

**FILED**

November 20, 2023

KAREN MITCHELL  
CLERK, U.S. DISTRICT  
COURT

**United States Court of Appeals  
for the Fifth Circuit**

United States Court of Appeals  
Fifth Circuit

**FILED**

November 9, 2023

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 23-10718  
\_\_\_\_\_

JENNIFER VANDERSTOK; MICHAEL G. ANDREN; TACTICAL  
MACHINING, L.L.C., *a limited liability company*; FIREARMS POLICY  
COALITION, INCORPORATED, *a nonprofit corporation*,

*Plaintiffs—Appellees,*

BLACKHAWK MANUFACTURING GROUP, INCORPORATED, *doing  
business as* 80 PERCENT ARMS; DEFENSE DISTRIBUTED; SECOND  
AMENDMENT FOUNDATION, INCORPORATED; NOT AN L.L.C.,  
*doing business as* JSD SUPPLY; POLYMER80, INCORPORATED,

*Intervenor Plaintiffs—Appellees,*

*versus*

MERRICK GARLAND, *U.S. Attorney General*; UNITED STATES  
DEPARTMENT OF JUSTICE; STEVEN DETTELBACH, *in his official  
capacity as Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives*;  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS, and EXPLOSIVES,

*Defendants—Appellants.*

\_\_\_\_\_  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:22-CV-691  
\_\_\_\_\_

Before WILLETT, ENGELHARDT, and OLDHAM, *Circuit Judges.*

No. 23-10718

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED IN PART and VACATED IN PART, and the cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

ANDREW S. OLDHAM, *Circuit Judge*, concurring.



Certified as a true copy and issued  
as the mandate on Nov 20, 2023

Attest:

*Jyle W. Cayce*

Clerk, U.S. Court of Appeals, Fifth Circuit