

No. 25-6680

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

WILLIAM WIESE; JEREMIAH MORRIS; LANCE COWLEY;
SHERMAN MACASTON; FRANK FEDEREAU; ALAN NORMANDY;
TODD NIELSEN; CLIFFORD FLORES; L.Q. DANG;
CALIFORNIA GUN RIGHTS FOUNDATION; FIREARMS POLICY
COALITION, INC.; SECOND AMENDMENT FOUNDATION,

Plaintiffs-Appellants,

v.

ROB BONTA, in his official capacity as Attorney General of the
State of California; ALLISON MENDOZA, in her official
capacity as Director of the Bureau of Firearms,

Defendants-Appellees.

**On Appeal from United States District Court
for the Eastern District of California**

Civil Case No. 2:17-cv-00903

The Honorable William B. Shubb, Judge

**APPELLANTS' CONSENT MOTION TO STAY
APPEAL PENDING THE SUPREME COURT'S
RESOLUTION OF *DUNCAN V. BONTA***

Appellants William Wiese, Jeremiah Morris, Lance Cowley, Sherman Macaston, Clifford Flores, L.Q. Dang, Frank Federeau, Alan Normandy, Todd Nielsen, California Gun Rights Foundation, Firearms Policy Coalition, and Second Amendment Foundation respectfully move this Court to stay this appeal pending the Supreme Court's resolution of *Duncan v. Bonta*, No. 25-198 (U.S.).

This Court has inherent authority to stay this appeal in the interest of “economy of time for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 229 U.S. 248, 254 (1936). A stay is warranted here and would advance judicial economy because *Duncan* also involves a challenge to section 32310 of the California Penal Code brought on similar constitutional grounds. This Court’s opinion in *Duncan*, reported at 133 F.4th 852 (9th Cir. 2025), held that the law Appellants have challenged with their suit is constitutional. The pending petition for certiorari implicates the validity of the *Duncan* decision and Supreme Court’s resolution of the petition (and, if granted, the case on the merits) therefore is of likely dispositive importance for this case.

Appellants therefore respectfully request that the current briefing schedule in this case be stayed and that Appellants opening brief be due 45 days after the Supreme Court resolves *Duncan* either by granting the petition and issuing a decision or by otherwise resolving the petition.

Counsel for Appellees consents to the proposed stay.

Dated: December 2, 2025

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2025, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate ACMS system, which will transmit the foregoing document via email to all counsel of record.

Dated: December 2, 2025

/s/ David H. Thompson
David H. Thompson
Counsel for Plaintiffs-Appellants