

**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.

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.*

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

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**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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| <p><u>/s/ Stephen D. Stamboulieh</u><br/>Stephen D. Stamboulieh</p> <p><b>STAMBOULIEH LAW, PLLC</b><br/>NDTX#: 102784MS<br/>MS Bar No. 102784<br/>P.O. Box 428<br/>Olive Branch, MS 38654<br/>(601) 852-3440<br/>stephen@sdslaw.us</p> <p><i>Attorney for Plaintiffs Gun Owners of America, Inc., Gun Owners Foundation and Brady Wetz</i></p> <p><u>/s/ Brandon W. Barnett</u><br/>Brandon W. Barnett<br/>Texas Bar. No. 24053088</p> <p><b>BARNETT HOWARD &amp; WILLIAMS PLLC</b><br/>930 W. 1st St., Suite 202<br/>Fort Worth, Texas 76102<br/>Tel: (817) 993-9249<br/>Fax: (817) 697-4388<br/>barnett@bhwlawfirm.com</p> <p><i>Attorney for Private Plaintiffs</i></p> | <p><u>/s/ Michael D. Faucette</u><br/>Michael D. Faucette<br/>Stephen J. Obermeier<br/>Jeremy J. Broggi<br/>Boyd Garriott<br/>Isaac J. Wyant</p> <p><b>WILEY REIN LLP</b><br/>2050 M Street NW<br/>Washington, D.C. 20036<br/>Tel: (202) 719-7000<br/>Fax: (202) 719-7049<br/>mfaucette@wiley.law<br/>sobermeier @wiley.law<br/>jbroggi@wiley.law<br/>bgarriott@wiley.law<br/>iwyant@wiley.law</p> <p><i>Attorneys for Plaintiffs Silencer Shop Foundation, Firearms Regulatory Accountability Coalition, Palmetto State Armory, LLC, B&amp;T USA, LLC, and SilencerCo Weapons Research, LLC</i></p> |
| <p>Ken Paxton<br/>Attorney General of Texas</p> <p>Brent Webster<br/>First Assistant Attorney General</p> <p>Ralph Molina<br/>Deputy First Assistant Attorney General</p> <p>Ryan Walters<br/>Deputy Attorney General for Legal Strategy</p> <p><u>/s/ Munera Al-Fuhaid</u><br/>Munera Al-Fuhaid</p>   |  |

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| <p>Treg R. Taylor<br/>Attorney General of Alaska</p> <p><u>/s/ Aaron C. Peterson</u><br/>Aaron C. Peterson*<br/>(Alaska Bar No. 1011087)<br/>Senior Assistant Attorney General</p> <p>Department of Law<br/>1031 West Fourth Avenue, Ste. 200<br/>Anchorage, AK 99501<br/>Telephone: (907) 269-5232<br/>Facsimile: (907) 276-3697<br/>Email: aaron.peterson@alaska.gov</p> <p><i>Counsel for Plaintiff State of Alaska</i><br/><i>*motion for pro hac vice admission forthcoming</i></p> | <p>Christopher M. Carr<br/>Attorney General of Georgia</p> <p><u>/s/ Elijah J. O'Kelley</u><br/>Elijah J. O'Kelley*<br/>Deputy Solicitor General</p> <p>Office Of The Georgia Attorney General<br/>40 Capitol Square, SW<br/>Atlanta, Georgia 30334<br/>(470) 816-1342<br/>eokelley@law.ga.gov</p> <p><i>Counsel for Plaintiff State of Georgia</i><br/><i>*motion for pro hac vice admission forthcoming</i></p> |
| <p>Raúl R. Labrador<br/>Attorney General of Idaho</p> <p><u>/s/ Michael A. Zarian</u><br/>Michael A. Zarian<br/>Deputy Solicitor General<br/>Texas Bar No. 24115978</p> <p>Office Of The Idaho Attorney General<br/>700 W Jefferson St #210<br/>Boise, ID 83720<br/>Telephone: (208) 334-2400</p>  | <p>Theodore E. Rokita<br/>Attorney General of Indiana</p> <p><u>/s/ James A. Barta</u><br/>James A. Barta*<br/>Solicitor General</p> <p>Indiana Attorney General's Office<br/>IGCS – 5th Floor<br/>302 W. Washington St.<br/>Indianapolis, IN 46204<br/>(317) 232-0709</p>  |

