

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

**Form 7. Mediation Questionnaire**

*Instructions for this form: <https://www.ca9.uscourts.gov/forms/form07instructions.pdf>*

<b>9th Cir. Case Number(s)</b>	23-55805
<b>Case Name</b>	Duncan v. Bonta
<b>Counsel submitting this form</b>	John D. Echeverria
<b>Represented party/parties</b>	Defendant-Appellant Rob Bonta

*Briefly describe the dispute that gave rise to this lawsuit.*

This case presents a constitutional challenge to California Penal Code section 32310's restrictions on large-capacity magazines, defined as firearm magazines capable of holding more than 10 rounds of ammunition.

*Briefly describe the result below and the main issues on appeal.*

In a prior appeal in this case, an en banc panel of this Court upheld California Penal Code section 32310 under the Second Amendment, the Due Process Clause, and the Takings Clause. Following the Supreme Court's decision in *New York State Rifle & Pistol Ass'n, Inc. v. Bruen*, 142 S. Ct. 2111 (2022), the Supreme Court granted certiorari, vacated the en banc opinion, and remanded the case. The en banc panel thereafter remanded the case to the district court for further proceedings consistent with the Supreme Court's decision in *Bruen*. After supplemental briefing, the district court issued a decision declaring California Penal Code section 32310 unconstitutional and permanently enjoining its enforcement.

The main issue on appeal is whether California Penal Code section 32310 is constitutional.

*Describe any proceedings remaining below or any related proceedings in other tribunals.*

The district court's decision fully disposes of the case below. The only issue remaining in the district court relates to attorneys' fees and costs of suit.

Appeals pending before this Court present issues similar to the issues presented in this appeal: Case Nos. 23-35478, 23-35479, 23-35539, 23-35540. Those appeals arise from a final judgment upholding Oregon's large-capacity magazine restrictions against a Second Amendment and Takings Clause challenge.

**Signature**

**Date**

*(use "s/[typed name]" to sign electronically-filed documents)*