

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 10-11951  
Non-Argument Calendar

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FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT FEB 10, 2011 JOHN LEY CLERK
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D.C. Docket No. 1:08-cv-02141-CC

GEORGIACARRY.ORG, INC.,  
REGIS GOYKE,

Plaintiffs - Appellants,

versus

PINKIE TOOMER,  
in her official capacity as Judge of the Probate Court  
of Fulton County, Georgia, and all others similarly situated,

Defendant - Appellee.

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Appeal from the United States District Court  
for the Northern District of Georgia

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(February 10, 2011)

Before WILSON and PRYOR, Circuit Judges, and BUCKLEW,\* District Judge.

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\*Honorable Susan C. Bucklew, United States District Judge for the Middle District of Florida, sitting by designation.

PER CURIAM:

After review of the parties' briefs and the record, and with the benefit of oral argument, the Court finds no reversible error in the district court's order, dated March 13, 2009, granting the Appellee's motion to dismiss. Accordingly, we affirm the district court's dismissal of Appellants' complaint for the reasons stated in that order.

We note that "[a] dismissal for lack of subject matter jurisdiction is not a judgment on the merits and is entered without prejudice." *Stalley v. Orlando Reg'l Healthcare Sys., Inc.*, 524 F.3d 1229, 1232 (11th Cir. 2008) (per curiam).

We also note that at oral argument, Appellee represented that applications for Georgia firearms licenses are "freely given." Therefore, were the Appellants to file a new complaint alleging either that Mr. Goyke personally requested an application and was refused, or that he submitted an application and was denied a license based on his lack of Fulton County domicile, then the standing and ripeness issues would need to be revisited.

**AFFIRMED.**