

No. 14-55873

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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CHARLES NICHOLS,  
*Appellant*

v.

EDMUND BROWN, JR., et al.  
*Appellees.*

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On Appeal from the United States District Court for the  
Central District of California, No. 11-cv-09916 (Otero, J.)

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**MOTION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE*  
LAW CENTER TO PREVENT GUN VIOLENCE  
IN SUPPORT OF APPELLEES AND AFFIRMANCE**

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**MOTION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE*  
LAW CENTER TO PREVENT GUN VIOLENCE  
IN SUPPORT OF APPELLEES AND AFFIRMANCE**

Pursuant to Federal Rule of Appellate Procedure 29(a) and Circuit Rule 29(a), proposed *amicus curiae* Law Center to Prevent Gun Violence (“Law Center”) respectfully moves the Court to grant leave to file the attached brief. Prior to filing this motion, the Law Center endeavored to obtain consent of all parties to the filing of this brief. Appellees consent to the Law Center’s filing, but Appellant does not. For this reason, the Law Center seeks permission from the Court to file its brief.

The Law Center is a national, nonprofit organization dedicated to reducing gun violence. Founded after an assault weapon massacre at a San Francisco law firm in 1993, the Law Center provides comprehensive legal expertise in support of common sense gun laws. The Law Center tracks and analyzes federal, state, and local firearms legislation, monitors Second Amendment litigation nationwide, and provides support to jurisdictions facing legal challenges to their gun laws. The Law Center has provided informed analysis as an *amicus* in dozens of important firearm-related cases, including: *District of Columbia v. Heller*, 554 U.S. 570 (2008); *McDonald v. City of Chicago, Ill.*, 561 U.S. 742 (2010); *Silvester v. Harris*, 843 F.3d 816 (9th Cir. 2016); and *Peruta v. Cty. of San Diego*, 824 F.3d 919 (9th Cir. 2016) (*en banc*).

The Law Center's participation in the case will provide information relevant to the Second Amendment claim at issue in this appeal. The Law Center has expertise with open carry laws, and represents the interests of Californians who benefit from those laws, and from other reasonable firearms regulations. The attached brief explains why California's open carry laws are consistent with longstanding restrictions on the open carry of firearms, and are also reasonably tailored to achieve important government objectives in safeguarding the public from harm and intimidation, conserving law enforcement resources, and reducing gun-related injuries and deaths.

### CONCLUSION

For the foregoing reasons, the Law Center respectfully requests that the Court grant the Motion for Leave to File Brief of *Amicus Curiae* Law Center to Prevent Gun Violence in Support of Appellees and Affirmance.

Dated: February 24, 2017

Respectfully submitted,

By: /s/ Simon J. Frankel  
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### **CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on February 24, 2017.

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

I further certify that some of the participants in this case are not registered CM/ECF users. I have mailed the foregoing documents by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants:

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Dated: February 24, 2017

Respectfully submitted,

By: /s/ Simon J. Frankel  
SIMON J. FRANKEL