

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

SEP 5 2025

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

KNIFE RIGHTS, INC.; et al.,

Plaintiffs - Appellants,

v.

ROB BONTA, California Attorney General,

Defendant - Appellee.

No. 24-5536

D.C. No.

3:23-cv-00474-JES-DDL

Southern District of California,  
San Diego

ORDER

The panel invites amici<sup>1</sup> to submit briefs of no more than 30 pages or 8,400 words on the following questions:

1. With respect to the Supreme Court’s use of “in common use” in *N.Y. State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022):

- a. Does a Court assess whether a weapon is “in common use” under *Bruen*’s “step one... threshold inquiry” or “step two” historical inquiry? *See United States v. Alaniz*, 69 F.4th 1124, 1128 (9th Cir. 2023).
- b. What is the proper understanding and application of the “in common use” language?

---

<sup>1</sup> The panel appoints Erin Murphy, of Clement & Murphy, PLLC, and William Taylor, of Everytown Law, legal experts in the field, as amici to provide the court with their independent legal expertise on these questions. The panel invites the submission of briefing from any other interested amici.

2. With respect to the Supreme Court’s use of “dangerous and unusual” in

*Bruen* and *District of Columbia v. Heller*, 554 U.S. 570 (2008):

- a. Does a Court assess whether a weapon is “dangerous and unusual” under *Bruen*’s “step one... threshold inquiry” or “step two” historical inquiry?
- b. Whether and to what extent this language is related to the “in common use” language?
- c. What is the proper understanding and application of the “dangerous and unusual” language?

Briefing should be submitted no later than September 26, 2025, and must comply with Fed. R. App. P. 29.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT