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**No. 19-5042**

**September Term, 2018**

FILED ON: APRIL 1, 2019

DAMIEN GUEDES, ET AL.,  
APPELLANTS

FIREARMS POLICY COALITION, INC., CA 18-3083,  
APPELLEE

v.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, ET AL.,  
APPELLEES

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Consolidated with 19-5044

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Appeals from the United States District Court  
for the District of Columbia  
(No. 1:18-cv-02988-DLF)  
(No. 1:18-cv-03086-DLF)

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Before: HENDERSON, SRINIVASAN and MILLETT, *Circuit Judges*

**J U D G M E N T**

These causes came to be heard on the record on appeal from the United States District Court for the District of Columbia and were argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** that the District Court's denial of the preliminary injunction appealed from in these causes be affirmed, in accordance with the opinion of the court filed herein this date. It is

**FURTHER ORDERED** that the administrative stay of the effective date of the Bump Stock Rule, 83 Fed. Reg. 66,514 (Dec. 26, 2018), that was entered on the court's own motion on March 23, 2019, will remain in effect for 48 hours from the time of the issuance of the opinion in this case to allow plaintiffs, if they wish, to seek a stay from the Supreme Court of the United States. Should plaintiffs do so, the administrative stay will remain in effect pending disposition of the stay application. Plaintiffs are directed to notify the court promptly should an application for a stay be filed. It is

**FURTHER ORDERED** that Codrea plaintiffs-appellants' notice of voluntary dismissal of Whitaker-based claim in No. 19-5044, construed by the court as a motion for voluntary dismissal, be denied.

The Clerk is directed to withhold issuance of the mandate pending resolution of any stay application filed in the Supreme Court. Plaintiffs are directed to notify the court promptly of the disposition of a stay application. If plaintiffs do not seek a stay from the Supreme Court, the Clerk is directed to issue the mandate 48 hours after the opinion in these consolidated cases issues. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41(a)(1).

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY:

Ken Meadows  
Deputy Clerk

Date: April 1, 2019

Opinion for the Court filed Per Curiam.

Opinion concurring in part and dissenting in part filed by Circuit Judge Henderson.