

IN THE SUPREME COURT OF MARYLAND

ENGAGE ARMAMENT, LLC, <i>et al.</i> ,	:	
	:	
Petitioners,	:	
	:	
v.	:	SCM-PET-0472-2024
	:	No. 0472, Sept. Term 2024
MONTGOMERY COUNTY,	:	
MARYLAND,	:	
	:	
Respondent.	:	
	:	

**MONTGOMERY COUNTY, MARYLAND’S CROSS-PETITION FOR
WRIT OF CERTIORARI AND ANSWER TO ENGAGE ARMAMENT, LLC’S
PETITION FOR WRIT OF CERTIORARI**

Cross-Petitioner Montgomery County, Maryland (the County), by and through counsel, files this Cross-Petition for Writ of Certiorari and Answer to the Petition for Writ of Certiorari filed by Engage Armament, LLC, *et al.*, and in support thereof, states:

INTRODUCTION

This case presents an important question of statutory construction involving the permissible scope of local firearm regulation with attendant public safety implications.

Facing a spike in gun violence and an alarming proliferation of ghost guns, the County amended its Code to restrict ghost guns and firearms with respect to minors and near places of public assembly.

Legislative authority for the County’s amendments exists in Md. Code Ann., Crim. Law § 4-209(b)(1)(i) and (iii), which authorizes a county, municipal corporation, or special taxing district to regulate firearms with respect to minors and within 100 yards of places of public assembly. Section 4-209(b)(1) is the direct result of a legislative compromise in

1985 between the General Assembly, which wanted to remove any local authority to regulate weapons and ammunition, and Governor Harry Hughes, who favored retaining existing local legislation regulating weapons.

Despite § 4-209(b)(1)'s plain grant of authority, and its legislative history demonstrating the deliberate preservation of local regulatory authority, the circuit court found that State law preempts the County's law. And although the County's law dispossesses no one of a firearm, the trial court also found the County's law effected a taking under Maryland's Constitution.

This Court should grant the County's cross-petition to uphold the General Assembly's grant of authority to localities to regulate firearms and protect their residents from the scourge of gun violence.

FACTS AND PROCEDURAL HISTORY

The County amended Chapter 57 of its County Code ("Weapons") to regulate ghost guns¹ near minors and places of public assembly in April 2021 via County Bill 4-21. *See Exhibit 1.* The County also modified the definition of "places of public assembly" where firearms could not be carried in Bill 4-21, and again in Bill 21-22E in November 2022. *See Exhibit 2.* The Chapter 57 provisions amended by Bills 4-21 and 21-22E are "the County Firearms Law" challenged by the Plaintiffs. Chapter 57, as amended by both bills, is attached as **Exhibit 3.**

¹ County Bills 4-21 and 21-22E define ghost guns, undetectable guns, and their components. *See* Ex. 1 at 2-4; Ex. 2 at 2-3.

Plaintiffs filed the operative, Second Amended Complaint on November 30, 2022,² challenging the County Firearms Law on three counts:

- I. Violation of the Maryland Constitution;
- II. Violation of the Express Powers Act; and
- III. Violation of the Maryland Takings Clause and Due Process Clause.

Plaintiffs sought a declaratory judgment and permanent injunction.

The parties submitted cross-motions for summary judgment before the Montgomery County Circuit Court. The State of Maryland filed an amicus brief in support of the County's law.

After oral argument, the Circuit Court issued a Memorandum Decision and Order on December 27, 2023, finding the County exceeded its authority and that State law preempted the County Firearms Law. *See Exhibit 4*. The memorandum opinion had no analysis on Plaintiffs' takings claim, Count III.

The Circuit Court then entered three orders on December 15, 2023:

- (1) a declaratory judgment order finding that the County Firearms Law was preempted by State law and effected a taking. The Circuit Court "severed and withheld" determination on the just compensation due to Plaintiffs (**Exhibit 5**);
- (2) a permanent injunction against enforcement of the County Firearms Law, including provisions of Chapter 57 of the County Code that were neither modified by Bills 4-21 and 21-22E nor challenged by the Plaintiffs in their operative complaint (**Exhibit 6**); and

² *Engage Armament, et al. v. Montgomery County, Maryland*, Circuit Court for Montgomery County, Maryland, Case No. 485899V. The Appellate Court of Maryland summarized this case's procedural history up to this point in its opinion. *See Ex. 8 at 4*.

(3) an order finding no just reason for delay and certifying the entire matter under Maryland Rule 2-602 (**Exhibit 7**).³

Save for damages as to Count III, the Circuit Court adjudicated all claims in the action in their entirety.

