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## **America's Future Files Amicus Brief in Ninth Circuit in On-going Second Amendment Challenge**

Florida – August 26, 2022 – America's Future, Inc., a national leader in the fight to preserve individual rights, promote American values and traditions, and protect the nation's Constitutional Republic, announced that it joined 12 other nonprofit organizations to submit a [Motion to Leave](#) to File an Amicus brief along with the Amicus Brief on August 23, 2022, to the Ninth Circuit Court of Appeals in *Duncan, et al. v. Rob Bonta, in His Official Capacity as Attorney General of California, No. 19-55376 (2021)*. Should the Ninth Circuit grant the Motion, our Amicus brief is filed in support of Appellant Virginia Duncan's, *et al.* position that *California Penal Code § 32310*, as amended by Ca. Senate Bill 1446 together with Proposition 63 (2016 referendum) is an unconstitutional infringement of Appellants' Second and Fourteenth Amendment right to bear arms.

This is our second brief filing in this case. On April 1, 2022, America's Future filed a [brief](#) to the Supreme Court of the United States (SCOTUS). Following the SCOTUS's landmark Second Amendment decision in [New York State Rifle & Pistol Association v. Bruen 597 U.S \(2022\)](#) on June 23, 2022, the SCOTUS vacated the Ninth Circuit's *en banc* decision, sending it back to the Circuit for further consideration based on new law. Hence, the motion to leave filing this week.

"America's Future will do all that it can to protect citizen rights, freedoms and liberties," said Mary O'Neill, America's Future Executive Director. "It is our hope and prayer that the Ninth Circuit will cast-off judicial activism, embrace judicial restraint and reconsider the constitutional challenge in this case clear-eyed."

Citing the *Bruen* decision, America's Future brief explains the task before the Ninth Circuit is simple, stating, "The only issue to decide is whether California has 'demonstrated that the regulation is consistent with this Nation's historical tradition of firearm regulation.' There is to be no means-end scrutiny, no need for recitations of the dangers and risks of firearms. There is no deference to the legislative branch whatsoever, because 'while that judicial deference to legislative interest balancing is

understandable — and, elsewhere, appropriate — it is not deference that the Constitution demands here. The Second Amendment ‘is the very product of an interest balancing by the people....’.”

In addition to this week’s filing, America’s Future has joined in a number of other Amicus filings. To read more about these filings, please visit our Law & Policy page on our website at [www.AmericasFuture.net](http://www.AmericasFuture.net).

**ABOUT AMERICA’S FUTURE, INC.**

Founded in 1946, America’s Future, Inc. is a 501(c)(3) nonprofit organization committed to protecting the individual rights of every American and our Judeo-Christian values that make America exceptional. We do our work through educational and informational initiatives, strategic partnerships, communications, and networking opportunities that empower Americans to get involved in the fight to preserve the American way of life, now and for generations to come. For information, visit [www.AmericasFuture.net](http://www.AmericasFuture.net).