

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

LANDMARK FIREARMS, LLC,  
*et al.*

**Petitioners**

v.

ROBERT EVANCHICK  
COMMISSIONER OF THE  
PENNSYLVANIA STATE  
POLICE

**Respondent**

Docket No. 694 MD 2019

ORDER

AND NOW, this \_\_\_\_ day of December, 2019, upon consideration of Plaintiffs’ motion for an emergency, *ex parte* preliminary injunction, it is **GRANTED**. The Pennsylvania State Police and its officers, agents, servants, employees, and all persons in active concert or participation with them are **ENJOINED** from implementing or enforcing any practice, policy, regulation, rule, or interpretation construing and applying (1) that an object that is not a “firearm” under federal law meets the definition of “firearm” under the Pennsylvania Uniform Firearms Act or (2) the Attorney General’s December 16, 2019 Opinion provided to Pennsylvania State Police Commissioner, Colonel Robert Evanchick, until such time as this Court can hold a hearing on Plaintiffs’ Motion for Preliminary Hearing and issue a further order.

The Respondent is further **ORDERED** to remove the notice posted on the ePICS background check website declaring:

As of 12-16-19, the sale of partially-manufactured (often referred to as 80%) frames and receivers and kits which include the same, require a background check through the Pennsylvania Instant Check System, in accordance with the Attorney General's binding opinion and applicable requirements within the UFA. No sales may occur by a licensed firearms dealer without such a check. PSP is not yet ready to process such checks and is working diligently to have a process in place as soon as possible within the next thirty days to allow these checks to occur in a lawful manner.

BY THE COURT:

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