The County appealed to the Appellate Court of Maryland (ACM), and the State of Maryland again submitted an amicus brief in support of the County's law.

On January 24, 2025, the ACM issued an unreported opinion. *See Montgomery County, Md. v. Engage Armament, LLC, et al.*, No. 2319, Sept. Term 2023 (Appellate Ct. of Md. Jan. 24, 2025) (**Exhibit 8**). The ACM held that the Circuit Court erred when it entered a declaratory judgment finding that the County's law is not authorized by State law. But its legal analysis ended there: the Court issued a "limited remand to determine whether [the County Firearms Law] permissibly expands upon § 4-209(b)(1)(iii)'s list of places of public assembly," labelling the issue a "factual finding[]." *See id.* at 16. The ACM declined to address the issue of whether the County Firearms Law is a taking and directed the Circuit Court to explain the reasoning for its takings determination. Finally, the ACM retained jurisdiction to decide the remainder of the issues following the Circuit Court's decision on remand and thus stayed the appeal pending the Circuit Court's rulings.

On February 5, 2025, the ACM denied both parties' motions for reconsideration and Engage Armament's request to stay the ACM's mandate pending a Petition for Writ of Certiorari to this Court. The ACM issued the mandate that same day. Plaintiffs moved this Court to stay the mandate on February 6, 2025; the County did not oppose that motion.

³ *See also Exhibit 11*, docket entries evidencing the Circuit Court's judgment.

QUESTIONS PRESENTED

- I. Does Criminal Law § 4-209(b)(1) authorize the County Firearms Law, and did the Appellate Court of Maryland err in remanding that issue of statutory construction to the Circuit Court as a question of fact?
- II. Where the County Firearms Law regulates activity within the County and does not intrude upon an interest of statewide concern, did the Circuit Court err in finding that the County Firearms Law is not a “local law” under Md. Const. Art. XI-A?
- III. Where Criminal Law § 4-209(b)(1) expressly invites local firearm regulation with respect to minors and near places of public assembly, did the Circuit Court err in finding that the County Firearms Law is preempted by and in conflict with State law?
- IV. As the County Firearms Law dispossesses no one of any personal property, did the Circuit Court err in finding the County Firearms Law effected a taking under Article III § 40 of the Maryland Constitution and Article 24 of the Declaration of Rights?
- V. Did the Circuit Court err in invalidating and prohibiting enforcement of portions of the County Code that were not referenced in the operative complaint and that Plaintiffs placed at issue for the first time in their motion for summary judgment?

STATEMENT OF THE PUBLIC INTEREST

This Court should grant the County’s petition to eliminate the uncertainty wrought by the decisions of the Circuit Court and the ACM as to the ability of localities to regulate firearms under § 4-209(b)(1). In addition to Montgomery County, Baltimore City, and eight other counties regulate firearms with respect to minors and near various defined locations of public assembly.⁴ Six additional counties restrict or prohibit firearms in parks, one of

⁴ See Health Code of Baltimore City §§ 14-103, 14-104; Baltimore County Code §§ 17-2-102 – 103, § 21-23-101 – 116, § 30-1-201; Charles County Code § 51-1; Frederick County Code § 1-23-43, § 2-11-3; Harford County Code §§ 260-1 – 260-5, § 185-17; Howard County Code §§ 8-401 – 406, § 19-209, § 19-504; Prince George’s County Code §§ 14-140 – 141.01; Wicomico County Code § 174-6, § 179-3(L); Worcester County Code, Public Health § 1-108(a), (q).

the listed places of public assembly in § 4-209(b)(1).⁵ It is in the public interest for this Court to grant the petition for certiorari as a determination that State law preempts the County Firearms Law imperils these similar local firearms laws.

ARGUMENT

1. **Section 4-209(b)(1) Authorizes the County Firearms Law, and the ACM Erred in Remanding that Question of Statutory Construction to the Circuit Court as a Factual Question.**

Section 4-209(b)(1)'s Plain Language Authorizes the County Firearms Law

The County Firearms Law fits within § 4-209(b)(1) as it regulates firearms and ghost guns near minors and places of public assembly. Its newly defined terms for ghost guns fit within State law's definition of "handgun" or "components of a handgun."⁶ Section 4-209(b)(1)'s list of places of public assembly where the County may regulate is not exhaustive: it ends with the phrase, "and other places of public assembly." This is not language of restriction but rather leaves the door open for the County to regulate firearms near more places of public assembly than are listed in § 4-209(b)(1).

