

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
San Angelo Division**

SILENCER SHOP FOUNDATION; GUN OWNERS OF AMERICA, INC; FIREARMS REGULATORY ACCOUNTABILITY COALITION, INC.; B&T USA, LLC; PALMETTO STATE ARMORY, LLC; SILENCERCO WEAPONS RESEARCH, LLC (d/b/a SILENCERCO); GUN OWNERS FOUNDATION; BRADY WETZ; STATE OF TEXAS; STATE OF ALASKA; STATE OF GEORGIA; STATE OF IDAHO; STATE OF INDIANA; STATE OF KANSAS; STATE OF LOUISIANA; STATE OF MONTANA; STATE OF NORTH DAKOTA; STATE OF OKLAHOMA; STATE OF SOUTH CAROLINA; STATE OF SOUTH DAKOTA; STATE OF UTAH; STATE OF WEST VIRGINIA; and STATE OF WYOMING,

Plaintiffs,

v.

Case No. 6:25-cv-56-H

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES; UNITED STATES DEPARTMENT OF JUSTICE; PAMELA BONDI, in her Official Capacity as ATTORNEY GENERAL OF THE UNITED STATES; and DANIEL DRISCOLL, in his Official Capacity as ACTING DIRECTOR OF THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES,

Defendants.

**PLAINTIFFS' MOTION FOR LEAVE TO FILE
NOTICE OF SUPPLEMENTAL AUTHORITY**

Pursuant to LR 56.7, Plaintiffs Silencer Shop Foundation, Gun Owners of America, Inc., Firearms Regulatory Accountability Coalition, Inc., B&T USA, LLC, Palmetto State Armory, LLC, SilencerCo Weapons Research, LLC, Gun Owners Foundation, Brady Wetz, State of Texas, State of Alaska, State of Georgia, State of Idaho, State of Indiana, State of Kansas, State of Louisiana, State of Montana, State of North Dakota, State of Oklahoma, State of South Carolina, State of South Dakota, State of Utah, State of West Virginia, and State of Wyoming (“Plaintiffs”) respectfully move for leave to file the attached proposed notice of supplemental authority, and state as follows:

On January 5, 2026, the Department of Justice (“DOJ”) filed an *amicus* brief in *Rhode v. Bonta*, No. 24-542 (9th Cir.), arguing on behalf of the United States of America that California’s outlier background-check regime for ammunition purchases violates the Second Amendment to the U.S. Constitution. As Plaintiffs explain in the attached notice of supplemental authority, the DOJ’s recent arguments in *Rhode* undermine its opposition to Plaintiffs’ Motion for Summary Judgment in the instant case. Accordingly, Plaintiffs seek leave to bring these recent arguments to this Court’s attention, which are “pertinent and significant” to this Court’s consideration of the parties’ cross-motions for summary judgment. *See, e.g.*, Fed. R. App. P. 28(j).

Finally, although LR 7.1(h) normally requires a motion for leave to file to be accompanied by a brief in support, Plaintiffs request to be relieved of this requirement due to the straightforward nature of the relief requested. *See* ECF No. 10 (July 16, 2025) (this Court previously granting a straightforward motion for leave without briefing).

Dated: January 16, 2026

Respectfully submitted,

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CERTIFICATE OF CONFERENCE

Pursuant to LR 7.1(b), I hereby certify that I, counsel for Plaintiffs, emailed counsel for Defendants on January 16, 2026, seeking their position on the relief requested in this motion. Jody Lowenstein, counsel for Defendants, responded that they do not oppose.

/s/ Stephen D. Stamboulieh
Stephen D. Stamboulieh

CERTIFICATE OF SERVICE

I, Stephen D. Stamboulieh, hereby certify that, on January 16, 2026, I have caused the foregoing document to be filed with this Court's CM/ECF system, which caused a Notice of Electronic Filing and copy of this document to be delivered to all counsel of record.

/s/ Stephen D. Stamboulieh
Stephen D. Stamboulieh