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APC

July 2, 2026

VIA ACMS

Clerk of Court
United States Court of Appeals
for the Fifth Circuit

Re: Knife Rights, Inc. v. Blanche, No. 25-10754

Dear Clerk:

Pursuant to Federal Rule of Appellate Procedure 28(j), Plaintiffs-Appellants respectfully submit the Fifth Circuit's recent decision in *United States v. Comeaux*, No. 24-30307, 2026 WL 1758170, at *2 (5th Cir. June 18, 2026), which bears directly on the issues presented in this appeal.

First, *Comeaux* confirms that the threshold inquiry under *Bruen* asks whether the regulated item is an "Arm" protected by the Second Amendment's plain text. “In the Second Amendment sense, “Arms” comprises “weapons of offence,” “armour of defence,” and “anything that a man wears for his defence, ... takes into his hands, or useth in wrath to cast at or strike another.” *Comeaux*, 2026 WL 1758170, at *2-3 (5th Cir.

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June 18, 2026). Knives, and thus switchblades, necessarily fall under this definition. "When the Second Amendment's plain text covers an individual's conduct, the Constitution presumptively protects that conduct" and courts proceed to Step 2. *Id.*, at *2.

The Court held that silencers fit the above definition of "Arms" as they serve "critical functions that make firearms both safer and more effective for their core lawful purpose of self-defense." *Comeaux*, 2026 WL 1758170, at *3. The Court went on to conclude that,

> *Bruen* explained that Second Amendment "Arms" need not be *necessary* for a firearm's functioning but instead must only "*facilitate* armed self-defense." *Id.*, at *4.

That holding reinforces Appellants' argument that switchblade knives are protected "Arms" and that the government's policy arguments concerning criminal misuse, concealability, or suitability do not determine whether the Second Amendment's plain text is implicated. See Appellants' Br. 49–60, 72-77; Reply Br. 9–18.

Second, Judge Clement, concurred that *Peterson* "ought to be revisited" because its reading of *Bruen*'s footnote 9 improperly extends that decision to create a "presumption of constitutionality for shall-issue

licensing regimes." *Comeaux*, Clement, J., concurring, at *5. Appellants likewise argued that *Peterson* has no application here because the Federal Switchblade Act is not a shall-issue licensing regime, but instead broadly prohibits the acquisition, distribution, transportation, manufacture, and possession of protected arms. See Appellants' Br. 66–71.

Sincerely,

/s/ John W. Dillon
John W. Dillon
of
Dillon Law Group APC

Counsel for Plaintiffs-Appellants

cc: All counsel of record via ACMS

DILLON LAW GROUP
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June 29, 2026

VIA ACMS

Clerk of Court
United States Court of Appeals
for the Fifth Circuit

Re: Knife Rights, Inc. v. Blanche, No. 25-10754

Dear Clerk:

Pursuant to Federal Rule of Appellate Procedure 28(j), Plaintiffs-Appellants respectfully submit that the Supreme Court's recent decision in *United States v. Hemani*, No. 24-1234 (608 U.S. ___, June 18, 2026), supports reversal.

First, *Hemani* reinforces that the threshold Second Amendment inquiry is straightforward. The Supreme Court asked whether the challenged law burdened conduct covered by the Second Amendment's text and, once that question was answered in the affirmative, the Court placed the burden on the government to justify the challenged regulation with historical arms regulations consistent with the Nation's historical tradition of arms regulation. Slip op. 4–5. *Hemani* did not require a

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preliminary showing that the regulated arms were sufficiently common for self-defense, particularly suitable for lawful purposes, or otherwise deserving of constitutional protection before shifting the burden.

Here, the Federal Switchblade Act ("FSA") prohibits the manufacture, transportation, distribution, acquisition, and possession of bearable arms. As Plaintiffs-Appellants explained, that conduct is presumptively protected, and the burden therefore shifts to the government. Appellants' Br. 49–59. *Hemani* confirms that approach. Slip op. 4.

Second, *Hemani* emphasized that historical analogues must be evaluated based on both their "purpose and operation." Slip op. 5. *Hemani* underscores the importance of precision when considering analogous historical arms regulations. That principle undercuts the government's primary reliance on nineteenth-century concealed-carry restrictions. See Appellees' Br. 14–18. In operation, those laws generally regulated *only* the manner in which arms could be carried while leaving acquisition, ownership, possession, and open carry intact. The FSA, by contrast, broadly prohibits the manufacture, transportation, and

distribution of switchblades in interstate commerce and criminalizes possession entirely in vast portions of the United States. Because the historical laws cited by the government operated in a fundamentally different manner than the FSA, *Hemani* confirms that they are not "relevantly similar" analogues under *Heller*, *Bruen* and *Rahimi*.

