

Mr. Pete Brown, President 3-Gun Nation

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U.S. COURT OF APPEALS

SEP 26 2019

Molly C. Dwyer, Clerk of Court

Office of the Clerk

U.S. Court of Appeals for the Ninth Circuit

P.O. Box 193939

San Francisco, CA 94119-3939

FILED _____
DOCKETED _____ DATE _____ INITIAL _____

Re: *Duncan v. Becerra*, Case no. 19-55376

**Amicus Letter of 3-Gun Nation Expressing Interest in Joining
Plaintiffs-Appellees' Arguments**

Dear Ms. Dwyer:

In line with Circuit Advisory Committee Note to Rule 29-1, 3-Gun Nation respectfully submits this *amicus curiae* letter stating that it wishes to adopt the Plaintiffs-appellees' arguments in support of affirmance of the district court's ruling. 3-Gun Nation writes this letter to the Court because it believes it has a unique perspective on an important lawful use of large capacity magazines that the record in this matter should reflect. It does not intend to burden the Court with duplicative content and only seeks to inform the Court of the importance of large capacity magazines to the sport that 3-Gun Nation represents and promotes.

3-Gun Nation promotes the sport of competitive multi-gun shooting. Multi-gun competitions test an individual's ability to quickly, accurately, and safely shoot rifles, shotguns, and pistols against the clock. A typical match involves several shooting "stages," akin to individual holes on a golf course. Each stage requires shooting with each type of firearm. These competitions are a test of marksmanship, athleticism, strategic planning, and precise motor skill function. It's a thrilling sport to compete in and an engaging one to spectate.

It is also a rapidly growing segment of the competition shooting sports world. Much like in the popular pistol-only competitive shooting disciplines like IPSC/USPSA,¹ large capacity magazines are essentially required equipment to participate meaningfully in the sport. Shooting a 3-Gun Nation match, or any multi-gun match, with 10 round magazines is a handicap that all but eliminates the incentive to participate in the sport. It's akin to forcing a NASCAR driver to halfway deflate the tires on the car.

¹ In the United States, the United States Practical Shooting Association is the foremost promotor of International Practical Shooting Confederation (IPSC) style "action" pistol shooting events. Half of the divisions necessitate the use of large capacity magazines.

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All of a competitor's ammunition must be either stored in the magazine inserted into the firearm to begin with or secured in a pouch-holster mounted on a belt when needed to reload. Given the high minimum number of rounds of ammunition that must be fired in a shooting stage, it is simply impractical to compete with magazines that are artificially limited to 10 round capacity for both rifle and pistol on a competitor's belt. Also, given that stages are timed against the clock, limiting the frequency of time-consuming magazine changes is a significant aspect of planning the course of fire.

California's large capacity magazine restrictions have hindered the expansion of shooting sports in the state, especially multi-gun, for quite some time.² 3-Gun Nation believes that its sport would undoubtedly develop more rapidly without constraints that discourage people from participating, such as California's large capacity magazine restrictions. 3-Gun Nation competition is not only lawful, but it promotes responsibility, competence with firearms, and especially firearm safety. Competition shooting culture is the foremost forum where firearm safety practices are inculcated into firearms owners and disseminated from there beyond. A ruling in favor of Plaintiffs in this matter from this Court would honor the lawful interests of thousands of Californians who seek to fully enjoy and practice multi-gun shooting, as well as other competitive disciplines that require large capacity magazines.

3-Gun Nation appreciates the Court's consideration of its views on this subject and believes the Court should affirm the district court's grant of summary judgment in favor of Plaintiffs-appellees.

Sincerely,



Pete Brown

President, 3-Gun Nation

² Indeed, competitive shooting across virtually all disciplines that employ modern, semi-automatic firearms require large capacity magazines. These events take place throughout the world, the Nation, and the state of California.

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CERTIFICATE OF SERVICE

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I, Pete Brown, am over the age eighteen (18) years and am not a party to the within action. My business address is 105 Watershire Drive, Irmo, South Carolina 29063.

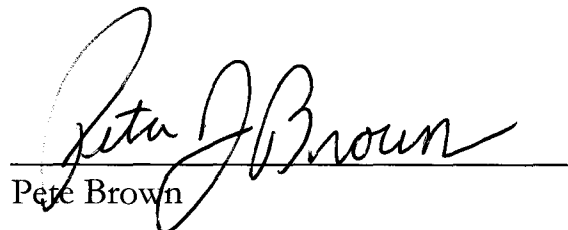
I hereby certify that on September 23, 2019, I served a copy of **Amicus Letter of 3-Gun Nation Expressing Interest in Joining Plaintiffs-Appellees' Arguments** by mail by depositing with the U.S. Postal Service with postage thereon fully prepaid at Irmo, South Carolina, to the following parties:

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Dated: September 23, 2019


Pete Brown