C. Code §§ 7-2502(a)(4) and 22-4504(a).

On July 28, 2014, Defendants filed a partially unopposed motion to stay pending appeal or, in the alternative, for 180 days and for immediate administrative stay. *See* Dkt. No. 52 at 1. In support of this motion, Defendants' counsel advised the Court that he had conferred with Plaintiffs' counsel, "who indicated that [P]laintiffs do not oppose a 90-day stay starting immediately pending the city council enacting remedial legislation that complies with constitutional standards." *See id.* at 1-2.

Based on the parties' agreement that an immediate 90-day stay is appropriate to provide the city council with an opportunity to enact appropriate legislation consistent with the Court's ruling,<sup>1</sup> the Court hereby

**ORDERS** that Defendants' motion for a stay is **GRANTED** to the extent that the Court's July 24, 2014 Order is stayed *nunc pro tunc* for **90 days**, i.e., until **October 22, 2014**; and the Court further

**ORDERS** that Plaintiffs shall file their opposition to Defendants' motion for a stay pending appeal on or before **August 4, 2014**; and the Court further

**ORDERS** that Defendants may file a reply in further support of their motion for a stay

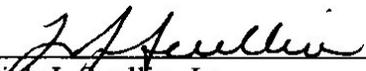
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<sup>1</sup> The Court notes that it sees no need to clarify its decision. The only issue before the Court was whether the District of Columbia's complete ban on the carrying of **handguns** in public was unconstitutional. Thus, the Court's injunction clearly applied only to handguns and not any other type of deadly dangerous weapon.

pending appeal on or before **August 11, 2014**.<sup>2</sup>

**IT IS SO ORDERED.**

Dated: July 29, 2014  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge

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<sup>2</sup> Based on the papers that Defendants have filed in support of their motion for a stay pending appeal, the Court is not convinced that Defendants will be able to demonstrate a likelihood of success on the merits to warrant such a stay. Nonetheless, the Court will provide the parties with an opportunity to present their arguments in full before ruling on this part of Defendants' motion.