

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

MAXWELL HODGKINS, et al.,)	Case No. 10-5062
)	
Appellants,)	STATEMENT OF ISSUES TO BE
)	RAISED
v.)	
)	
ERIC HOLDER,)	
)	
Appellee.)	
)	

STATEMENT OF ISSUES TO BE RAISED

Appellants hereby provide notice that they intend to raise the following issues on appeal:

1. Do individuals currently prevented from obtaining firearms, and whose previous attempts to obtain firearms were thwarted, by 18 U.S.C. §§ 922(a)(9) and (b)(3), suffer justiciable injury?
2. In a constitutional pre-enforcement challenge to criminal enactments, must plaintiffs identify a specific threat of imminent prosecution to establish standing?
3. Does a membership organization whose members are impacted by particular federal criminal laws, and which expends resources as a result of these laws, have standing to challenge the laws' constitutionality?

Dated: April 2, 2010

Respectfully submitted,

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By: /s/Alan Gura

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CERTIFICATE OF SERVICE

On this, the 2nd day of April, 2010, I served a copy of the foregoing Statement of Issues To Be Raised upon the following by electronic service. The document was filed electronically, generating a Notice of Electronic Filing, and counsel below has consented to electronic filing:

Anisha Dasgupta
Appellate Staff, Civil Division
U.S. Department of Justice
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I declare under penalty of perjury that the foregoing is true and correct.

This the 2nd day of April, 2010

/s/ Alan Gura
Alan Gura

Attorney for Appellants