Plaintiffs trumpet numerous express statutory preemption provisions regarding firearms in State law. *See* Pet. for Writ of Certiorari at 4; *id.* at 4 n.2, n.3. Five of the statutory provisions cited by Plaintiffs were either in effect at the time the General

⁵ *See* Calvert County Code § 82-2-101; Caroline County Res. No. 2009-035, § 148.3.2(S); Carroll County Code § 94.053; Cecil County Code § 261-5(R); Queen Anne's County Code § 22-19(Q); Talbot County Code § 102-5(A)(12).

⁶ *See* Md. Code Ann., Crim. Law § 4-201(c)(1). "Components" is not defined in the Criminal Law Article; the dictionary definition being, "a constituent part." *See* <https://www.merriam-webster.com/dictionary/component>.

Assembly enacted § 4-209(b)(1) or were enacted at the same time as § 4-209(b)(1). *See* Md. Code Ann. Crim. Law § 4-209(a); Pub. Safety §§ 5-104, 5-133(a), 5-134(a); 1972 Md. Laws Ch. 13 § 6 (1972 Md. Laws 54).⁷ As the later-enacted provision, § 4-209(b)(1) prevails. *See Prince George's County v. Fitzhugh*, 308 Md. 384, 390 n.4 (1987); 76 Md. Op. Att'y Gen. 240, 241-42 (1991) (Section 4-209(b)(1) prevailed over five previously enacted firearms preemption provisions).

The only other express preemption invoked by Plaintiffs is in Public Safety § 5-207(a). Enacted in 2021, it preempts local regulation of the transfer of a rifle or shotgun. As the more specific exception regarding local firearms regulation, § 4-209(b)(1) governs. *See Lumbermen's Mut. Casualty v. Ins. Comm'r*, 302 Md. 248, 268 (1985). And the General Assembly in 2021 did not modify, amend, or repeal § 4-209(b)(1); it is not reasonable to assume that the General Assembly intended to repeal, *sub silentio*, the express authority granted to localities in such a broad-brush manner. *See Harden v. Mass Transit Admin.*, 277 Md. 399, 406-07 (1976).

All other recent enactments touted by Plaintiffs do not modify or eradicate the authority in § 4-209(b)(1).

⁷ Article 27 § 442(a), enacted in 1966 (1966 Md. Laws 828 (App. 38)), is now Pub. Safety § 5-104 (2003 Md. Laws 215). Article 27 § 445(a), enacted in 1966 (1966 Md. Laws 834), is now Pub. Safety §§ 5-133, 5-134 (2003 Md. Laws 248, 250-51). Chapter 13 of the Laws of Maryland 1972, Section 6 (1972 Md. Laws 54) was not codified.

***Section 4-209(b)(1)'s Legislative History Demonstrates the Express
Preservation of Local Regulation of Firearms Near Places of Public Assembly
and With Respect to Minors.***

Additionally, § 4-209(b)(1)'s legislative history supports the County's authority and the scope of locations in its definition of "places of public assembly." In 1984 the General Assembly enacted bills that would have broadly preempted local gun regulation. *See* 76 Md. Op. Att'y Gen. 240, 243-47 (1991). In vetoing the 1984 preemptive legislation, then-Governor Hughes stated that the bills' premise of providing statewide uniformity would "invalidate beneficial existing local legislation without any corresponding statewide substitute and . . . undermine public safety." 1984 Md. Laws 3867. (**Exhibit 9**) The veto message listed examples of existing, beneficial local laws, including county laws regulating firearm possession by minors and prohibiting firearms near "places of public assembly." *See id.* In the 1985 session, a compromise in the form of § 4-209 emerged. While § 4-209(a) generally preempts local firearms regulation, § 4-209(b) excepted from that preemption local firearms regulation with respect to minors and near places of public assembly. *See* 76 Md. Op. Att'y Gen. 240, 246 (1991).⁸ This demonstrates the General Assembly's clear intention, despite express preemption provisions, to preserve local firearms regulations such as the County Firearms Law.

⁸ 1985 Md. Laws 3362-64, which added § 36H to Article 27 of the Maryland Code, presently codified as Section 4-209(b). The General Assembly in 2002 recodified Art. 27, § 36H to the then-newly created Criminal Law Article as Crim. Law § 4-209, without substantive change according to the revisor's note. *See* 2002 Md. Laws 348-349.

