

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

**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.

APPEARANCES

OF COUNSEL

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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,¹ 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

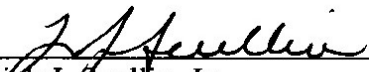
ORDERS that Defendants may file a reply in further support of their motion for a stay

¹ 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.**²

IT IS SO ORDERED.

Dated: July 29, 2014
Syracuse, New York



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

² 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.