

**In the
United States Court of Appeals
for the Third Circuit**

**ASSOCIATION OF NEW JERSEY RIFLE & PISTOL
CLUBS, INC., et al.,**

Plaintiffs-Appellants,

v.

ATTORNEY GENERAL NEW JERSEY, et al.,

Defendants-Appellees.

On Appeal from the United States District Court
for the District of New Jersey
Case No. 3:18-cv-10507

**BRIEF OF *AMICI CURIAE* PROFESSORS OF SECOND AMENDMENT
LAW, FIREARMS POLICY COALITION, FIREARMS POLICY
FOUNDATION, MADISON SOCIETY FOUNDATION, CALIFORNIA
GUN RIGHTS FOUNDATION, AND INDEPENDENCE INSTITUTE IN
SUPPORT OF THE PETITION FOR REHEARING EN BANC**

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1, *Amici Curiae* make the following statements:

Firearms Policy Coalition has no parent corporation, nor is there any publicly held corporation that owns more than 10% of its stock.

Firearms Policy Foundation has no parent corporation, nor is there any publicly held corporation that owns more than 10% of its stock.

Madison Society Foundation has no parent corporation, nor is there any publicly held corporation that owns more than 10% of its stock.

California Gun Rights Foundation has no parent corporation, nor is there any publicly held corporation that owns more than 10% of its stock.

Independence Institute has no parent corporation, nor is there any publicly held corporation that owns more than 10% of its stock.

/s/ Joseph G.S. Greenlee
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TABLE OF CONTENTS

CORPORATE DISCLOSURE STATEMENT	i
TABLE OF AUTHORITIES	iii
STATEMENT OF <i>AMICI CURIAE</i>	1
CONSENT TO FILE	2
SUMMARY OF ARGUMENT	3
ARGUMENT	5
I. Magazines holding more than 10 rounds predate the Second Amendment by over two hundred years and the Founders embraced them.	5
A. Repeating arms were invented around 1500, with capacity increasing to sixteen shots by 1580.	5
B. American colonists began manufacturing repeating arms in the mid-1600s and the Founders sought repeaters capable of firing more than 10 rounds.	7
II. Repeating arms with greater than 10-round capacities became some of the most popular arms in the 19th century.	11
III. The federal government issued nearly a quarter-million repeaters with 15- and 30-round magazines to civilians during the 20th century, and issued numerous other 30-round magazines separately.	15
CONCLUSION	16
APPENDIX	18
CERTIFICATE OF COMPLIANCE	22
CERTIFICATE OF SERVICE	23

TABLE OF AUTHORITIES

Cases

<i>District of Columbia v. Heller</i> , 554 U.S. 570 (2008).....	12
<i>McDonald v. City of Chicago</i> , 561 U.S. 742 (2010).....	12

Other Authorities

<i>16-Shot Wheel Lock</i> , AMERICA’S 1ST FREEDOM, May 10, 2014	5
<i>About</i> , CIVILIAN MARKSMANSHIP PROGRAM.....	15
Antaris, Leonardo M., <i>In the Beginning: Semi-Automatic Pistols of the 19th Century</i> , AMERICAN RIFLEMAN, Jan. 4, 2018	14
Brown, M.L., FIREARMS IN COLONIAL AMERICA: THE IMPACT ON HISTORY AND TECHNOLOGY, 1492–1792 (1980)	5, 7
Chapel, Charles Edward, GUNS OF THE OLD WEST (1961).....	7
Cleveland, H.W.S., HINTS TO RIFLEMEN (1864)	13
Flayderman, Norm, FLAYDERMAN’S GUIDE TO ANTIQUE AMERICAN FIREARMS AND THEIR VALUES (9th ed. 2007).....	12
Gallay, Alan, COLONIAL WARS OF NORTH AMERICA, 1512–1763 (2015)	7
Garavaglia, Louis A. & Worman, Charles G., FIREARMS OF THE AMERICAN WEST 1866–1894 (1985).....	14
Garry, James B., WEAPONS OF THE LEWIS AND CLARK EXPEDITION (2012).....	10, 11
Greener, W.W., THE GUN AND ITS DEVELOPMENT (9th ed. 1910)	5
JOURNALS OF THE CONTINENTAL CONGRESS 1774–1789 (1907)	9
Lamb, Roger, AN ORIGINAL AND AUTHENTIC JOURNAL OF OCCURRENCES DURING THE LATE AMERICAN WAR (1809).....	10

