

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

|                             |   |                         |
|-----------------------------|---|-------------------------|
| STEPHEN DEARTH and SECOND   | ) | Case No. 09-CV-0587-RLW |
| AMENDMENT FOUNDATION, INC., | ) |                         |
|                             | ) | <b>NOTICE OF APPEAL</b> |
| Plaintiffs,                 | ) |                         |
|                             | ) |                         |
| v.                          | ) |                         |
|                             | ) |                         |
| ERIC HOLDER,                | ) |                         |
|                             | ) |                         |
| Defendant.                  | ) |                         |
| _____                       | ) |                         |

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Plaintiffs Stephen Dearth and the Second Amendment Foundation, Inc. hereby appeal to the United States Court of Appeals for the District of Columbia Circuit the memorandum opinion and final order of the District Court of September 27, 2012, granting Defendant Eric Holder's motion for summary judgment, denying Plaintiffs' motion for summary judgment, and dismissing the case, and the final judgment entered September 27, 2012 by the District Court. (Docket Nos. 41, 42, 43).

Dated: September 27, 2012

Respectfully submitted,

Alan Gura (D.C. Bar No. 453449)  
Gura & Possessky, PLLC  
101 N. Columbus Street, Suite 405  
Alexandria, VA 22314  
703.835.9085/Fax 703.997.7665

By: /s/ Alan Gura  
Alan Gura

Attorney for Plaintiffs