

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

NOTICE

PLEASE TAKE NOTICE that the Defendants, the District of Columbia and its Police Chief, Cathy Lanier, have moved to voluntarily dismiss their appeal in this case (D.C. Cir. No. 14-7180).

With that, Defendants have not only acquiesced in this Court’s judgment—they have abandoned their various objections to the outstanding motion for permanent injunction (Dkt. 71) and motion to hold Defendants in contempt (Dkt. 83) that were based on allegations that their notice of appeal had divested this Court of jurisdiction.

There is no question but that this Court has full jurisdiction to enforce its order and judgment of July 29, 2014, either by holding Defendants in contempt, or again enjoining the enforcement of D.C. Code § 22-4504(a) because the District has failed to enact a licensing scheme consistent with constitutional standards.

Plaintiffs urge this Court to act expeditiously. Defendants’ appeal proved to be nothing more than an elaborate stalling tactic. First, they moved to hold their own appeal in abeyance.

Having failed at that, they sought an extension on their opening brief (in and of itself, a routine move), and finally, within two weeks of that brief being due at the extended deadline, Defendants decided they did not wish to have the appeal heard after all—having used the appeal as an excuse to delay enforcement for nearly five months.

This Court should now determine whether the District’s “new” old law complies with its judgment of last July. Nearly six years after bringing this litigation, Plaintiffs remain deprived of a fundamental constitutional right, without a remedial order that the Defendants would follow, and without a means of accessing or triggering appellate review.

Dated: April 2, 2015

Respectfully submitted,

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