<i>M1 Carbine 30 Round Magazines</i> , CIVILIAN MARKSMANSHIP PROGRAM, Sept. 2007.....	15
McClure, Nancy, <i>Treasures from Our West: Lukens Air Rifle</i> , BUFFALO BILL CENTER FOR THE AMERICAN WEST, Aug. 3, 2014.....	10, 11, 15
<i>Newly Invented Muskets</i> , N.Y. EVENING POST, Apr. 10, 1822	12
Niles, Samuel, <i>A Summary Historical Narrative of the Wars in New England</i> , in MASSACHUSETTS HISTORICAL SOCIETY COLLECTIONS, 4th ser., vol. 5 (1837).....	8
PAPERS OF THE CONTINENTAL CONGRESS, COMPILED 1774–1789.....	9
Peterson, Harold L., <i>ARMS AND ARMOR IN COLONIAL AMERICA</i> (1956)..	7, 8
Peterson, Harold L., <i>THE TREASURY OF THE GUN</i> (1962).....	<i>passim</i>
Plaster, John, <i>THE HISTORY OF SNIPING AND SHARPSHOOTING</i> (2008)	10
Prenderghast, Gerald, <i>REPEATING AND MULTI-FIRE WEAPONS</i> (2018)....	10
Ruth, Larry L., <i>WAR BABY! COMES HOME: THE U.S. CALIBER .30 CARBINE</i> (R. Blake Stevens ed., 1993)	15
Supica, Jim, et al., <i>TREASURES OF THE NRA NATIONAL FIREARMS MUSEUM</i> (2013)	10, 13
<i>The Cookson Gun and the Mortimer Pistols</i> , AM. RIFLEMAN, Sept. 29, 1917.....	8
THE DIARY OF SAMUEL PEPYS (Henry B. Wheatley ed., 1893)	6
Tilloch, Alexander, <i>THE PHILOSOPHICAL MAGAZINE AND JOURNAL: COMPREHENDING THE VARIOUS BRANCHES OF SCIENCE, THE LIBERAL AND FINE ARTS, GEOLOGY, AGRICULTURE, MANUFACTURES, AND COMMERCE</i> (Richard Taylor ed., 1822)	12
Wells, Ida B., <i>SOUTHERN HORRORS AND OTHER WRITINGS: THE ANTI- LYNCHING CAMPAIGN OF IDA B. WELLS, 1892-1900</i> (Jacqueline Jones Royster ed., 1997)	14

Wilson, R.L., WINCHESTER: AN AMERICAN LEGEND (1991)..... 13
Winant, Lewis, FIREARMS CURIOSA (1955)5, 13
Winant, Lewis, PEPPERBOX FIREARMS (1952) 12, 13

STATEMENT OF *AMICI CURIAE*

***Amici* law professors** all teach and write on the Second Amendment: Royce Barondes (Missouri), Robert Cottrol (George Washington), Nicholas Johnson (Fordham), Donald Kilmer (Lincoln), Nelson Lund (George Mason), Joseph Olson (Mitchell Hamline), Glenn Reynolds (Tennessee), and Gregory Wallace (Campbell). As the Appendix describes, they were cited by the Supreme Court in *District of Columbia v. Heller* and *McDonald v. Chicago*. Their *amicus* brief was also cited in the dissenting opinion in *New York State Rifle & Pistol Ass’n, Inc. v. City of New York*. Oft-cited by lower courts as well, these professors include authors of the first law school textbook on the Second Amendment, and many other books and law review articles on the subject.

