

APPENDIX

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COMPLAINT EXCERPTS

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BONITA SHREVE;
GUN OWNERS OF AMERICA, INC.; and
GUN OWNERS FOUNDATION,

Plaintiffs,

v.

UNITED STATES POSTAL SERVICE;
DOUG TULINO, in his Official Capacity as U.S.
POSTMASTER GENERAL; U.S. POSTAL
INSPECTION SERVICE; GARY BARKSDALE,
in his Official Capacity as CHIEF POSTAL
INSPECTOR; and U.S. DEPARTMENT OF
JUSTICE,

Defendants.

Civil No.: _____

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

COME NOW Plaintiffs Bonita Shreve, Gun Owners of America, Inc., and Gun Owners Foundation, by and through undersigned counsel, and allege as follows:

INTRODUCTION

1. This case involves a Second Amendment challenge to 18 U.S.C. § 1715, the nation's first federal gun control law. Dating only to 1927, this Prohibition-era firearm regulation prohibits ordinary Americans from mailing handguns using the U.S. Postal Service, even for perfectly lawful purposes. But this vestigial regulation has outlived its Prohibition-era roots, having been enacted during a time with no other federal controls on the interstate sale or shipment of firearms on the books. And more importantly, it fails to comport with the original public understanding of the Second Amendment, which accommodated no federal controls on the domestic mailing of firearms

when it contradicts earlier evidence,” *Bruen*, 597 U.S. at 66 n.28, this 1927 law simply cannot stand on its own.

12. Because the federal ban on the mailing of handguns is inconsistent with Founding-era historical tradition, it violates the Second Amendment.

13. Plaintiffs therefore request permanent injunctive relief, as well as declaratory and other relief, to rectify and prevent further violation of their rights.

PARTIES

14. Bonita Shreve (“Shreve”) is a natural person and a citizen of the United States and of the Commonwealth of Pennsylvania, residing in Blair County, Pennsylvania. Shreve is a member of Plaintiff Gun Owners of America, Inc. Shreve is a law-abiding person over the age of 21 who is eligible to purchase and possess firearms under federal and Pennsylvania law. Shreve does not hold a Federal Firearms License (“FFL”), nor is she engaged in the business of dealing in firearms as that term is defined under federal law. *See* 18 U.S.C. § 921.

15. Shreve has spoken with her father, who lives in Lebanon County, in eastern Pennsylvania. Shreve desires to transfer to her father a Bersa Thunder handgun as a gift as soon as she acquires the replacement handgun she desires, a purchase she intends within the next three months. Plaintiff Shreve’s father is a law-abiding citizen and is not prohibited by either federal or state law from purchasing or possessing a firearm. And like Plaintiff, Plaintiff Shreve’s father does not hold an FFL and is not engaged in the firearms business.

16. Plaintiff’s intended gift of a firearm comports with state law. Plaintiff Shreve’s handgun qualifies as a “firearm” under the Pennsylvania Uniform Firearms Act, being “[a]ny pistol or revolver with a barrel length less than 15 inches.” 18 Pa.C.S. § 6102. However, Shreve need not transfer this firearm to her father “upon the place of business of a licensed importer, manufacturer,

relief requested requires the participation of individual members in the lawsuit.” *Neale v. Volvo Cars of N. Am., LLC*, 794 F.3d 353, 365 (3d Cir. 2015).

32. First, at least one of Plaintiff GOA’s members, Shreve, has standing to sue in her own right.

33. Second, challenging the enforcement of an unconstitutional firearm regulation is relevant to Plaintiff GOA’s organizational purpose of preserving and defending the Second Amendment rights of gun owners.

34. Third, neither the claims asserted nor the relief requested requires the participation of individual members of Plaintiff GOA, because Plaintiffs “seek[] a declaration, injunction, or some other form of prospective relief” which “if granted, will inure to the benefit of those members.” *Hunt v. Wash. State Apple Advert. Comm’n*, 432 U.S. 333, 343 (1977).

35. Plaintiff GOF additionally bears indicia of membership sufficient to confer associational standing. *See, e.g., Texas v. BATFE*, 737 F. Supp. 3d 426, 438 (N.D. Tex. 2024) (“The foregoing, together, suffice for GOF’s associational standing.”). GOF is a nonprofit legal defense and educational foundation that is supported by gun owners across the country, including in Pennsylvania. GOF receives all its funding from its supporters, who voluntarily fund its activities. GOF litigates cases throughout the country on behalf of its supporters. GOF’s supporters receive information about its activities through a quarterly newsletter and regular emails about its activities. And GOF’s supporters regularly communicate their views to GOF about issues on which GOF should focus.

Plaintiffs’ Pre-Enforcement Challenge

36. Plaintiffs have standing to levy a pre-enforcement challenge to 18 U.S.C. § 1715 and Publication 52 because courts “do not force people seeking to exercise their constitutional rights to wait until they are prosecuted criminally.” *NSSF v. Att’y Gen. of N.J.*, 80 F.4th 215, 219 (3d Cir.

DECLARATION OF VAL FINNELL

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UNITED STATES POSTAL SERVICE;
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in his Official Capacity as CHIEF POSTAL
INSPECTOR; and U.S. DEPARTMENT OF
JUSTICE,

Defendants.