***After the Attorney General Twice Interpreted Section 4-209(b)(1) as
Authorizing Local Firearms Laws, the General Assembly
Did Not Modify Section 4-209(b)(1).***

Two Attorney General opinions found § 4-209(b)(1) authorized local laws regulating firearms near minors.⁹ Thereafter, the General Assembly did not modify § 4-209(b)(1). This shows acquiescence in those opinions' characterization of the § 4-209(b)(1)'s grant of authority to localities to regulate firearms "with respect to" minors as "exceedingly general." *See Action Comm. for Transit, Inc. v. Town of Chevy Chase*, 229 Md. App. 540, 557 n.20 (2016). The General Assembly also acquiesced in the Attorney General's conclusion that § 4-209(b)(1) prevailed over five other express preemption provisions in effect at the time of the Attorney General's analysis. *See* 76 Md. Op. Att'y Gen. 240, 241-42 (1991).

***The ACM Erred in Remanding the Question of Section 4-209(b)(1)'s
Interpretation to Circuit Court as a Factual Question.***

The ACM correctly found that the General Assembly carved out and invited local firearms regulation with respect to minors and places of public assembly. *See* Ex. 8 at 11-12. But the ACM erred when it declined to address whether the County's defined places of public assembly exceeded the scope of legislative authority ceded to localities in § 4-209(b)(1)(iii) and remanded that question – characterizing it as one of fact – to the Circuit Court. The interpretation of a statute is a question of law, not fact. *See Harvey v. Marshall*,

⁹ *See* 76 Md. Op. Att'y Gen. 240, 242, 247 (1991) (§ 4-209(b)(1) authorized county law prohibiting loaded firearms near minors; ability to regulate firearms near minors is "exceedingly general"); 82 Md. Op. Att'y Gen. 84, 84 (1997) (§ 4-209(b)(1) authorized county law requiring trigger locks and gun dealers to post information about same).

389 Md. 243, 257 (2005); *Damon v. Robles*, 245 Md. App. 233, 243 (2020). The parties are in accord on this point. *See* Engage Armament’s Pet. for Writ of Cert. at 8. This Court should grant certiorari and decide this question of law.

2. The County Firearms Law is a Local Law.

Consistent with Article XI-A of the Maryland Constitution, the County Firearms Law is a local law as it applies only to conduct within the territorial limits of the County.¹⁰ Section 4-209(b)(1) reflects a statewide decision that counties may regulate firearms in certain circumstances as it invites local legislation. The County Firearms Law is therefore consistent with, and does not intrude upon, the statewide interest in local firearms legislation. *See Tyma v. Montgomery County, Md.* 369 Md. 497, 513 (2001) (determination that the County had authority to enact a law disposed of the argument that the law is general, or non-local, legislation).

3. State Law Does Not Preempt the County Firearms Law.

A local law may be preempted by State law in one of three ways: (1) expressly; (2) by implication; and (3) by conflict. *Edwards Sys. Tech. v. Corbin*, 379 Md. 278, 296-97; *Tyma*, 369 Md. at 517 n. 16. Regardless of the mode of preemption analysis, Maryland courts recognize a presumption against preemption, with ambiguities resolved in favor of local regulation. *See Mayor & Alderman of City of Annapolis v. Annapolis Waterfront Co.*,

¹⁰ A charter county has authority to enact “local laws.” *See* Md. Constitution, Art. XI-A, § 3 (a charter county “shall have full power to enact local laws”). A “local law” applies to only one political subdivision of the State, with no extra-territorial effect. *See id.* § 4 (“any law so drawn as to apply to two or more of the geographical subdivisions of this State shall not be deemed a Local Law”); *Tyma*, 369 Md. at 507-08, 515.

284 Md. 383, 391 (1979). The Circuit Court erred by finding State law preempts the County Firearms Law all three ways.

State law does not expressly preempt the County Firearms Law as five of the six express preemption provisions Appellees cite were either already enacted in 1985 or enacted at the same time as Section 4-209(b)(1), and the sixth express preemption provision is easily reconciled with § 4-209(b)(1). *See supra* at 6-7.

Implied preemption occurs when the General Assembly “act[s] with such force that an intent to occupy the entire field must be implied.” *See Bd. of Cnty. Comm’rs v. Perennial Solar, LLC*, 464 Md. 610, 619 (2019) (quotation omitted)). The General Assembly clearly did not intend to occupy the entire field of firearms regulation; indeed, the General Assembly expressly invited localities to legislate firearms with respect to minors and near places of public assembly in § 4-209(b)(1). *See also State v. Phillips*, 210 Md. App. 239, 280-281 (2013) (finding Baltimore City firearms law is not impliedly preempted because the “[S]tate has not so extensively regulated the field of firearm use, possession, and transfer that all local laws relating to firearms are preempted”).