Firearms Policy Coalition is a nonprofit organization that defends constitutional rights through legislative and grassroots advocacy, litigation, education, and outreach programs.

Firearms Policy Foundation is a nonprofit organization that serves its members and the public through charitable programs including research, education, and legal efforts.

Madison Society Foundation is a nonprofit corporation that supports the right to arms by offering the public education and training.

California Gun Rights Foundation is a nonprofit organization that advances civil rights by focusing on educational, cultural, and judicial efforts.

Independence Institute is a nonpartisan public policy research organization founded on the eternal truths of the Declaration of Independence. The Institute's *amicus* briefs in *District of Columbia v. Heller* and *McDonald v. City of Chicago* (under the name of lead *amicus* Int'l Law Enforcement Educators & Trainers Association (ILEETA)) were cited in the opinions of Justices Breyer (*Heller*), Alito (*McDonald*), and Stevens (*McDonald*).

CONSENT TO FILE

All parties consented to the filing of this brief.¹

¹ No counsel for a party authored this brief in any part. No party or counsel contributed money intended to fund the brief's preparation or submission. No person other than *amici* and their members contributed money intended to fund the brief's preparation or submission.

SUMMARY OF ARGUMENT

The first known repeating arms, which fired 10 consecutive shots, date to between 1490 and 1530. A 1580 firearm could fire 16 shots.

In the 17th century, two European repeater models were widely copied and produced, including in the American colonies: Denmark's 30-round Kalthoff long gun, and Italy's 7-round Lorenzoni handgun.

Other repeaters were being manufactured in the colonies by the mid-1600s. Repeaters capable of firing more than 10 rounds gained popularity by the early 1700s. During the Revolutionary War, the Continental Congress ordered repeaters that could "discharge sixteen, or twenty [rounds], in sixteen, ten, or five seconds."

The state-of-the-art rifle when the Second Amendment was ratified had a 22-round magazine. Meriwether Lewis acquired one from a Pennsylvania gunsmith and carried it on the Lewis and Clark Expedition, frequently demonstrating it to prove that his small party could defend itself even if outnumbered. America's Founders knew about and embraced such arms.

Repeaters with greater than 10-round capacities became some of the 19th century's most popular arms—including the iconic Winchester and Henry rifles, followed by semiautomatic repeaters after 1885.

In the 20th century, the federal government supplied American citizens with nearly a quarter-million arms with 15- and 30-round magazines through the Civilian Marksmanship Program, in addition to numerous 30-round magazines the program issued independently of firearms. American history and tradition prove that the Second Amendment protects such arms.

ARGUMENT

I. Magazines holding more than 10 rounds predate the Second Amendment by over two hundred years and the Founders embraced them.

A. Repeating arms were invented around 1500, with capacity increasing to sixteen shots by 1580.

The first known repeating firearms were invented between 1490 and 1530.² King Henry VIII (reigned 1509-1547) owned one.³ The first known repeater capable of firing more than 10 shots—a 16-rounder—was invented around 1580.⁴

Kalthoff and Lorenzoni repeaters gained popularity throughout Europe by 1660.⁵ The size of Kalthoff “magazines ran all the way from six or seven to thirty” charges. Peterson, *TREASURY*, at 230.

“[A]t least nineteen gunsmiths are known to have made [Kalthoffs] in an area stretching from London...to Moscow...and from Copenhagen...to

² M.L. Brown, *FIREARMS IN COLONIAL AMERICA: THE IMPACT ON HISTORY AND TECHNOLOGY, 1492-1792*, at 50 (1980).

³ W.W. Greener, *THE GUN AND ITS DEVELOPMENT* 81-82 (9th ed. 1910).

