
No.: 14-55873 [DC 2:11-cv-09916-SJO-SS]

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

Charles Nichols,

Plaintiff-Appellant,

v.

EDMUND G. BROWN JR., in his official capacity as Governor of California

and

**XAVIER BECERRA, in his official capacity as Attorney General of
California,**

Defendants-Appellees.

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
[DC 2:11-cv-09916-SJO-SS]**

**PLAINTIFF-APPELLANT NICHOLS' NOTICE OF AMENDMENT TO
CALIFORNIA PENAL CODE SECTION 26400**

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In Pro Per**

PLEASE TAKE NOTICE that on January 1, 2018, Assembly Bill 7 (2017-2018 Reg. Sess.) (“AB 7”) went into effect.

The legislation extended California’s ban on openly carrying unloaded long guns from incorporated cities to include “A public place or a public street in a prohibited area of an unincorporated area of a county.” PC 26400(a)(2).

This does not raise a new issue on appeal. *Nichols*’ operative complaint, which seeks prospective injunctive and prospective declaratory relief against California Penal Code section 26400, is not limited to incorporated cities.

Such relief also falls within the four corners of *Nichols*’ operative complaint such as, but not limited to, his Prayer for Relief at page 39 “X. Such other and further relief as this Court may deem appropriate.”

As in *Wrenn v. District of Columbia*, 864 F.3d 650 (2017) at 667, this court has the “power to dispose [of it] `as may be just under the circumstances,” *Gross v. United States*, 390 U.S. 62, 71, 88 S.Ct. 709, 19 L.Ed.2d 906 (1968) (quoting 28 U.S.C. § 2106), and should do so “to obviate further and entirely unnecessary proceedings below,” *id.* at 72, 88 S.Ct. 709...”

A copy of the bill, AB 7, is attached.

Date: January 8, 2018

Respectfully submitted,

/s/ Charles Nichols
CHARLES NICHOLS
Plaintiff-Appellant In Pro Per