

NOT YET SCHEDULED FOR ORAL ARGUMENT

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No. 25-7159

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

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WILLIAM D. WEHR-DARROCA, *et al.*,  
PLAINTIFFS-APPELLANTS,

v.

DISTRICT OF COLUMBIA, *et al.*,  
DEFENDANTS-APPELLEES.

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ON APPEAL FROM AN ORDER OF THE  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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**UNOPPOSED MOTION OF APPELLEES TO  
HOLD THIS APPEAL IN ABEYANCE PENDING  
THIS COURT’S RESOLUTION OF RELATED CASE**

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Appellees—the District of Columbia, Pamela A. Smith, and Brian L. Schwalb—respectfully request that the Court hold this appeal in abeyance pending resolution of *Angelo v. District of Columbia*, No. 24-7127 (D.C. Cir.), which raises similar issues of Article III standing, and which was argued on October 3, 2025 (Srinivasan, C.J., Millett & Edwards, JJ.). Appellants—William D. Wehr-Darroca, Gary Stemple, and Firearms Policy Coalition, Inc.—do not oppose this request, provided that the hold dissolves once the panel decision in *Angelo* is issued.

Granting an abeyance is warranted. Following the “longstanding policy of the law to avoid duplicative litigative activity,” this Court “[o]ften” holds cases in abeyance “in light of other pending proceedings that may affect the outcome of the case before us” by deciding “common issues.” *Basardh v. Gates*, 545 F.3d 1068, 1069 (D.C. Cir. 2008) (internal quotation marks omitted). Just so here. This appeal raises issues of Article III standing in the context of preenforcement challenges similar to those awaiting decision in *Angelo*. Compare, e.g., Statement of Issues, *Angelo v. District of Columbia*, No. 24-7127 (D.C. Cir. Oct. 11, 2024), ECF No. 2079623, with, e.g., *Wehr-Darroca v. District of Columbia*, No. 1:24-cv-03504, 2025 WL 2694790, at \*2 (D.D.C. Sept. 22, 2025) (citing *Angelo v. District of Columbia*, 648 F. Supp. 3d 116, 124-26 (D.D.C. 2022)). Because the Court’s decision in *Angelo* may affect the outcome of this appeal, granting an abeyance would promote judicial efficiency and comport with this Court’s customs.

Appellees propose to file a status report within ten days of the issuance of the mandate in *Angelo*.

Respectfully submitted,

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## **CERTIFICATE OF COMPLIANCE**

I certify that this motion complies with the type-volume limitation in Federal Rule of Appellate Procedure 27(d)(2)(A) because the motion contains 265 words, excluding exempted parts. This motion complies with the typeface and type style requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(5) and (6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 365 in Times New Roman 14-point font.

/s/ Bryan J. Leitch  
BRYAN J. LEITCH