⁴ Lewis Winant, *FIREARMS CURIOSA* 168-70 (1955); *16-Shot Wheel Lock, AMERICA’S 1ST FREEDOM*, May 10, 2014, <http://bit.ly/2tngSDD>.

⁵ Harold Peterson, *THE TREASURY OF THE GUN* 229 (1962).

Salzburg.” *Id.* They saw “active service during the siege of Copenhagen in 1658, 1659, and again in the Scanian War of 1675–1679.” *Id.*

“The Lorenzoni also was developed during the first half of the Seventeenth Century.” *Id.* The repeating mechanism of this magazine-fed Italian pistol was soon adopted in rifles, and spread throughout Europe and the colonies.⁶

On July 3, 1662, famed London diarist Samuel Pepys observed “a gun to discharge seven times, the best of all devices that ever I saw, and very serviceable, and not a bawble; for it is much approved of, and many thereof made.” 4 THE DIARY OF SAMUEL PEPYS 258 (Henry Wheatley ed., 1893). On March 4, 1664, Pepys wrote about “several people [] trying a new-fashion gun” that could “shoot off often, one after another, without trouble or danger, very pretty.” 7 *id.* at 61. Pepys was referring to Lorenzoni-style firearms.⁷

“Many...English gunsmiths...made guns with the Lorenzoni action during the next two or three decades.” Peterson, TREASURY, at 232. So did “a host of others throughout the 18th century.” Harold Peterson, ARMS

⁶ Peterson, TREASURY, at 232.

⁷ *Id.*

AND ARMOR IN COLONIAL AMERICA 215 (1956). “[A]t least two New England gunsmiths actually manufactured such guns.” Peterson, TREASURY, at 232.

B. American colonists began manufacturing repeating arms in the mid-1600s and the Founders sought repeaters capable of firing more than 10 rounds.

Some American repeaters in the mid-1600s employed a revolving cylinder rotated by hand.⁸ “A few repeating arms were made use of in a military way in America,” for example, “[Louis de Buade de] Frontenac in 1690 astonished the Iroquois with his three and five shot repeaters.”⁹ Sawyer, 1 FIREARMS IN AMERICAN HISTORY at 28-29.

In 1722, John Pim, a Boston gunsmith, demonstrated a repeater he sold.¹⁰ “[L]oaded but once,” it “was discharged eleven times following, with bullets, in the space of two minutes, each which went through a double door at fifty yards’ distance.” Samuel Niles, *A Summary Historical*

⁸ See, e.g., Charles Winthrop Sawyer, 2 FIREARMS IN AMERICAN HISTORY 5 (1939) (six-shot flintlock); Charles Edward Chapel, GUNS OF THE OLD WEST 202-03 (1961) (revolving snaphance).

⁹ Frontenac was the governor of New France at the time. See Alan Galloway, COLONIAL WARS OF NORTH AMERICA, 1512–1763, at 240–42 (2015).

¹⁰ Pim produced other repeaters, including a “six-shot, .52 caliber snaphaunce revolver.” Brown, FIREARMS IN COLONIAL AMERICA, at 257.

Narrative of the Wars in New England, in MASSACHUSETTS HISTORICAL SOCIETY COLLECTIONS, 4th ser., vol. 5, at 347 (1837).

The most common American repeaters of the early 18th century were probably Lorenzoni variants known as Cooksons—named after English gunsmith John Cookson.¹¹ A 10-round Cookson later displayed at the National Museum “found its way into Maryland with one of the early English colonists.” *The Cookson Gun and the Mortimer Pistols*, AM. RIFLEMAN, Sept. 29, 1917, at 3, 4.

A Boston gunsmith also named John Cookson manufactured repeaters in the 18th century. The American Cookson advertised a repeater in the *Boston Gazette* on April 12 and 26, 1756, explaining that the rifle was “to be sold at his house in Boston...the said gun will fire 9 Times distinctly, as quick, or as slow as you please.” Peterson, ARMS AND ARMOR, at 215. “Thus this type of repeating flintlock popular in England from the third quarter of the 17th century, was known and manufactured in Massachusetts early in the 18th century.” *Id.*

¹¹ Peterson, TREASURY, at 230.

