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March 16, 2012

Mr. John Ley
Office of the Clerk of the U.S. Court of Appeals
56 Forsyth St., NW
Atlanta, GA 30303

RE: GeorgiaCarry.Org, Inc., et.al. v. State of Georgia, et.al.
11-10387-GG

Dear Mr. Ley:

Pursuant to Rule 28(j) of the Federal Rules of Appellate Procedure, I am writing to advise the Court of pertinent and significant authorities that have been issued recently.

Appellants have argued that the Second Amendment guarantees a right to keep and bear arms outside the home. Reply Brief of Appellants, p. 21. This position has been ratified by two separate district courts in recent weeks.

In *United States v. Weaver*, No. 2:09-cr-222 (S.D. W.Va. March 6, 2012), Doc. 2906, the court said, "The Supreme Court itself has acknowledged a Second Amendment right to protect oneself not only from private violence, but also from public violence." *Id.*, p. 7. The court also adopted the reasoning of Circuit Judge Niemeyer of the Fourth Circuit, who said, "The [Supreme] Court stated that its holding applies to the home, where the need 'for defense of self, family, and property *is most acute*, suggesting that some form of the right applies where that need is not 'most acute....' If the Second Amendment right were confined to self defense *in the home*, the Court would not have needed to express a reservation for 'sensitive places' outside the home." *Id.*, p. 8 [Emphasis in original]. , saying, "[T]he Heller Court's description of its holding as applying to the home, where the need for defense of self, family, and property is most acute, suggests that the right also applies in some form where that need is not most acute." *Id.* at p. 10.

In *Woolard v. Sheridan*, No. 1:10-cv-2068 (D. Md March 2, 2012), Doc. 52, the court said, "[T]he Heller Court's description of its holding as applying to the home, where the need for defense of self, family, and property is most acute, suggests that the right also applies in some form where that need is not most acute." *Id.* at p. 10.

The court continued, "To secure these rights, the Second Amendment's protections must extend beyond the home: neither hunting nor militia training is a household activity, and self-defense has to take place wherever [a] person happens to be." *Id.*

The court continued, "If ... laws limiting the carrying of firearms in sensitive places are indeed implicated by the Second Amendment's protections, then those protections necessarily extend outside the home, at least to some degree." *Id.* at p. 12.

Sincerely,

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