

No. 23-1351

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

MARYLAND SHALL ISSUE, INC., *et al.*,
Plaintiffs-Appellants,

v.

ANNE ARUNDEL COUNTY, MARYLAND,
Defendant-Appellee.

On Appeal from the United States District Court
for the District of Maryland, No. 22-cv-865 (Gallagher, J.)

**MOTION FOR LEAVE TO FILE BRIEF AS *AMICI CURIAE*
IN SUPPORT OF APPELEE**

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Counsel for *Amicus Curiae*

July 17, 2023

MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

The proposed *amicus curiae*, Gun Owners for Safety, requests leave of the Court to file a brief in support of Appellee. *See Fed. R. App. P. 29(a)(3)*; Local Rule 29(a)(3). The proposed brief supports the Appellee's position that the disclosures associated with Anne Arundel County Bill 108-21, "An Ordinance concerning: Public Safety – Distribution of Literature to Purchasers of Guns or Ammunition" ("Ordinance") are uncontroversial. The proposed brief is attached to this motion. In support of the Court granting leave, the proposed *amicus curiae* state as follows:

- 1) Counsel for Appellee consents to the proposed *amicus curiae* brief, but counsel for Appellant has declined to provide consent.
- 2) Gun Owners for Safety is a united coalition of gun owners from varied backgrounds and political affiliations who believe lives can be saved through commonsense gun laws that do not infringe upon the civil rights of law-abiding gun owners. Affiliated with Giffords, the gun safety organization co-founded and led by Congresswoman Gabrielle Giffords, who is a gun owner herself, Gun Owners for Safety fully respects the Second Amendment and is simultaneously devoted to encouraging safe and responsible gun ownership practices and promoting a shift in culture to inform Americans about ways to improve safe gun ownership, including commonsense gun laws.

- 3) Proposed *amicus curiae* has an interest in this case because this Court is expected to address the Appellants' contention that the pamphlets distributed pursuant to the Ordinance are not uncontroversial, and Appellee's (and the District Court's) contrary position. Proposed *amicus curiae* supports Appellee's position that the pamphlets are not controversial, and that they contain factual information that is consistent with the views of responsible members of the firearms industry.
- 4) Proposed *amicus curiae* seeks this Court's permission to submit the attached brief. The proposed brief is desirable and relevant (Fed. R. App. P. 29(a)(3)) because it provides the unique perspective of Gun Owners for Safety and its membership on matters at issue in this appeal. *See, e.g., Neonatology Assocs., P.A. v. Comm'r*, 293 F.3d 128, 132 (3d Cir. 2002) (Alito, J.) ("Even when a party is very well represented, an amicus may provide important assistance to the court. Some amicus briefs collect background or factual references that merit judicial notice. Some friends of the court are entities with particular expertise not possessed by any party to the case.") (internal citation and quotation omitted). Appellants' positions are not representative of the entire firearms community, and Gun Owners for Safety believes it is both desirable and relevant for the Court to have

the benefit of the viewpoint of gun owners who support commonsense laws like the Ordinance.

For these reasons, proposed *amicus curiae* respectfully requests that this Court grant it leave to appear as *amicus curiae*, and to file the attached brief for consideration of the Court.

Respectfully submitted,

/s/ Jim Davy

Jim Davy

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Date: July 17, 2023

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Motion for Leave filed by Jim Davy was served upon all counsel of record for parties and *amici*, via CM/ECF, on July 17, 2023. All participants in this case are registered CM/ECF users and will be served electronically via that system.

Respectfully submitted,

/s/ Jim Davy

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