In 1777, the Continental Congress ordered one hundred of Joseph Belton's rifles,¹² which could "discharge sixteen, or twenty [rounds], in sixteen, ten, or five seconds." Joseph Belton, *Letter to the Continental Congress*, Apr. 11, 1777, in PAPERS OF THE CONTINENTAL CONGRESS, COMPILED 1774-1789, vol. 1 A-B, at 123. Belton demonstrated his rifle before leading military officers (including General Horatio Gates and Major General Benedict Arnold) and scientists (including David Rittenhouse), who verified that "[h]e discharged Sixteen Balls loaded at one time." *Id.* at 139.

Although the deal fell through when Belton demanded "an extraordinary allowance," JOURNALS OF THE CONTINENTAL CONGRESS 1774-1789, at 361 (1907), the exchange proves that the Founders embraced repeaters capable of firing more than 10 rounds.

The British similarly recognized the advantage of repeaters, employing the Ferguson Rifle during the Revolutionary War, which "fired six shots in one minute" during a government test on June 1, 1776. Roger

¹² 7 JOURNALS OF THE CONTINENTAL CONGRESS 1774-1789, at 324 (1907).

Lamb, AN ORIGINAL AND AUTHENTIC JOURNAL OF OCCURRENCES DURING THE LATE AMERICAN WAR 309 (1809).

At the Second Amendment's ratification, the state-of-the-art repeater was the Girandoni air rifle, which could shoot 21 or 22 rounds in .46 or .49 caliber.¹³ The Girandoni was ballistically equal to a powder gun,¹⁴ and powerful enough to take an elk.¹⁵ At the time, "there were many gunsmiths in Europe producing compressed air weapons powerful enough to use for big game hunting or as military weapons." Garry, WEAPONS OF LEWIS AND CLARK, at 91. The Girandoni was invented for the Austrian army—1,500 were issued to sharpshooters and remained in service for 25 years, including in the Napoleonic Wars between 1796 and 1815.¹⁶ Isaiah Lukens of Pennsylvania manufactured such rifles,¹⁷ along

¹³ James Garry, WEAPONS OF THE LEWIS AND CLARK EXPEDITION 100-01 (2012).

¹⁴ John Plaster, THE HISTORY OF SNIPING AND SHARPSHOOTING 69-70 (2008).

¹⁵ Jim Supica, et al., TREASURES OF THE NRA NATIONAL FIREARMS MUSEUM 31 (2013).

¹⁶ Gerald Prenderghast, REPEATING AND MULTI-FIRE WEAPONS 100-01 (2018); Garry, WEAPONS OF LEWIS AND CLARK, at 91-94.

¹⁷ Nancy McClure, *Treasures from Our West: Lukens Air Rifle*, BUFFALO BILL CENTER FOR THE AMERICAN WEST, Aug. 3, 2014, <https://centerofthewest.org/2014/08/03/treasures-west-lukens-air-rifle/>.

with “many makers in Austria, Russia, Switzerland, England, and various German principalities.” Garry, *WEAPONS OF LEWIS AND CLARK*, at 99.

Meriwether Lewis seemingly acquired from Lukens the Girandoni rifle he famously carried on the Lewis and Clark Expedition.¹⁸ Lewis mentioned it in his journal 39 times, always demonstrating the rifle to impress various Native American tribes encountered on the expedition—often “astonishing” or “surprising” them, and making the point that although the expedition was usually outnumbered, the smaller group could defend itself.¹⁹

II. Repeating arms with greater than 10-round capacities became some of the most popular arms in the 19th century.

Repeaters—including those that could fire more than 10 rounds—became some of America’s most popular arms over the course of the 19th century.

