

JOHN R. MONROE
ATTORNEY AT LAW

July 11, 2011

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 come to my attention since the filing of the Reply Brief of Appellants.

In their Reply Brief, Appellants argued against application of intermediate scrutiny for their Second Amendment claims because Appellants are law-abiding citizens. Instead, Appellants argued, strict scrutiny ought to apply. Brief of Appellants, p. 21. Appellees cited only cases where the parties involved had been found to have engaged in some wrongful act.

The 7th Circuit has ratified Appellants' argument. *Exzell v. City of Chicago*, No. 10-3525, (7th Cir. July 6, 2011), Slip Op., p. 44 ("Intermediate scrutiny was appropriate ... because the claim was not made by a 'law-abiding, responsible citizen....'" For law-abiding citizens, "a more rigorous showing [than intermediate scrutiny] should be required, if not quite 'strict scrutiny'").

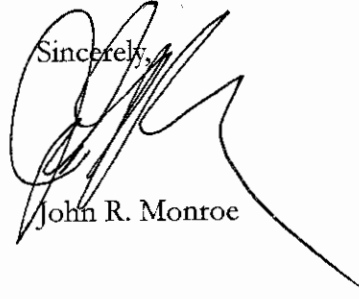
Appellants also argued that the Second Amendment guarantees a right to keep and bear arms outside the home. Reply Brief of Appellants, p. 21. This position has been ratified by the Court of Appeals of Puerto Rico. *Ex parte Roque Cesar Nido Lanausse*, Court of Appeals of Puerto Rico, Guyama Judicial Region, Panel XII, Case No. KLAN201000562 (Jan. 31, 2011).¹

By copy of this letter, I certify that I am serving copies of this letter today via U.S. Mail on opposing counsel. Please call me if you have any questions.

¹The original opinion is in Spanish, but several translations appear on the Internet, including one at <http://volokh.com/2011/05/18/the-puerto-rico-appellate-case-recognizing-a-second-amendment-right-to-carry-guns-in-public/>

July 11, 2011

Sincerely,

A handwritten signature in black ink, appearing to be 'John R. Monroe', written over the word 'Sincerely,'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John R. Monroe

CC: Laura Lones, Esq.
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