Civil No.: _____

DECLARATION OF VAL W. FINNELL

1. My name is Val W. Finnell. I am a U.S. citizen and resident of Pennsylvania. I make this declaration in support of Plaintiffs' Complaint for Declaratory and Injunctive Relief. Unless otherwise stated, I make this declaration based on personal knowledge. If called as a witness, I can testify to the truth of the statements contained herein.

2. I am the Pennsylvania State Director of Gun Owners of America, Inc. ("GOA").

3. In that capacity, I am in contact with GOA staff that is in daily contact with members and supporters regarding their concerns, questions, requests, and suggestions on how GOA can best represent their interests. I am also in daily contact with GOA members within Pennsylvania.

4. Gun Owners of America, Inc. is a California non-stock corporation with its principal place of business in Springfield, Virginia. GOA is organized and operated as a nonprofit membership

organization that is exempt from federal income taxes under Section 501(c)(4) of the U.S. Internal Revenue Code. GOA was formed in 1976 to preserve and defend the Second Amendment rights of gun owners. GOA has more than 2 million members and supporters across the country, including residents of this district, many of whom will be irreparably harmed by the federal statute and implementing regulations prohibiting the mailing of handguns through the United States Postal Service.

5. Gun Owners Foundation is a Virginia non-stock corporation, with its principal place of business in Springfield, Virginia. GOF is organized and operated as a non-profit legal defense and educational foundation that is exempt from federal income taxes under Section 501(c)(3) of the U.S. Internal Revenue Code. GOF is supported by gun owners across the country, including Pennsylvania residents, many of whom are and will be irreparably harmed the federal statute and implementing regulations prohibiting the mailing of handguns through the United States Postal Service. Donations by supporters of GOF fund the organization's activities, including litigation such as this to defend their right to keep and bear arms.

6. GOA and GOF members and supporters desire and overwhelmingly support our involvement in litigation to protect their right to acquire, transfer, ship, and transport firearms easily and unimpeded by government, a right that is being unconstitutionally infringed by the forbidding of mailing handguns.

7. For years, our members and supporters, most of whom do not hold Federal Firearm Licenses, have been unable to ship handguns to either themselves or to anyone else. At one time, UPS and FedEx allowed shipments of handguns from non-licensees, but both of those companies have stopped permitting such shipments in recent years. And the United States Postal Service has not allowed mailing of handguns since 1927.

8. But traditionally, law-abiding Americans have been able to manufacture, acquire, and possess – and ship – firearms largely without government oversight, and certainly without permission, registration, or taxation.

9. Prior to 1927, there was no federal restriction on mailing handguns, even across state lines.

10. As noted, GOA and GOF together have more than two million members and supporters nationwide, including many within this district.

11. But for the federal law and regulations prohibiting it, resulting in hefty criminal penalties, including fines, imprisonment, and loss of Second Amendment rights if one is convicted, our members and supporters would utilize the United States Postal Service to mail handguns to others intrastate and to themselves interstate.

12. Indeed, the inability to use the United States Postal Service to mail handguns does not make any logical sense. First, licensed dealers – but not ordinary Americans – are allowed to utilize the mails to ship handguns, meaning USPS already handles the shipment of handguns. Second, our members and supporters are allowed to mail long guns (rifles and shotguns) but just not handguns. But whether they are handguns, rifles, or shotguns, all of these are still “arms” that are protected by the Second Amendment.

13. GOA has been in contact with members and supporters who wish to avail themselves of the United States Postal Service to ship handguns to themselves and to others, in accordance with the law.

14. One of our members lives in Pennsylvania and owns a firearm training academy. This member explained that they sometimes have traveled by vehicle outside of the state of Pennsylvania to attend various firearms training courses. This member further explained that they would have flown to their destination, saving hours and hours of travel time, instead of driving if

they were allowed to mail their handguns to themselves, but refrained from flying because they did not wish to “check” their handgun with the Transportation Security Administration (“TSA”) due to concerns about theft of their handgun while in the airline’s possession. This member stated that they would fly to their destination instead of driving if they were allowed to ship handguns to themselves out of state.

15. Protection of the rights and interests advanced in this litigation is germane to GOA and GOF’s respective missions, which includes the effort to preserve and protect the Second Amendment and the rights of Americans to keep and bear arms. GOA and GOF routinely litigate cases throughout the country on behalf of their members and supporters, and GOA and GOF are capable of fully and faithfully representing the interests of their members and supporters without participation by each of the individuals.

I, Val W. Finnell, declare under penalty of perjury that the foregoing is true and correct.

July 14, 2025
DATE


VAL W. FINNELL

DECLARATION OF BONITA SHREVE

**IN THE UNITED STATES DISTRICT COURT
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BONITA SHREVE;
GUN OWNERS OF AMERICA, INC.; and
GUN OWNERS FOUNDATION,

Plaintiffs,

v.