¹⁸ *Id.*

¹⁹ Meriwether Lewis and William Clark, *THE JOURNALS OF THE LEWIS & CLARK EXPEDITION* (Gary Moulton ed., 1983) (13 vols.). *See e.g.*, 6 *id.* at 233, Jan. 24, 1806 entry (“My Air-gun also astonishes them very much, they cannot comprehend it’s [sic] shooting so often and without powder; and think that it is *great medicine* which comprehends every thing that is to them incomprehensible.”).

In 1821, the *New York Evening Post* lauded Isaiah Jennings for inventing a repeater, “importan[t], both for public and private use,” whose “number of charges may be extended to fifteen or even twenty...and may be fired in the space of two seconds to a charge.” *Newly Invented Muskets*, N.Y. EVENING POST, Apr. 10, 1822, in 59 Alexander Tilloch, THE PHILOSOPHICAL MAGAZINE AND JOURNAL 467-68 (1822). “About 1828...Reuben Ellis...made military rifles under contract on the Jennings principle.” Winant, FIREARMS CURIOSA, at 174.

As the Supreme Court explained, a core purpose of the Fourteenth Amendment was to make the individual right to arms enforceable against state and local governments. *District of Columbia v. Heller*, 554 U.S. 570, 625-28 (2008); *McDonald v. City of Chicago*, 561 U.S. 742, 769-85 (2010). By the Fourteenth Amendment’s ratification in 1868, Americans had seen 24-barreled pistols,²⁰ 12-barreled rifles,²¹ 21-shot

²⁰ Lewis Winant, PEPPERBOX FIREARMS 7 (1952).

²¹ Norm Flayderman, FLAYDERMAN’S GUIDE TO ANTIQUE AMERICAN FIREARMS AND THEIR VALUES 711 (9th ed. 2007) (Bennett and Haviland Rifle).

revolvers,²² 20-round belt-fed chain pistols,²³ 42-shot Ferris Wheel pistols,²⁴ and rifles capable of firing 60 shots in 60 seconds.²⁵ The 16-shot Henry Rifle and 18-shot Winchester Model 1866 were becoming American legends.

The Henry Rifle was tested at the Washington Navy Yard in 1862. “[O]ne full fifteen-shot magazine was fired in only 10.8 seconds.” R.L. Wilson, *WINCHESTER: AN AMERICAN LEGEND* 11-12 (1991). A famous testimonial came from Captain James Wilson of the 12th Kentucky Cavalry, who used a Henry to kill seven of his Confederate neighbors who broke into his home and ambushed his family. Wilson praised the rifle for “the number of shots held in reserve for immediate action in case of an overwhelming force.” H.W.S. Cleveland, *HINTS TO RIFLEMEN* 181 (1864).

The Winchester Model 1866 had a capacity of “eighteen charges, which can be fired in nine seconds.” Louis Garavaglia & Charles Worman,

²² Supica, *TREASURES*, at 48-49; Winant, *PEPPERBOX FIREARMS*, at 67-70 (pin-fire revolvers).

²³ Winant, *FIREARMS CURIOSA*, at 204, 206.

²⁴ *Id.* at 208.

²⁵ Sawyer, *2 FIREARMS IN AMERICAN HISTORY*, at 147 (Porter Rifle).

FIREARMS OF THE AMERICAN WEST 1866-1894, at 128 (1985). One advertisement boasted, “Two shots a second.” Peterson, TREASURY, at 234-35.

When the lynching of African Americans sharply increased in the late 19th century, civil rights advocates recommended acquiring repeating arms for defense against mobs. For example, documenting that “the only case where [a] proposed lynching did *not* occur [in 1892] was where the men armed themselves...and prevented it,” Ida. B. Wells concluded that “a Winchester rifle should have a place of honor in every black home, and it should be used for that protection which the law refuses to give.” Ida B. Wells, SOUTHERN HORRORS AND OTHER WRITINGS: THE ANTI-LYNCHING CAMPAIGN OF IDA B. WELLS, 1892-1900, at 70 (Jacqueline Jones Royster ed., 1997).

