

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., et al.,

Defendants-Appellees.

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

**UNOPPOSED MOTION BY NATIONAL RIFLE
ASSOCIATION OF AMERICA, INC. FOR LEAVE
TO FILE SUPPLEMENTAL AMICUS CURIAE BRIEF IN
SUPPORT OF PLAINTIFFS-APPELLANTS AND REVERSAL**

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Pursuant to Rules 27 and 29 of the Federal Rules of Appellate Procedure, the National Rifle Association of America, Inc. (“NRA”) respectfully moves the Court for leave to file a supplemental amicus curiae brief in support of the Plaintiffs-Appellants on rehearing. A copy of the proposed brief is being filed concurrently with this motion. In support of this motion, the NRA states as follows:

1. The NRA is America’s foremost and oldest defender of Second Amendment rights. Founded in 1871, the NRA today has approximately five million members nationwide. The NRA is America’s leading provider of firearms marksmanship and safety training for civilians. The NRA has a strong interest in the questions at issue in this case because many of its members wish to own the firearms and magazines Maryland has banned for defense of themselves, their families, and their homes.

2. The NRA respectfully submits that its participation will assist the Court in deciding whether the Second Amendment protects the firearms and magazines Maryland bans and what constitutional analysis should apply to that ban. The NRA has filed amicus briefs on those question in several cases, including in the Second Circuit, the D.C. Circuit, and the United States Supreme Court. *Shew v. Malloy*, No. 14-319 (2d Cir. May 23, 2014), ECF No. 62; *Heller v. District of Columbia (Heller II)*, No. 14-7071 (D.C. Cir. Sept. 5, 2014), ECF No. 1510971; *Friedman v. City of Highland Park*, No. 15-133 (U.S. Aug. 28, 2015). More broadly, the NRA

has extensive experience litigating Second Amendment issues. It filed briefs in the U. S. Supreme Court in both *District of Columbia v. Heller*, 554 U.S. 570 (2008) (as an *amicus*), and *McDonald v. City of Chicago*, 561 U.S. 742 (2010) (as a party). Since that time, the NRA has participated as both an *amicus curiae* and as a party in cases across the Nation that implicate those seminal decisions and the fundamental rights they protect.

3. Counsel for the NRA has conferred with counsel for the parties to this case, and the parties do not oppose the NRA filing a supplemental *amicus* brief.

April 18, 2016

Respectfully submitted,

s/ Charles J. Cooper

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the Fourth Circuit by using the appellate CM/ECF system on April 18, 2016. I certify that service will be accomplished by the appellate CM/ECF system on all parties or their counsel.

April 18, 2016

s/ Charles J. Cooper
Charles J. Cooper

Counsel for Amicus Curiae