Sincerely,

/s/ John W. Dillon

John W. Dillon
of
Dillon Law Group APC

Counsel for Plaintiffs-Appellants

cc: All counsel of record via ACMS

DILLON LAW GROUP
APC

June 29, 2026

VIA ACMS

Clerk of Court
United States Court of Appeals
for the Fifth Circuit

Re: Knife Rights, Inc. v. Blanche, No. 25-10754

Dear Clerk:

Pursuant to Federal Rule of Appellate Procedure 28(j), Plaintiffs-Appellants respectfully submit the Supreme Court's recent decision in *Wolford v. Lopez*, No. 24-1046 (U.S. June 25, 2026), which supports reversal.

First, *Wolford* reiterates *Bruen*'s plain-text inquiry. The Court explained that the first step asks whether the challenged law applies to "the people" — "all members of the political community" — and restricts the "keep[ing]" — "possession" — or "bear[ing]" — "carrying" — of "Arms" — "weapons customarily used for offensive or defensive purposes." Slip op. at 7. Moreover, the Court confirmed "Arms" "refers to implements used for offense or defense." *Id.*, at 3. If the challenged law falls within

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that plain text, it is presumptively unconstitutional and the burden shifts to the government to establish consistency with this Nation's historical tradition of arms regulation. *Id.*, at 7–9. *Wolford* thus confirms that the Federal Switchblade Act burdens protected conduct because it restricts the possession, manufacture, transportation, distribution, and acquisition of bearable arms.

Second, Wolford reiterates and clarifies *Bruen*'s historical methodology. The Court explained that, except where a challenged law addresses "distinctively modern" circumstances requiring the more nuanced analogical inquiry described in *United States v. Rahimi*, courts apply *Bruen*'s straightforward historical inquiry. Slip op. at 7–9. Under that framework, the government must identify historical analogues that were widespread, well accepted, and relevantly similar to the challenged law in both "how" and "why" they burdened the right to keep and bear arms. *Id.*

Third, applying that framework, the Court rejected Hawaii's historical analogues because they differed materially from the challenged law in both purpose and operation. Slip op. at 19–24. The same reasoning

applies here. The Attorney General principally relies on nineteenth-century concealed-carry laws and related regulations governing concealable weapons. But those laws regulated only one manner of carrying arms while generally leaving their acquisition, manufacture, sale, transfer, possession, and open carry intact. By contrast, the Federal Switchblade Act broadly prohibits the manufacture, transportation, distribution, and principal means of acquiring switchblade knives in interstate commerce and criminalizes possession throughout vast portions of the United States.

Sincerely,

/s/ John W. Dillon

John W. Dillon
of
Dillon Law Group APC

Counsel for Plaintiffs-Appellants

cc: All counsel of record via ACMS

DILLON LAW GROUP APC

June 29, 2026

VIA ACMS

Molly C. Dwyer, Clerk of Court
United States Court of Appeals
for the Ninth Circuit
James R. Browning Courthouse
95 Seventh Street
San Francisco, California 94103

Re: Knife Rights, Inc. v. Bonta, No. 24-5536

Dear Ms. Dwyer:

Plaintiffs-Appellants respectfully submit that the Supreme Court's recent decision in *United States v. Hemani*, No. 24-1234 (608 U.S. ___, June 18, 2026) supports Plaintiffs' petition for rehearing and rehearing *en banc*.

First, *Hemani* reinforces the error identified in the petition for rehearing. The Court reiterated that when the Second Amendment's text covers the regulated conduct, the Constitution presumptively protects that conduct and the government bears the burden of demonstrating that the regulation is consistent with this Nation's historical tradition of arms

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regulation. Slip op. 4-5. Here, the panel acknowledged that California's switchblade laws prohibit "a wide range of conduct," including possession, sale, transfer, and carry, but upheld the statute after analyzing only a narrowed concealed-carry formulation. *Hemani* confirms that the historical inquiry must be directed at the challenged regulation itself, not a judicially narrowed subset of the conduct prohibited by the statute.

Second, *Hemani* emphasized that historical analogues must be evaluated according to both their "purpose and operation." Slip op. 5. The panel, here, primarily relied upon nineteenth-century concealed-carry restrictions. But those laws generally regulated only the concealed carry of certain arms while leaving acquisition, ownership, possession, transfer, and open carry available. California's switchblade laws, by contrast, prohibit a broad range of conduct extending well beyond concealed carry. Because the historical regulations and California's statute operate in materially different ways, *Hemani* further confirms that the panel's historical analysis conflicts with *Heller*, *Bruen* and *Rahimi*.

