

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

AIDAN ANDREWS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 4:21-cv-01245-P
)	
STEVEN MCCRAW, et al.,)	District Judge Mark T. Pittman
)	
Defendants.)	
)	
)	
)	

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiffs file this notice of supplemental authority to advise the Court of *Jones v. Bonta*, No. 20-56174, 2022 WL 1485187 (9th Cir. May 11, 2022), attached hereto.

Jones held that California's general ban on 18-to-20-year-old adults acquiring centerfire semiautomatic rifles likely violates the Second Amendment. While *Jones* undermines the Circuit precedent barring Plaintiffs' facial claim, that is an argument for the Fifth Circuit. *Jones* also, however, supports Plaintiffs' as-applied claim, and that is an issue open for this Court's consideration.

First, *Jones* conducted an in-depth review of the history of firearm rights to conclude that "the historical record shows that the Second Amendment protects young adults' right to keep and bear arms." *Jones* 22–30. *Jones* therefore persuasively demonstrates that Plaintiffs' as-applied claim cannot be rejected at step one of the analysis—a question that remains open in this Circuit. See Pls.' Br. in Supp. of Mot. for Summ. J. at 10–11, Doc. 58 (Mar. 18, 2022) ("Br."); Pls.' Reply in Supp. of Summ. J. at 2–4, Doc. 65 (Apr. 29, 2022) ("Reply").

Second, regarding the required "fit" between the challenged laws and the government's proposed justification, California proposed the same justification for its laws—that 18-to-20-year-

olds commit an outsized share of violent crime—that is at issue here. *Id.* 49–50. Just as Plaintiffs have argued, Br. at 13–14, 21–22; Reply at 9–11, the Ninth Circuit analogized the case to *Craig v. Boren*, 429 U.S. 190, 201 (1976), and found that if the regulation in *Craig* was unduly tenuous, the “fit [in *Jones*] is far more tenuous than that.” *Jones* 49. This is particularly true with respect to Plaintiffs’ as-applied claim on behalf of 18-to-20-year-old women. As Judge Lee explained in his *Jones* concurrence, “men almost exclusively commit violent crimes.” *Id.* at 72; *see also* Br. at 16–21; Reply at 11–14.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2022, a true and correct copy of the foregoing document was served via the Court's CM/ECF system to all counsel of record.

/s/ David H. Thompson
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