

Charles Nichols  
PO Box 1302  
Redondo Beach, CA 90278  
Tel. No. (424) 634-7381  
e-mail: CharlesNichols@Pykrete.info  
In Pro Per

---

March 17, 2017  
by cm/ecf

Ms. Molly C. Dwyer  
Clerk, United States Court of Appeals  
for the Ninth Circuit  
95 Seventh Street  
San Francisco, CA 94103

RE: *Charles Nichols v. Edmund Brown, Jr., et al* 9th Cir. No.: 14-55873;  
Rule 28(j) letter

Dear Ms. Dwyer:

Plaintiff-Appellant Nichols submits *WISCONSIN CARRY, INC. v City of Madison* 2017 WI 19 No. 2015AP146 (Wisconsin Supreme Court. March 7, 2017) as supplemental authority under FRAP Rule 28(j).

The City of Madison through its Transit and Parking Commission prohibited in all Metro facilities, including but not limited to buses “Bringing any items of a dangerous nature onboard buses including: weapons (pistols, rifles, knives or swords).” Id at 1 ¶2.

The Wisconsin Supreme Court began its analysis by examining “the nature of the right at issue” under both the Second Amendment and the Wisconsin State Constitution. Id at 2-3 ¶¶8-13.

The Court held that the right to keep and bear arms is fundamental Id at 3 ¶9 and:

“After extensive textual and historical analysis, the Supreme Court concluded that the purpose of the amendment is to "guarantee the individual,

right to possess and carry weapons in case of confrontation." *Heller*, 544 U.S. at 592 (emphasis added). Wisconsin's protection of this right does not contain the grammatical and linguistic oddities that necessitated *Heller's* exhaustive treatment of the question. It is, instead, a straightforward declaration of an individual right to keep and bear arms for any lawful purpose." Id ¶10.

There are no transit stations in one's living room or buses passing through one's home. The Wisconsin Supreme Court has recognized that the fundamental, individual right to keep and bear arms "for any lawful purpose" extends beyond the confines of one's home. The Wisconsin Supreme Court struck down the City of Madison prohibition.

So should this court strike down the California Open Carry bans at issue in *Nichols'* appeal.

The body of this letter contains 266 words.

Sincerely,

s/ Charles Nichols

Charles Nichols  
Plaintiff-Appellant in Pro Per

cc: counsel of record (by cm/ecf)