



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Kwame Raoul
Attorney General

October 12, 2023

Mr. Christopher G. Conway
Clerk of the Court
United States Court of Appeals for the Seventh Circuit
219 South Dearborn St., 27th Floor
Chicago, Illinois 60604

Re: *Barnett v. Raoul*, Nos. 23-1825, 23-1793, 23-1826, 23-1827, 23-1828 (consol.)
Bevis v. City of Naperville, No. 23-1353

Dear Mr. Conway:

Defendants in the above-referenced appeals write to provide an update on the proceedings arising out of the district court's decision granting a permanent injunction in *Duncan v. Bonta*, No. 3:17-cv-01017, Doc. 149 (S.D. Cal. Sept. 22, 2023), which plaintiffs cited as supplemental authority. As the undersigned noted in their October 3 letter to this court, an en banc panel of the Ninth Circuit subsequently granted an administrative stay of the district court's decision while the parties completed briefing on the California Attorney General's emergency motion for stay pending appeal. *Duncan v. Bonta*, No. 23-55805, Doc. 3 (9th Cir. Sept. 28, 2023).

On October 10, the en banc panel granted the California Attorney General's emergency motion and entered a stay of the district court's order (subject to an exception identified by California) while the appeal is pending. *Duncan v. Bonta*, No. 23-55805, Doc. 13 (9th Cir. Oct. 10, 2023). In that order, the court concluded that the California Attorney General "is likely to succeed on the merits." *Id.* at 5. Indeed, as the court explained, the California Attorney General presented "strong arguments" that California Penal Code § 32310, which restricts possession of firearm magazines capable of holding more than 10 rounds of ammunition, "comports with the Second Amendment under [*New York State Rifle & Pistol Ass'n v. Bruen*, 142 S. Ct. 2111 (2022)]." *Id.* at 5-6.

Very best regards,

/s/ Sarah A. Hunger

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CERTIFICATE OF COMPLIANCE

This letter complies with Federal Rule of Appellate Procedure 28(j) because its body contains 225 words.

/s/ Sarah A. Hunger

SARAH A. HUNGER

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on October 12, 2023, I electronically filed the foregoing Letter with the Clerk of the Court for the United States Court of Appeals for the Seventh Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Sarah A. Hunger

SARAH A. HUNGER

