

Subject Line: Expedited Appeal as Mag Ban Injunction Refused

TEXT:

**ANJRPC TAKES EXPEDITED APPEAL  
AS LOWER COURT REFUSES INJUNCTION  
IN MAGAZINE BAN CHALLENGE**

*U.S. District Judge Refuses to Enjoin Magazine Ban*

*ANJRPC Ready, Invoking Expedited Procedure Seeking to Halt  
The New Law While Appeal is Pending*

*Expedited Decision on Injunction Pending Appeal  
Anticipated Around Late October*

*Consider Holding Onto Your Magazines Until Then –  
ANJRPC to Issue Detailed Guidance at That Time*

September 28, 2018. A U.S. District Judge today refused to issue a preliminary injunction, or an injunction pending appeal, halting enforcement of New Jersey's magazine ban enacted in June. See a copy of that [legal decision here](#).

However, the district court's decision is not the last word on the matter. ANJRPC counsel were ready for the contingency and have already filed a [notice of appeal](#), and they anticipate filing the papers Monday seeking an expedited decision halting the law during the appeal.

Despite finding that the banned magazines are "in common use," the district court in its decision disregarded the Supreme Court's clear command in *Heller* that such arms may not be banned. The court decided that the magazine ban does not "substantially affect [individuals'] ability to defend themselves" even though the Second Amendment does not permit a State to pick and choose which arms it deems sufficient for self-defense. The court then denied Plaintiffs' Equal Protection claim, applying an improperly low Constitutional standard, and denied Plaintiff Takings claim, finding that requiring a person to spend substantial money on modification does not require compensation.

An expedited decision on the request for an injunction pending appeal is anticipated in late October or early November. ANJRPC intends to issue detailed legal and practical guidance for gun owners by that time. We ask that gun owners continue to be patient while we pursue every available procedure to halt enforcement of the new law. Gun owners who choose to hold onto their magazines until then should be prepared to take immediate action with their magazines prior to the December 10 compliance deadline, if necessary.

As we enter this critical time-sensitive phase of the magazine ban lawsuit, ANJRPC wishes to thank the law firm of Cooper & Kirk, and attorney Dan Schmutter, for their extraordinary efforts anticipating every possible contingency and being prepared in advance to take immediate action to protect gun owners. ANJRPC also wishes to thank NRA-ILA for its ongoing extraordinary support of this case.

[CLICK HERE](#) TO DONATE TO THE CASE!

Please forward this email to every gun owner you know, and if you don't already receive alerts from ANJRPC, please [subscribe](#) to our free email alerts for the latest Second Amendment breaking news and action alerts.

*About [ANJRPC](#): The Association of New Jersey Rifle & Pistol Clubs is the official New Jersey affiliate of the NRA, and is New Jersey's oldest, largest, and most effective Second Amendment advocacy organization.*

Please watch for further updates and alerts.