

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

TOM G. PALMER, et al.,	)	Case No. 09-CV-1482-FJS
	)	
Plaintiffs,	)	NOTICE OF SUPPLEMENTAL
	)	AUTHORITY
v.	)	
	)	
DISTRICT OF COLUMBIA, et al.,	)	
	)	
Defendants.	)	
_____	)	

NOTICE OF SUPPLEMENTAL AUTHORITY

On May 31, 2012, the United States District Court for the Eastern District of Pennsylvania issued an opinion in *United States v. Garvin*, Cr. No. 11-480-01, 2012 U.S. Dist. LEXIS 76540 (E.D. Pa. May 31, 2012), denying a criminal defendant’s motion to suppress introduction of a handgun into evidence. The opinion is attached hereto as Exhibit A.

The Court denied the motion only because it found that the Defendant had repeatedly engaged in evasive conduct that sustained the police’s reasonable suspicion of possible criminal activity. However, the Court rejected the prosecution’s claim that a report that the Defendant might be carrying a gun justified his search and seizure.

[A]s some individuals are legally permitted to carry guns pursuant to the Second Amendment of the Constitution, a reasonable suspicion that an individual is carrying a gun, without more, is not evidence of criminal activity afoot. Therefore, the tip alone was not sufficient to support an investigatory stop and the Court must examine whether the stop was supported by other factors.

*Garvin*, 2012 U.S. Dist. LEXIS 76540, at \*10.

The *Garvin* court recognized the plain, obvious existence of a Second Amendment right to bear arms. Respectfully, so should this Court.

Dated: June 11, 2012

Respectfully submitted,

Alan Gura (D.C. Bar No. 453449)  
Gura & Possesky, PLLC  
101 N. Columbus Street, Suite 405  
Alexandria, VA 22314  
703.835.9085/Fax 703.997.7665

By: /s/Alan Gura  
Alan Gura

Attorney for Plaintiffs