

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

ERIC CALL *et al.*,

Plaintiffs-Appellants,

v.

WOODROW JONES III *et al.*,

Defendants-Appellees,

No. 21-1334

[No. 1:20-cv-03304-DKC]

JOINT MOTION TO HOLD APPEAL IN ABEYANCE

Pursuant to Federal Rule of Appellate Procedure 27 and Local Rule of the Fourth Circuit 12(d), the parties, by counsel, jointly move to hold this appeal in abeyance and suspend the Briefing Order (Doc. 3) pending the United States Supreme Court’s resolution of *New York State Rifle & Pistol Ass’n v. Corlett*, No. 20-843, 2021 WL 1602643 (Apr. 26, 2021).

In *Corlett*, the Supreme Court will determine “[w]hether [New York’s] denial of petitioners’ applications for concealed-carry licenses for self-defense violated the Second Amendment.” *Id.* The Court’s disposition of that question plainly “may affect the ultimate resolution of [the present] appeal,” L.R. 12(d), in which the sole issue is whether, under the Second Amendment, Maryland may categorically deny applications for carry licenses for what it determines to be a lack of “good and

substantial reason.” Indeed, *Corlett* may be dispositive of the present appeal. Under such circumstances, holding this case in abeyance would be unremarkable and well within this Court’s discretion. *See, e.g., United States v. Stafford*, 514 F. App’x 322, 323 (4th Cir. 2013) (held in abeyance pending resolution of Supreme Court case); *United States v. Smith*, 698 F. App’x 155, 156 (4th Cir. 2017) (held in abeyance before completion of briefing). Thus, to conserve the resources of Court and parties alike, the parties respectfully request that the Court hold this appeal in abeyance until the Supreme Court resolves *Corlett*. The parties will notify this Court promptly upon the issuance of an opinion in *Corlett* and will make any periodic status reports required under Local Rule 12(d).

If the Court declines to hold the case in abeyance, the parties respectfully request that the Briefing Order be amended to allow filing of the opening brief within 7 days, or any other time within the Court’s discretion, after disposition of the present motion, with the response brief due 28 days thereafter and the reply brief due within 21 days of service of the response brief.

Dated: May 7, 2021

Respectfully submitted,

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