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| <p>Kris W. Kobach<br/>Attorney General of Kansas</p> <p><u>/s/ James Rodriguez</u><br/>James Rodriguez<br/>(KS Bar #29172)<br/>Assistant Attorney General</p> <p>Office Of Kansas Attorney General<br/>120 SW 10th Ave., 2nd Floor<br/>Topeka, KS 66612-1597<br/>Tel. (785) 368-8197<br/>Jay.Rodriguez@ag.ks.gov</p> <p><i>Counsel for Plaintiff State of Kansas</i></p>   | <p>Liz Murrill<br/>Attorney General of Louisiana</p> <p><u>/s/ J. Benjamin Aguiñaga</u><br/>J. Benjamin Aguiñaga*<br/>Solicitor General</p> <p>Louisiana Department Of Justice<br/>1885 N. Third Street<br/>Baton Rouge, LA 70804<br/>(225) 326-6766<br/>AguinagaB@ag.louisiana.gov</p> <p><i>Counsel for Plaintiff State of Louisiana</i><br/><i>*motion for pro hac vice admission forthcoming</i></p> |
| <p>Austin Knudsen<br/>Attorney General of Montana</p> <p><u>/s/Christian B. Corrigan</u><br/>Christian B. Corrigan*<br/>Solicitor General</p> <p>Montana Department Of Justice<br/>P.O. Box 201401<br/>Helena, Montana 59620-1401<br/>(406) 444-2026<br/>Christian.Corrigan@mt.gov</p> <p><i>Counsel for Plaintiff State of Montana</i><br/><i>*motion for pro hac vice admission</i><br/><i>forthcoming</i></p> | <p>Drew H. Wrigley<br/>Attorney General of North Dakota</p> <p><u>/s/ Philip Axt</u><br/>Philip Axt<br/>Solicitor General</p> <p>Office Of North Dakota Attorney General<br/>600 E. Boulevard Ave., Dept. 125<br/>Bismarck, ND 58505<br/>Phone: (701) 328-2210<br/>Email: pjaxt@nd.gov</p> <p><i>Counsel for Plaintiff State of North Dakota</i></p>   |
| <p>Gentner Drummond<br/>Attorney General of Oklahoma</p> <p><u>/s/ Garry M. Gaskins, II</u><br/>Garry M. Gaskins, II*<br/>Solicitor General</p> <p>Office Of The Attorney General Of</p>   | <p>Alan Wilson<br/>Attorney General of South Carolina</p> <p><u>/s/ Benjamin M. McGrey</u><br/>Benjamin M. McGrey*<br/>(Fed. Bar No. 14374)<br/>Assistant Deputy Solicitor General</p>   |

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| <p>Marty J. Jackley<br/>Attorney General of South Dakota</p> <p><u>/s/ Amanda Miiller</u><br/>Amanda Miiller*<br/>(SD Bar No. 4271)<br/>Deputy Attorney General</p> <p>Office Of The Attorney General Of South Dakota<br/>1302 East Highway 14, Suite 1<br/>Pierre, SD 57501-8501<br/>Telephone: (605) 773-3215<br/>amanda.miiller@state.sd.us</p> <p><i>Counsel for Plaintiff State of South Dakota<br/>*motion for pro hac vice admission<br/>forthcoming</i></p>                      | <p>Derek Brown<br/>Attorney General of Utah</p> <p><u>/s/ Andrew Dymek</u><br/>Andrew Dymek*<br/>Solicitor General</p> <p>Office Of The Utah Attorney General<br/>160 E. 300 S., 5th floor<br/>Salt Lake City, Utah 84111</p> <p><i>Counsel for Plaintiff State of Utah<br/>*motion for pro hac vice admission forthcoming</i></p>   |
| <p>John B. McCuskey<br/>Attorney General of West Virginia</p> <p><u>/s/ Michael R. Williams</u><br/>Michael R. Williams*<br/>Solicitor General</p> <p>Office Of The Attorney General<br/>Of West Virginia<br/>State Capitol Complex<br/>Building 1, Room E-26<br/>1900 Kanawha Blvd. E<br/>Charleston, WV 25301<br/>(304) 558-2021<br/>michael.r.williams@wvag.gov</p> <p><i>Counsel for Plaintiff State of West Virginia<br/>*motion for pro hac vice admission<br/>forthcoming</i></p> | <p>Keith G. Kautz<br/>Attorney General of Wyoming</p> <p><u>/s/ Ryan Schelhaas</u><br/>Ryan Schelhaas*<br/>Chief Deputy Attorney General</p> <p>Office of the Attorney General of Wyoming<br/>109 State Capitol<br/>Cheyenne, WY 82002<br/>(307) 777-5786<br/>ryan.schelhaas@wyo.gov</p> <p><i>Counsel for the State of Wyoming<br/>*motion for pro hac vice admission forthcoming</i></p> |

**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