

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 12-5305**

**September Term, 2014**

FILED ON: JUNE 23, 2015

STEPHEN DEARTH AND SECOND AMENDMENT FOUNDATION, INC.,  
APPELLANTS

v.

LORETTA E. LYNCH,  
APPELLEE

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Appeal from the United States District Court  
for the District of Columbia  
(No. 1:09-cv-00587)

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Before: HENDERSON and GRIFFITH, *Circuit Judges*, and RANDOLPH, *Senior Circuit Judge*

**J U D G M E N T**

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. On consideration thereof, and in accordance with the opinion of the court filed herein this date, it is

**ORDERED** and **ADJUDGED** that the district court's grant of summary judgment in favor of the United States be vacated with respect to plaintiff Dearth and plaintiff Second Amendment Foundation, Inc. (insofar as its claim is based on Dearth's standing), and the case be remanded for trial.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Ken Meadows  
Deputy Clerk

Date: June 23, 2015

Opinion for the court filed by Senior Circuit Judge Randolph.  
Concurring opinion filed by Circuit Judge Griffith.  
Dissenting opinion filed by Circuit Judge Henderson.