

FOR PUBLICATION

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

VIRGINIA DUNCAN; RICHARD LEWIS;
PATRICK LOVETTE; DAVID
MARGUGLIO; CHRISTOPHER
WADDELL; CALIFORNIA RIFLE &
PISTOL ASSOCIATION, INC., a
California corporation,
Plaintiffs-Appellees,

v.

ROB BONTA, in his official capacity
as Attorney General of the State of
California,

Defendant-Appellant.

No. 19-55376

D.C. No.
3:17-cv-01017-
BEN-JLB

ORDER

On Remand from the United States Supreme Court

Filed September 23, 2022

Before: Mary H. Murguia, Chief Judge, and Sidney R.
Thomas, Susan P. Graber, Richard A. Paez, Marsha S.
Berzon, Sandra S. Ikuta, Paul J. Watford, Andrew D.
Hurwitz, Ryan D. Nelson, Patrick J. Bumatay and
Lawrence VanDyke, Circuit Judges.

Order

SUMMARY*

Civil Rights/Second Amendment

Following the Supreme Court's order vacating this court's judgment, *Duncan v. Bonta*, 142 S. Ct. 2895 (2022), the en banc court remanded this case to the to the district court for further proceedings consistent with *New York State Rifle & Pistol Ass'n, Inc. v. Bruen*, 597 U.S. ____, 142 S. Ct. 2111 (2022).

Judge Bumatay and Judge VanDyke dissented from the order remanding this case to the district court.

COUNSEL

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Erin E. Murphy, Paul D. Clement, and Nicholas M. Gallagher, Clement & Murphy PLLC, Alexandria, Virginia; Kasdin M. Mitchell and William K. Lane III, Kirkland & Ellis LLP, Washington, D.C.; C.D. Michel, Anna M. Barvir,

* This summary constitutes no part of the opinion of the court. It has been prepared by court staff for the convenience of the reader.

and Sean A. Brady, Michel & Associates P.C., Long Beach, California; for Plaintiffs-Appellees.

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ORDER

The judgment in this case is vacated, *Duncan v. Bonta*, 142 S. Ct. 2895 (2022), and this case is remanded to the district court for further proceedings consistent with *New York State Rifle & Pistol Ass'n, Inc. v. Bruen*, 597 U.S. ____, 142 S. Ct. 2111 (2022).

Judge Bumatay and Judge VanDyke dissent from the order remanding this case to the district court.

The parties shall bear their own attorney's fees, costs, and expenses. This order constitutes the mandate of this court.

VACATED and REMANDED.