Sincerely,

/s/ John W. Dillon

John W. Dillon
of
Dillon Law Group APC

Counsel for Plaintiffs and Appellants

cc: All counsel of record *via* ACMS

DILLON LAW GROUP
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June 29, 2026

VIA ACMS

Molly C. Dwyer, Clerk of Court
United States Court of Appeals
for the Ninth Circuit
James R. Browning Courthouse
95 Seventh Street
San Francisco, California 94103

Re: Knife Rights, Inc. v. Bonta, No. 24-5536

Dear Ms. Dwyer:

Pursuant to Rule 28(j) of the Federal Rules of Appellate Procedure, Plaintiffs-Appellants respectfully submit the Supreme Court's recent decision in *Wolford v. Lopez*, No. 24-1046 (609 U.S. ___, June 25, 2026), which directly bears on the questions presented in Plaintiffs-Appellants' pending petition for rehearing *en banc* and supports rehearing and rehearing *en banc*.

First, *Wolford* reiterates *Bruen*'s plain-text inquiry. The Court explained that the threshold question involves whether the challenged law applies to "the people" and restricts the "keep[ing] (i.e., possession)"

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or the "bear[ing] (i.e., carrying)" of arms, defined as "any weapon customarily used for offensive or defensive purposes". Slip op. at 7-8.

Wolford also confirms that historical limitations may not be imported into the plain text inquiry. After summarizing Hawaii's attempt to engraft such historical limitations into the plain text inquiry, the Supreme Court stated, "We will discuss all these authorities, but they are out of place at *Bruen*'s first step. At that stage ... the question is simply whether a challenged law falls within the Second Amendment's plain text." *Id*. at 16. Justice Barrett likewise emphasized that courts may not "smuggle additional limits, drawn from our regulatory tradition, into the plain-text stage of the inquiry. The answer is and always has been no." Barrett, J., concurring, slip op. at 2–3.

Second, *Wolford* clarifies that *Bruen*'s straightforward historical inquiry governs all but those cases involving "distinctively modern" circumstances warranting the more nuanced analysis applied in *United States v. Rahimi*. Slip op. at 7–9. Under *Bruen*'s ordinary inquiry, the government must identify historical analogues that are sufficiently widespread, accepted, and *distinctly similar* to the challenged law.

Applying that framework, the Court rejected Hawaii's historical analogues because they differed materially in both purpose and operation from the challenged law. Slip op. at 19–24. Likewise, the nineteenth-century concealed-carry laws relied upon by the panel regulated only one manner of carrying arms, not California's broader prohibitions on possession, sale, transfer, manufacture, and carry. *Wolford* confirms that those laws are not relevantly similar historical analogues under *Bruen*.

Sincerely,

/s/ John W. Dillon

John W. Dillon
of
Dillon Law Group APC

Counsel for Plaintiffs and Appellants

cc: All counsel of record *via* ACMS

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Knife Rights, Inc.; Cameron Sjodin; David Draeger; and Kevin Crystal,

Plaintiffs,

v.

Keith Ellison, in his official capacity as Attorney General of the State of Minnesota; Brad Wise, in his official capacity as Sheriff of the Anoka County Sheriff's Office; Mike Meheen, in his official capacity as Chief of the South Lake Minnetonka Police Department; Brad Johnson, in his official capacity as County Attorney of the Anoka County Attorney's Office; and Mary Moriarty, in her official capacity as County Attorney of the Hennepin County Attorney's Office,

Defendants.

CIVIL FILE NO. 0:24-cv-3749

NOTICE OF SUPPLEMENTAL AUTHORITIES

Plaintiffs respectfully submit two recent Supreme Court's decisions in, *United States v. Hemani*, No. 24-1234 (608 U.S. __, June 18, 2026), and *Wolford v. Lopez*, No. 24-1046, 609 U.S. ___ (June 25, 2026). Each decision directly bears on the issues presented by the parties' cross-motions for summary judgment.

Plaintiffs respectfully submit these decisions as supplemental authorities for the Court's consideration in connection with the parties' pending cross-motions for summary judgment and the arguments made therein, as these decisions were issued after the parties completed briefing and after the Court heard oral argument.

Respectfully submitted,

June 29, 2026

/s/ John W. Dillon
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