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America's Future Files Brief Supporting Second Amendment Rights

Florida – April 26, 2024 – 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 filed an [Amicus brief](#) on April 25, 2024, with the Ninth Circuit in *Baird v Bonta*, Dkt. No. 24-565 in support of Mark Baird, plaintiff/appellant, and his claim that California's criminalization relating to the lawful possession of firearms in public places violates his Second Amendment rights. Mr. Baird is seeking injunctive relief such that California should be permanently enjoined from enforcing any law that unreasonable infringes on his constitutional right to keep and bear arms.

For background purposes, from California statehood until 1967, public open carry of firearms had never been prohibited. In 1967, however, California did enact the Mulford Act, i.e. [Cal. Penal Code §25850](#) to prohibit open carry of a loaded firearm in public. Subsequently, in 2013, California banned public carry of any handgun, even an unloaded handgun, through the enactment of [Cal. Penal Code §26350](#).

In this case, at the trial court level, the federal district court denied Mr. Baird's request for injunctive relief. Later, a Ninth Circuit panel reversed the trial court and remanded the case back down with instructions to "complete its reevaluation of the requested preliminary injunction and issue a decision expeditiously."

Following remand by the Ninth Circuit panel, the trial court granted summary judgment in favor of California. However, as the brief explains, the trial court erred in its ruling, stating that "*...Based on its misrepresentation of the record, the district court recast Appellant's challenge in a manner that allowed it to manufacture out of whole cloth an issue relating to open carry licenses, while never ruling on the merits of Appellant's challenge to the criminal statutes.*" In addition, the Supreme Court's landmark ruling in [New York State Rifle & Pistol Association v. Bruen](#) 597 U.S 1 (2022) has altered the framework of Second Amendment judicial resolutions, making this case ripe for adjudication in favor of Mr. Baird.

To read more details about this filing, along with other briefs filed by America's Future, please visit our Law & Policy page on our website at 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.