

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

April 1, 2022

Lyle W. Cayce  
Clerk

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No. 21-50327

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DEFENSE DISTRIBUTED; SECOND AMENDMENT FOUNDATION,  
INCORPORATED,

*Plaintiffs—Appellants,*

*versus*

ANDREW J. BRUCK, ACTING ATTORNEY GENERAL OF NEW  
JERSEY, IN HIS OFFICIAL AND INDIVIDUAL CAPACITIES

*Defendant—Appellee.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:18-CV-637

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Before JONES, ELROD, and HIGGINSON, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

No. 21-50327

IT IS FURTHER ORDERED that defendant-appellee pay to plaintiffs-appellants the costs on appeal to be taxed by the Clerk of this Court.

STEPHEN A. HIGGINSON, *Circuit Judge*, dissenting.