By the late 19th century, semiautomatic firearms were in use. In the early 20th century, Luger pistols were sold with optional 32-round magazines.²⁶

²⁶ See Leonardo Antaris, *In the Beginning: Semi-Automatic Pistols of the 19th Century*, AMERICAN RIFLEMAN, Jan. 4, 2018.

III. The federal government issued nearly a quarter-million repeaters with 15- and 30-round magazines to civilians during the 20th century, and issued numerous other 30-round magazines separately.

Starting in the 1960s, the federal government's Civilian Marksmanship Program (CMP)—“dedicated to training and educating U.S. citizens in responsible uses of firearms”²⁷—has provided hundreds of thousands of 15- and 30-round magazines to the public. The CMP has sold a quarter-million M1 Carbines with 15- and 30-round magazines to civilians, at discounted prices.²⁸ And numerous 30-round magazines were sold independently of rifles.²⁹ In federally chartering the CMP, Congress recognized the relationship between these arms and responsible gun ownership.

²⁷ *About*, CIVILIAN MARKSMANSHIP PROGRAM, <https://thecmp.org/about/> (last visited Sep. 22, 2020).

²⁸ Larry Ruth, *2 WAR BABY! COMES HOME: THE U.S. CALIBER .30 CARBINE 575* (R. Blake Stevens ed., 1993); Bruce Canfield, *COMPLETE GUIDE TO THE M1 GARAND AND THE M1 CARBINE 163* (1999).

Today, a limited number of these carbines are offered for auction without magazines, but the CMP still advises citizens about finding the best 30-round magazines. *About*, CIVILIAN MARKSMANSHIP PROGRAM, <https://thecmp.org/about/> (last visited Sep. 22, 2020); *M1 Carbine 30 Round Magazines*, CIVILIAN MARKSMANSHIP PROGRAM, Sept. 2007, https://thecmp.org/wp-content/uploads/Carbine_30_Round_Magazines_September_2007.pdf.

²⁹ *Id.*

CONCLUSION

The Second Amendment necessarily protects arms that have existed for half a millennium, have been among the most popular arms for a century-and-a-half, number in the many tens-of-millions today, and have been distributed in large quantities to the people by the federal government itself.

The petition for rehearing en banc should be granted.

Respectfully submitted,

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Robert J. Cottrol is the Harold Paul Green Research Professor of Law at George Washington University. His scholarship was cited in Justice Thomas's concurring opinions in *McDonald v. Chicago* and *Printz v. United States*, and by the Fourth Circuit in *Kolbe v. Hogan*, 849 F.3d 114 (2017) (Traxler, J., dissenting). Prof. Cottrol is author of four legal history books on race and law, and editor of a three-volume anthology of the right to arms. He wrote the entries for "The Right to Bear Arms" in *The Oxford International Encyclopedia of Legal History* and "The Second Amendment" in *The Oxford Companion to the Supreme Court of the United States*. His Second Amendment scholarship has been published in the *Yale Law Journal*, *Georgetown Law Journal*, and *Journal of American Legal History*.

Nicholas J. Johnson is a Professor of Law at Fordham University, School of Law. He is co-author of the first law school textbook on the

Second Amendment, *Firearms Law and the Second Amendment: Regulation, Rights, and Policy* (Aspen Pub. 2d ed. 2017) (with David B. Kopel, George A. Mocsary, and Michael P. O’Shea). The casebook has been cited by majorities in *People v. Chairez* (Supreme Court of Illinois) and *Grace v. District of Columbia* (D.C. Cir.), and by dissents in *Drake v. Filko* (3d Cir.) and *Heller II* (D.C. Cir.). Professor Johnson is also author of *Negroes and the Gun: The Black Tradition of Arms* (2014). His articles on the right to arms have been published by the *Hastings Law Review*, *Ohio State Law Journal*, and *Wake Forest Law Review*. Other courts citing his right to arms scholarship include the Seventh Circuit, Eastern District of New York, and Washington Court of Appeals.

