

No. 14-1945

In The
United States Court of Appeals
For the Fourth Circuit

STEPHEN V. KOLBE, et al.,

Plaintiffs-Appellants,

v.

LAWRENCE J. HOGAN, JR., GOVERNOR, et al.,

Defendants-Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MARYLAND AT BALTIMORE

**MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF AMICI
CURIAE OF THE CONGRESS OF RACIAL EQUALITY, PINK PISTOLS,
AND WOMEN AGAINST GUN CONTROL IN SUPPORT OF
APPELLANTS**

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April 11, 2016

Counsel for Amici Curiae

Pursuant to Rules 27 and 29 of the Federal Rules of Appellate Procedure, CORE, The Congress of Racial Equality; Pink Pistols; and Women Against Gun Control (collectively, “*Amici*”), respectfully move the Court for leave to file a short (little more than 3,000 words) supplemental brief as *amici curiae* in support of the Plaintiffs-Appellants on rehearing. *Amici*’s participation in this case has been unopposed.

ARGUMENT

At issue in this case is the question of whether the Second Amendment may be treated by the courts as a second-class right. *Amici* Pink Pistols, the Congress of Racial Equality, and Women Against Gun Control are uniquely situated to speak to this issue because their membership consists of political minorities who have historically been denied equal enjoyment of the liberties enumerated in the Bill of Rights. Once courts permit political majorities to chip away at one enumerated right (such as the right to bear arms), all such rights are at risk, especially for those whom society and the law have sidelined for so long. The accompanying *amicus* brief addresses only the question of strict scrutiny that was raised by the opinions in the original panel decision.

Furthermore, *Amici* are organizations comprising segments of the population that are disproportionately the targets of armed criminal violence and that vigorously support the right to bear arms. CORE, The Congress of Racial

Equality, has been one of America's leading African-American civil rights organizations since its founding in 1942. Pink Pistols is a national society that honors gender and sexual diversity and advocates the responsible use of firearms for self-defense. Women Against Gun Control has been a leading national advocacy group for Second Amendment rights for more than two decades.

We believe that this Court will benefit from the perspective of *Amici* because they and their constituents are well versed in the need for, and past application of, strict scrutiny for the review of legislative infringement of enumerated constitutional rights.

CONCLUSION

For the foregoing reasons, we urge this Court to grant *Amici's* motion for leave to file a short supplemental brief as *amici curiae* in support of Plaintiffs-Appellants on Rehearing *En Banc*.

Dated: April 11, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on April 11, 2016, the foregoing **Motion of the Congress of Racial Equality, Pink Pistols, and Women Against Gun Control For Leave to File *Amici Curiae* Brief in Support of Plaintiffs-Appellants on Rehearing *En Banc*** was served on all parties or their counsel of record through the CM/ECF system.

Dated: April 11, 2016

/s/ Brian S. Koukoutchos
Brian S. Koukoutchos