

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

STATE OF TEXAS, STATE OF §
LOUISIANA, STATE OF MISSISSIPPI, §
STATE OF UTAH, JEFFREY W. §
TORMEY, GUN OWNERS OF §
AMERICA, INC., GUN OWNERS §
FOUNDATION, TENNESSEE §
FIREARMS ASSOCIATION, *and* §
VIRGINIA CITIZENS DEFENSE §
LEAGUE, §

Plaintiffs, §

v. §

BUREAU OF ALCOHOL, TOBACCO, §
FIREARMS AND EXPLOSIVES, §
UNITED STATES DEPARTMENT OF §
JUSTICE, MERRICK GARLAND, in his §
official capacity as Attorney General of the §
United States, *and* STEVEN M. §
DETTELBACH, in his official capacity as §
Director of ATF, §

Defendants. §

CIVIL ACTION No. 2:24-cv-00089-Z

PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT

COME NOW, the State of Texas, the State of Louisiana, the State of Mississippi, the State of Utah, Jeffrey W. Tormey, Gun Owners of America, Inc., Gun Owners Foundation, Tennessee Firearms Association, and Virginia Citizens Defense League (collectively “Plaintiffs”) and move for an Order granting its Motion for Summary Judgment on Counts I, II, III, IV, V, VI, and VII of their Complaint (ECF #1), pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.3.

This motion is supported by Plaintiffs' Memorandum in Support of their Motion for Summary Judgment, which sets forth the argument and authorities on which Plaintiffs rely and contain the matters required by Local Rule 56.3.

Date: October 22, 2024

Respectfully submitted.

KEN PAXTON
Attorney General

/s/Garrett Greene
GARRETT GREENE
Special Counsel
Texas Bar No. 24096217

BRENT WEBSTER
First Assistant Attorney General

KATHLEEN HUNKER
Special Counsel
Texas Bar No. 24118415

RALPH MOLINA
Deputy First Assistant Attorney General

AUSTIN KINGHORN
Deputy Attorney General for Legal Strategy

OFFICE OF THE ATTORNEY GENERAL OF TEXAS
Special Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
Telephone: (512) 463-2100
garrett.greene@oag.texas.gov
kathleen.hunker@oag.texas.gov

RYAN D. WALTERS
Chief, Special Litigation Division

COUNSEL FOR PLAINTIFF STATE OF TEXAS

LYNN FITCH
Attorney General of Mississippi

LIZ MURRILL
Attorney General of Louisiana

/s/Justin L. Matheny
JUSTIN L. MATHENY
Deputy Solicitor General
MS Bar No. 100754
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 220
Jackson, Mississippi 39205-0220
Telephone: (601) 359-3680
Facsimile: (601) 359-2003
justin.matheny@ago.ms.gov

/s/ Kelsey L. Smith
KELSEY L. SMITH
Deputy Solicitor General
Texas Bar No. 24117070
LOUISIANA DEPARTMENT OF JUSTICE
1885 N. Third Street
Baton Rouge, Louisiana 70804
Telephone: (225) 428-7432
smithkel@ag.louisiana.gov

COUNSEL FOR PLAINTIFF STATE OF MISSISSIPPI

COUNSEL FOR PLAINTIFF STATE OF LOUISIANA

SEAN D. REYES
Utah Attorney General

/s/ Andrew Dymek
ANDREW DYMEK
Assistant Solicitor General*

UTAH OFFICE OF THE ATTORNEY GENERAL
Office of the Utah Attorney General
160 East 300 South, Fifth Floor
Salt Lake City, Utah 84114-2320
Telephone: (801) 366-0533
adymek@agutah.gov

COUNSEL FOR PLAINTIFF STATE OF UTAH

SCHULMAN, LEROY & BENNETT PC

/s/ John I. Harris III
JOHN I. HARRIS III
Tennessee Bar No. 12099
3310 West End Avenue, Suite 460
Nashville, Tennessee 37203
Telephone: (615) 244-6670 Ext. 111
Facsimile: (615) 254-5407
jharris@slblawfirm.com

COUNSEL FOR JEFFERY W. TORMEY, GUN OWNERS OF AMERICA, GUN OWNERS FOUNDATION, TENNESSEE FIREARMS ASSOCIATION, AND VIRGINIA CITIZENS DEFENSE LEAGUE

STAMBOULIEH LAW, PLLC

/s/ Stephen D. Stamboulieh
STEPHEN D. STAMBOULIEH
NDTX#: 102784MS
Mississippi Bar No. 102784
P.O. Box 428
Olive Branch, Mississippi 38654
Telephone: (601) 852-3440
stephen@sdslaw.us

COUNSEL FOR JEFFERY W. TORMEY, GUN OWNERS OF AMERICA, GUN OWNERS FOUNDATION, TENNESSEE FIREARMS ASSOCIATION, AND VIRGINIA CITIZENS DEFENSE LEAGUE

BARNETT HOWARD & WILLIAMS PLLC

/s/ Brandon W. Barnett
BRANDON W. BARNETT
Texas Bar No. 24053088
930 W. 1st St., Suite 202
Fort Worth, Texas 76102
Telephone: (817) 993-9249
Facsimile: (817) 697-4388
barnett@bhwlawfirm.com

LOCAL COUNSEL FOR JEFFERY W. TORMEY, GUN OWNERS OF AMERICA, GUN OWNERS FOUNDATION, TENNESSEE FIREARMS ASSOCIATION, AND VIRGINIA CITIZENS DEFENSE LEAGUE

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on October 22, 2024 and that all counsel of record were served by CM/ECF.

/s/ Garrett Greene
Garrett Greene