Donald E.J. Kilmer, Jr. is a Professor of Constitutional Law at Lincoln University Law School, where his courses include Second Amendment and Firearms Law. His analysis of post-*Heller* litigation was published in a symposium of the *Georgetown Journal of Law & Public Policy*. He is co-author of the forthcoming third edition of the textbook *Firearms Law and the Second Amendment*, described above.

Nelson Lund is University Professor at George Mason University, Antonin Scalia Law School. He is author of the entry on “District of

Columbia v. Heller,” in *The Oxford Guide to United States Supreme Court Decisions* (2d ed. 2009). His Second Amendment scholarship has appeared in the *UCLA Law Review*, *Hastings Law Journal*, *Georgetown Journal of Law and Policy*, and *Constitutional Commentary*. That scholarship has been cited by the D.C., Third, Fifth, Seventh, Eighth, and Ninth Circuits; federal district courts in Virginia and Illinois; and the Virginia Court of Appeals, the Illinois Appellate Court, the Washington Supreme Court, and the Wyoming Supreme Court.

Joseph E. Olson is an emeritus Professor of Law at Mitchell Hamline School of Law, where he taught Second Amendment, business law, and tax law. His scholarship on the right to arms was cited by *District of Columbia v. Heller*, and also by the Ninth Circuit, Eastern District of New York, and Washington Supreme Court. His articles on the right have appeared in the *Stanford Law and Policy Review*, *Georgetown Journal of Law & Public Policy*, and *Michigan Journal of Law Reform*.

Glenn H. Reynolds is the Beauchamp Brogan Distinguished Professor of Law at the University of Tennessee College of Law, where he teaches constitutional law and technology law. His constitutional scholarship has been published in the *Columbia Law Review*, *Virginia*

Law Review, *University of Pennsylvania Law Review*, *Wisconsin Law Review*, and *Northwestern University Law Review*. The Seventh Circuit cited his scholarship as a model of “originalist interpretive method as applied to the Second Amendment.” *Ezell v. City of Chicago*, 651 F.3d 684, 699 n.11 (7th Cir. 2011). In addition, his right to arms scholarship has been cited by the First, Third, Fourth, Fifth, Seventh, Eighth, and Ninth Circuits; by federal district courts in Wisconsin, Illinois, and Texas; and by the Supreme Courts of Kentucky and Oregon.

E. Gregory Wallace is a Professor of Law at Campbell University School of Law, where his constitutional law courses include a course on the Second Amendment. He recently published an article on “Assault Weapon” Myths in the *Heller* symposium issue of the Southern Illinois Law Journal. He has spoken on Second Amendment issues in various law school symposia and supervised the Campbell Symposium on the tenth anniversary of the *Heller* decision. He is co-author of the 2020 online supplemental chapters in the Johnson, et al., *Firearms Law* textbook, and of the forthcoming 2021 third edition.

CERTIFICATE OF COMPLIANCE

I certify that this brief complies with the type-volume limitation of Fed. R. App. P. 29(b)(4) because this brief contains 2,596 words, excluding the parts of the brief excluded by Fed. R. App. P. 32(f).

I certify that this brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the typestyle requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in 14-point, proportionately spaced Century Schoolbook font.

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I certify that I am admitted to practice in the Third Circuit Court of Appeals, and that I am a member in good standing.

Dated this 22nd day of September 2020.

/s/ Joseph G.S. Greenlee
Joseph G.S. Greenlee
Counsel for Amici Curiae

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2020, I served the foregoing brief via the CM/ECF system for the United States Court of Appeals for the Third Circuit, which will distribute the brief to all attorneys of record in this case. No privacy redactions were necessary.

Dated this 22nd day of September 2020.

/s/ Joseph G.S. Greenlee
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