

United States Court of AppealsFIFTH CIRCUIT
OFFICE OF THE CLERKLYLE W. CAYCE
CLERKTEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

October 25, 2012

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing or
Rehearing En BancNo. 11-10959, National Rifle Association, et al v. Bureau of
Alcohol, Tobacco, et al
USDC No. 5:10-CV-140-----
Enclosed is a copy of the court's decision. The court has
entered judgment under FED. R. APP. P. 36. (However, the opinion
may yet contain typographical or printing errors which are
subject to correction.)FED. R. APP. P. 39 through 41, and 5TH CIR. RULES 35, 39, and 41
govern costs, rehearings, and mandates. **5TH CIR. RULES 35 and 40
require you to attach to your petition for panel rehearing or
rehearing en banc an unmarked copy of the court's opinion or
order.** Please read carefully the Internal Operating Procedures
(IOP's) following FED. R. APP. P. 40 and 5TH CIR. R. 35 for a
discussion of when a rehearing may be appropriate, the legal
standards applied and sanctions which may be imposed if you make
a nonmeritorious petition for rehearing en banc.Direct Criminal Appeals. 5TH CIR. R. 41 provides that a motion
for a stay of mandate under FED. R. APP. P. 41 will not be
granted simply upon request. The petition must set forth good
cause for a stay or clearly demonstrate that a substantial
question will be presented to the Supreme Court. Otherwise, this
court may deny the motion and issue the mandate immediately.Pro Se Cases. If you were unsuccessful in the district court
and/or on appeal, and are considering filing a petition for
certiorari in the United States Supreme Court, you do not need to
file a motion for stay of mandate under FED. R. APP. P. 41. The
issuance of the mandate does not affect the time, or your right,
to file with the Supreme Court.The judgment entered provides that each party bear its own costs
on appeal.

Sincerely,

LYLE W. CAYCE, Clerk

By: Jamie B. Cheramie
Jamie R. Cheramie, Deputy Clerk

Enclosure(s)

Mr. Fernando Manuel Bustos
Mr. Charles Justin Cooper
Ms. Anisha Sasheen Dasgupta
Mr. Christopher Paul Johnson
Mr. Brian Stuart Koukoutchos
Mr. Scott Charles Medlock
Mr. Peter A. Patterson
Mr. David H. Thompson
Ms. Meredith Anne Wholley