

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

THE STATE OF NEW JERSEY, et al.,

Plaintiffs,

v.

PAMELA J. BONDI, et al.,

Defendants.

CIVIL ACTION No. 1:25-cv-01807-PX

THE STATE OF TEXAS, GUN OWNERS OF AMERICA, INC., GUN OWNERS FOUNDATION, GUN OWNERS OF CALIFORNIA, COALITION OF NEW JERSEY FIREARM OWNERS, GRASS ROOTS NORTH CAROLINA, TENNESSEE FIREARMS ASSOCIATION, TENNESSEE FIREARMS FOUNDATION, RIGHTS WATCH INTERNATIONAL, AMERICA’S FUTURE, U.S. CONSTITUTIONAL RIGHTS LEGAL DEFENSE FUND, AND CONSERVATIVE LEGAL DEFENSE AND EDUCATION FUND MOTION FOR LEAVE TO FILE A BRIEF AS AMICI CURIAE IN SUPPORT OF DEFENDANTS AND IN OPPOSITION TO PLAINTIFFS’ MOTION FOR A PRELIMINARY INJUNCTION

Pursuant to Local Rule 105.12(b), proposed amici curiae, State of Texas,¹ Gun Owners of America, Inc, Gun Owners Foundation, Gun Owners of California, Coalition of New Jersey Firearm Owners, Grass Roots North Carolina, Tennessee Firearms Association, Tennessee Firearms Foundation, Rights Watch International, America’s Future, U.S. Constitutional Rights Legal Defense Fund, and Conservative Legal Defense and Education Fund (collectively, *Amici Curiae*), respectfully move this Court for leave to file the amicus curiae brief attached hereto in support of Defendants and in opposition to Plaintiffs motion for a preliminary injunction. In furtherance of this motion, *Amici Curiae* state as follows:

1. Movants’ Interest.

Texas is considered a leader in defending the Second Amendment. In fact, Texas has

¹ Pursuant to L.R. 105.12(a), the State of Texas may file an amicus brief without leave of court. As the remaining parties need leave from the Court, Texas and remaining Amici Curiae jointly seek leave of the Court to submit the attached amicus brief.

enacted Second Amendment Protection Acts, which specifically make it Texas’s policy to fight federal government overreach. Valid reasons exist for such policies, as Texas has strong interests in ensuring its citizens can freely exercise their constitutionally guaranteed right to bear arms. The preliminary injunction Plaintiffs seek would violate the Second Amendment and Texas’s sovereign and quasi-sovereign interests in its own territory.

Gun Owners of America (GOA) was formed in 1976 to preserve and defend the Second Amendment. GOA has more than 2 million members and supporters across the country, including tens of thousands within Texas, and likewise has an interest in safeguarding the constitutional freedoms of its members.

The remaining *Amici Curiae* are tax-exempt nonprofit organizations under Sections 501(c)(3) or 501(c)(4) of the Internal Revenue Code. These organizations, inter alia, participate in the public policy process, including conducting research, informing and educating the public on the proper construction of State and Federal Constitutions, as well as statutes related to the rights of citizens, and questions related to human and civil rights secured by law. Each organization has filed numerous *amicus curiae* briefs in Federal and State courts defending U.S. citizens’ rights against government overreach.

- 2. An amicus brief is both desirable and relevant because the preliminary injunction Plaintiffs seek infringes the Second Amendment rights of law-abiding citizens to own firearms equipped with FRTs in territories where such possession is legal under Federal and applicable State law.**

Since forced-reset triggers (“FRTs”) are legal in many States, like Texas, prohibiting their return to those States would effectively amount to depriving Texas citizens of their property. Furthermore, while the Constitution allows a State to regulate activity within its own borders, it does not permit States to impose their legislation or regulatory preferences on other States like Texas as the Plaintiff States attempt to do here. *See Healy v. Beer Inst.*, 491 U.S. 324, 336 (1989).

Furthermore, under Federal Rule of Civil Procedure 60(b), Plaintiff States seek the “extraordinary remedy,” of setting aside the settlement judgment of another court, but they fall short of the high bar required. See *Garcia Fin. Grp. Inc., v. Va. Accelerators Corp.*, 3 F. App’x 86, 88 (4th Cir. 2001). Whereas, the principle of finality serves to ensure certainty and closure in legal proceedings, the Plaintiff States seek to broaden the narrow rule of collateral attacks. Plaintiffs’ approach is inconsistent with precedent and the need for finality in litigation.

Amici Curiae’s motion for leave and proposed brief are timely submitted per Local Rule 105.12(e) (allowing amicus curiae briefs to be filed “no later than 7 days after the principal brief of the party being supported.”). No party will be prejudiced by filing of the amici curiae brief.

Amici Curiae sought the position of counsel for the parties regarding this motion and the *amicus curiae* brief. Counsel for the plaintiffs stated that they take no position. Counsel for the non-federal Defendants consent to the filing of the *amicus curiae* brief. Counsel for the federal Defendants consent as well.

3. *Amici Curiae* support Defendants’ opposition to Plaintiffs’ motion for preliminary injunction.

Amici Curiae seek leave to submit the attached *amicus* brief in support of Defendants’ oppositions (ECF 64, 65) to the State Plaintiffs’ motion for preliminary injunction (ECF 5).

4. Whether a party’s counsel authored the brief in whole or part.

No party or counsel for a party authored this brief in whole or in part.

5. Whether a party or its counsel contributed money to fund preparation and/or submission of the brief.

No person other than *Amici Curiae*, their members, or their counsel made a monetary contribution to its preparation or submission.

Amici Curiae request that the Court grant leave to file the attached brief in support of

Defendants and in opposition to Plaintiffs' motion for a preliminary injunction.

Dated: July 3, 2025

Respectfully submitted,

/s/ Brian R. Della Rocca

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CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(a), I hereby certify that on July 3, 2025, a true and correct copy of the above and foregoing document was filed and served electronically via CM/ECF.

/s/ Brian R. Della Rocca