



C A L I F O R N I A
DEPARTMENT OF JUSTICE

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June 5, 2026

Via Appellate Case Management System (ACMS)

Molly 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

RE: *Sanchez v. Bonta*, Case No. 24-5566
Appellee's Citation of Supplemental Authority Pursuant to Federal Rule of
Appellate Procedure 28(j)

Dear Ms. Dwyer:

Appellee writes to notify the Court of the decision in *United States v. DeBorba*, No. 24-3304, __ F.4th __, 2026 WL 1587553 (9th Cir. June 3, 2026).

In *DeBorba*, this Court rejected a Second Amendment challenge to a provision in the National Firearms Act (NFA) that requires registration of firearm silencers. *DeBorba*, 2026 WL 1587553, at *2, *4. The Court held that “[s]ilencers are not ‘arms’ covered by the Second Amendment’s plain text,” explaining:

To determine if a “component or accessory” of a firearm is covered by the Second Amendment, we ask whether it “is necessary to the ordinary operation of the weapon.” *Duncan*, 133 F.4th at 868. As we have previously explained, “optional accessories” to firearms—such as gun slings, scopes, and, importantly, silencers—fall outside of the

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Second Amendment’s plain text because they are “accoutrements” and not arms. *Id.* DeBorba’s challenge thus fails at step one of the *Bruen* analysis.

Id. at *4. The Court went on to reject the challenger’s Second Amendment claim on the additional ground that the NFA’s registration requirement for silencers constituted a presumptively constitutional shall-issue licensing regime. *Id.* at *5.

The Court’s holding in *DeBorba* is pertinent to Appellant’s claim that the possession of firearm silencers falls within the Second Amendment’s plain text. *See* Replacement OB at 14–37; *see also* Replacement AB at 10–27; Replacement RB 4–17.

Sincerely,

/s/ Kevin L. Quade

KEVIN L. QUADE
Deputy Attorney General

For ROB BONTA
Attorney General

cc: All counsel of record (by ACMS)

CERTIFICATE OF SERVICE

Case Name: Sanchez v. Bonta No. 24-5566

I hereby certify that on June 5, 2026, I electronically filed the following documents with the Clerk of the Court by using the CM/ACMS system:

Appellee's Citation of Supplemental Authority Pursuant to Federal Rule of Appellate Procedure 28(j)

I certify that **all** participants in the case are registered CM/ACMS users and that service will be accomplished by the CM/ACMS system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on June 5, 2026, at Sacramento, California.

Kevin L. Quade
Declarant

/s/ Kevin L. Quade
Signature