



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

Kwame Raoul
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November 2, 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:

Plaintiffs cite as supplemental authority *Miller v. Bonta*, No. 19-cv-01537-BEN-JLB, Doc. No. 175 (S.D. Cal. Oct. 19, 2023), which enjoined enforcement of California's restrictions on assault weapons as set forth in California Penal Code section 30515. But the Ninth Circuit has already stayed that decision, which conflicts with the vast majority of decisions addressing a challenge to a law restricting assault weapons following *New York State Rifle & Pistol Ass'n v. Bruen*, 142 S. Ct. 2111 (2022).¹

¹ See *Grant v. Lamont*, No. 3:22-cv-01223, 2023 WL 5533522 (D. Conn. Aug. 28, 2023), *appeal docketed*, No. 23-1344 (2d Cir. Sept. 28, 2023); *Nat'l Ass'n of Gun Rights v. Lamont*, No. 22-cv-01118, 2023 WL 4975979 (D. Conn. Aug. 3, 2023), *appeal docketed*, No. 23-1168 (2d Cir. Aug. 16, 2023); *Hartford v. Ferguson*, No. 3:23-cv-05364, 2023 WL 3836230 (W.D. Wash. June 6, 2023); *Del. State Sportsmen's Ass'n v. Del. Dep't of Safety & Homeland Sec.*, No. 22-951, 2023 WL 2655150 (D. Del. Mar. 27, 2023), *appeal docketed*, No. 23-1634 (3d Cir. Apr. 7, 2023). *But see Rocky Mountain Gun Owners v. Board of County Commissioners of Boulder County*, No. 22-cv-2113, Doc. No. 15 (D. Colo. Aug. 30, 2022) (case voluntarily dismissed after issuance of temporary restraining order, Doc. No. 30); *Rocky Mountain Gun Owners v. Superior*, No. 1:22-cv-1685, Doc. No. 18 (D. Colo. July 22, 2022) (temporary restraining order subsequently dissolved, Doc. No. 53).

Indeed, on October 28, 2023, the Ninth Circuit entered an order granting an administrative stay of the permanent injunction and setting an expedited schedule for briefing and argument. *Miller v. Bonta*, No. 23-2979, Doc. 13-1 (9th Cir. Oct. 28, 2023). The court further noted that “the administrative stay shall remain in effect until the merits panel decides the appeal or issues an order lifting the stay.” *Id.*

Very best regards,

/s/ Sarah A. Hunger

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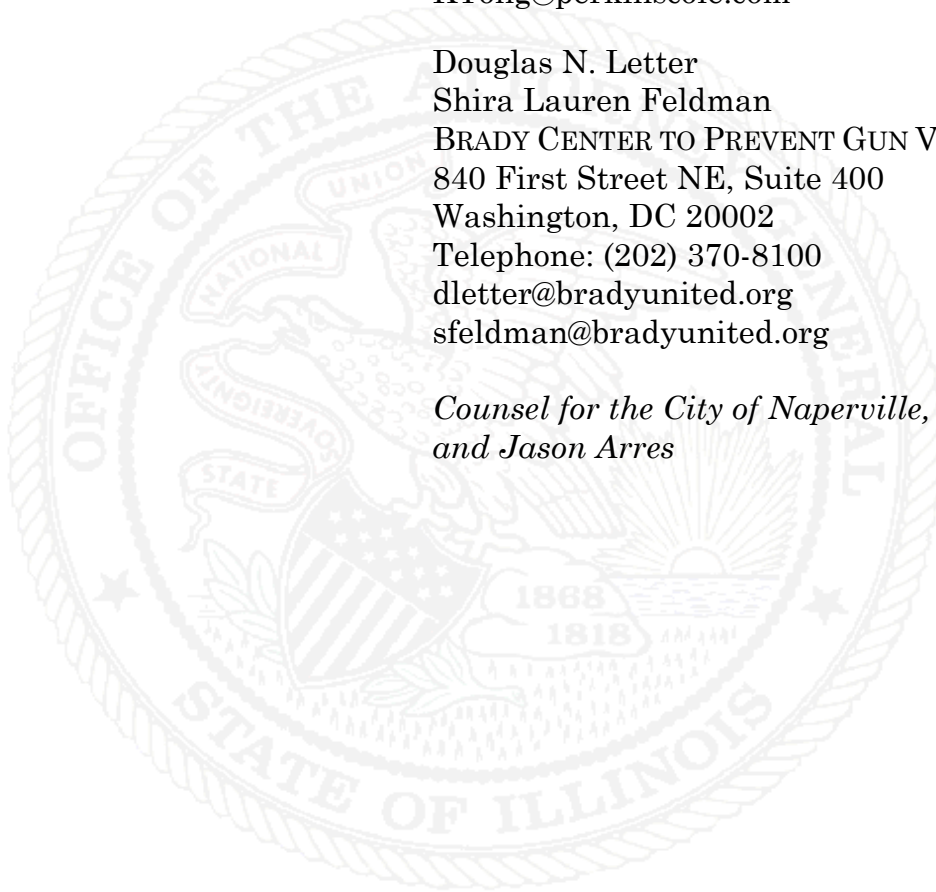
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CERTIFICATE OF COMPLIANCE

This letter complies with Federal Rule of Appellate Procedure 28(j) because its body contains 297 words.

/s/ Sarah A. Hunger

SARAH A. HUNGER

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on November 2, 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

