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May 22, 2013

Hon. Catherine O'Hagan Wolfe
Clerk of the Court
United States Court of Appeals
for the Second Circuit
40 Foley Square
New York, NY 10007

Re: *Kwong v. Bloomberg*, No. 12-1578 (argued Feb. 1, 2013)

Dear Ms. Wolfe:

I write pursuant to Rule 28(j) of the Federal Rules of Appellate Procedure to bring to the Court's attention the opinion of the United States Court of Appeals in *National Rifle Ass'n of America, Inc. v. McCraw*, No. 12-10091, 2013 U.S. App. LEXIS 10128 (5th Cir. May 20, 2013). The opinion, at *25-*26, supports the argument made at pages 23-29 of the Brief for Intervenor-Appellee that the New York statute establishing a fee structure for handgun licenses is subject only to rational basis review under the Equal Protection Clause because it does not interfere with Second Amendment rights or disadvantage a suspect class.

Respectfully submitted,

/s/

Simon Heller
Assistant Solicitor General

cc (by ECF): all counsel