UNITED STATES POSTAL SERVICE;
DOUG TULINO, in his Official Capacity as
U.S. POSTMASTER GENERAL;
U.S. POSTAL INSPECTION SERVICE;
GARY BARKSDALE, in his Official
Capacity as CHIEF POSTAL INSPECTOR; and
U.S. DEPARTMENT OF JUSTICE,

Defendants.

Civil No.: _____

DECLARATION OF BONITA SHREVE

1. My name is Bonita Shreve. I make this declaration in support of Plaintiffs' Complaint for Declaratory and Injunctive Relief. Unless otherwise stated, I make this declaration based on personal knowledge. If called as a witness, I can testify to the truth of the statements contained herein.

2. I am an adult resident of Altoona, Pennsylvania, within Blair County. I am a citizen of the United States of America, the President of the Blair County 2d Amendment Coalition, and a member of Gun Owners of America, Inc.

3. I am a gun owner, eligible under state and federal law to purchase and possess firearms.

4. One of the firearms I own is a Bersa Thunder in .380 ACP, a clone of the ubiquitous Walther PPK handgun. In fact, I originally had intended to purchase a Walther PPK, but the gun store did

not have one in stock, and so I purchased the Bersa Thunder instead. Nevertheless, I still desire to obtain a Walther PPK, a purchase I intend to make within the next 90 days.

5. Since, after I make my intended purchase, I no longer will need my Bersa Thunder handgun, I wish to give it as a gift to my father, who lives in Palmyra, Pennsylvania. My father is a law-abiding person, eligible to acquire and possess firearms under both state and federal law.

6. However, my father lives approximately three hours away. This is a significant trip, and I currently have no plans to visit my parents. When I do, it requires more than \$70 in tolls on the Pennsylvania Turnpike, nearly \$50 of gas, wear and tear on the truck, and a hotel room in Palmyra, since my parents do not have room for us to stay.

7. Alternatively, I could simply visit the local post office, approximately three minutes from my home, and pay a minimal cost to ship the handgun – about \$20 in a flat rate box.

8. Since common carriers such as UPS and FedEx do not allow ordinary persons like me to ship firearms, USPS is the only realistic option. However, federal law and postal regulations currently prohibit shipment of handguns by ordinary persons who do not hold federal firearms licenses. In other words, there is no realistic option for me to ship my handguns as a gift to my father.

9. The only other option would be for me to visit a local firearms dealer, pay that dealer to take my handgun into its books, at a cost I estimate to be between \$30 and \$50, and then to ship my handgun to another firearm dealer in my father's area, at which point he would have to pay that dealer to transfer the firearm to him, at a cost of another \$30 to \$50. Again, this is far more expensive than simply shipping my handgun to my father through the mail, and it also takes significant time (I'd estimate at least an hour for each of us) on the part of both me and my father.

10. Were it not for federal law and postal regulations, and were I able to give my father a gift of this handgun, I would do so within a few days of purchasing the handgun I really want.

I, Bonita Shreve, certify under penalty of perjury that the foregoing is true and correct.

7/13/2025

DATE



Bonita Shreve

SUPPLEMENTAL
DECLARATION OF
VAL FINNELL

**IN THE UNITED STATES DISTRICT COURT
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UNITED STATES POSTAL SERVICE;
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in his Official Capacity as CHIEF POSTAL
INSPECTOR; and U.S. DEPARTMENT OF
JUSTICE,

Defendants.

Civil No.: _____

SUPPLEMENTAL DECLARATION OF VAL W. FINNELL

1. My name is Val W. Finnell. I am a U.S. citizen and resident of Pennsylvania. I make this supplemental declaration in support of Plaintiffs' Motion for Summary Judgment. Unless otherwise stated, I make this supplemental declaration based on personal knowledge. If called as a witness, I can testify to the truth of the statements contained herein.

2. In my previous declaration, I explained that I am the Pennsylvania State Director of Gun Owners of America, Inc. ("GOA"), and how, in that capacity, I am in contact with GOA staff that is in daily contact with members and supporters regarding their concerns, questions, requests, and suggestions on how GOA can best represent their interests. I am also in daily contact with GOA members within Pennsylvania.

3. Since my previous declaration, I have heard from additional GOA members on the issue of mailing handguns through the United States Postal Service.

4. For example, Arthur Zimmerman, a GOA member who lives in Palmyra, Pennsylvania, explained that he is the father of Plaintiff Bonita Shreve. Mr. Zimmerman stated that he wishes to receive, obtain, and possess the handgun that his daughter, Plaintiff Shreve, intends to gift to him and desires to ship to him through the U.S. Postal Service. However, Mr. Zimmerman cannot obtain this gifted firearm from his daughter, because it is currently illegal for Plaintiff Shreve to mail it to him through the Postal Service.

5. Mr. Zimmerman further discussed how, were it legal to do so, he would mail a handgun to himself via the United States Postal Service when he travels to property that he owns in Texas, rather than checking the firearm with his airline.

6. Mr. Zimmerman's injuries are representative of the sorts of injuries that numerous other of GOA's Pennsylvania members and supporters suffer as a result of the challenged statute and regulations.

I, Val W. Finnell, declare under penalty of perjury that the foregoing is true and correct.

Dec. 17, 2025
DATE


VAL W. FINNELL