There is no preemption by conflict here, either: the County Firearms Law comports with a public general law, § 4-209(b), as it regulates firearms with respect to minors and near places of public assembly. *See Corbin*, 379 Md. 296-97 (conflict preemption occurs when a local law is in direct conflict with a public general law).

The Circuit Court’s preemption analysis erroneously relied on *Mora v. City of Gaithersburg*, 462 F. Supp.2d 675 (D. Md. 2006). *See Ex. 4* at 12-13. The Fourth Circuit dismissed that preemption analysis on appeal as a state preemption claim masquerading as

a federal takings claim. *See Mora v. City of Gaithersburg*, 519 F.3d 216, 231 (4th Cir. 2008).

State law does not preempt or conflict with the County Firearms Law; it authorizes it, and this Court should grant certiorari to implement the clear intent of the General Assembly in § 4-209(b)(1).

4. The County Firearms Law Does Not Dispossess Anyone of Firearms and is Not a Taking.

The Circuit Court erred in finding that the County Firearms Law is a taking. The County Firearms Law is not a complete “ban” and divests no one of ownership interests.

The County Firearms Law applies only with respect to possession of firearms near minors and places of public assembly. For any Plaintiff that alleges to reside within 100 yards of a place of public assembly, the County Firearms Law does not apply within their residence, except for ghost guns and undetectable guns. *See County Code § 57-11(b)(3)*.

Of note, as of March 1, 2023, the State banned ghost guns.¹¹ Thus, the only ghost gun restriction Plaintiffs may challenge as a taking is the County’s prohibition against possession of ghost guns, undetectable guns, and their parts by individual plaintiffs who reside within 100 yards of a place of public assembly from July 2021 to March 2023. But notably, even with that restriction, the County Firearms Law does not ban *ownership*, prevent sale, or force Plaintiffs to turn over the ghost guns or any other firearms to the government or a third party.

¹¹ *See Md. Code Ann., Pub. Safety § 5-703 (2018 & Supp.)*.

On these facts, Plaintiffs’ claim under a federal takings analysis fails. The County Firearms Law takes nothing: it permits continued possession, sale, and use of firearms. The only limited restriction is *where* they may be possessed, sold, and used, not whether they can be possessed, sold or used. If a complete ban on possession is not a taking, *see Md. Shall Issue, Inc. v. Hogan*, 963 F.3d 356, 364-67 (4th Cir. 2020) (Maryland’s rapid fire trigger ban not a taking), or if a complete ban on resale is not a taking, *see Andrus v. Allard*, 444 U.S. 51, 66-68 (1979), then the County Firearms Law’s minor restriction on where firearms may be carried in the County to further public safety is not a taking.¹² Additionally, Plaintiffs’ conclusory allegations of an “adverse” or “material” affect, deprivation of beneficial use, and a loss of “substantial” sales, fail as a matter of law in a federal takings analysis. *See Blackburn v. Dare County*, 58 F. 4th 807, 812 (4th Cir. 2023); *Clayland Farm Enterprises, LLC v. Talbot Cnty., Md.*, 987 F.3d 346, 354 (4th Cir. 2021).

Even relying solely upon the Maryland Constitution, which affords greater protections than those prescribed by the U.S. Constitution’s analog provisions if a statute retroactively (or retrospectively) abrogates vested property rights, Plaintiffs takings claim fails. Maryland Courts recognize and hold “almost sacrosanct” the vested rights held in real property and contracts. *See Muskin v. State Dep’t of Assessments and Taxation*, 422 Md. 544, 556, 562 (2011). There is no Maryland case finding a vested right in tangible personal property such as guns, ghost guns and undetectable guns. *See Maryland Shall*

¹² Supreme Court decisions interpreting the Fifth and Fourteenth Amendments of the U.S. Constitution are precedential authority for Article III, § 40, of the Maryland Constitution. *Niefert v. Dep’t of the Env’t*, 395 Md. 486, 518 (2006).

Issue v. Hogan, 353 F.Supp.3d 400, 418 (D. Md. 2018), *aff'd sub nom. Maryland Shall Issue, Inc. v. Hogan*, 963 F.3d 356 (4th Cir. 2020). The County Firearms Law does not apply retroactively. Appellees had no reasonable reliance or settled expectations in an area as highly regulated as firearm possession. *Cf. Muskin*, 422 Md. at 550, 558 (owners of ground rent leases with 99-year terms had “a reasonable basis to rely on the continuation of the state of the law permitting ground rent leases to continue”).

The County Firearms Law did not divest Plaintiffs from ownership of their property, they can still sell or transfer it – just not near minors or places of public assembly. The Circuit Court erred in finding the County Firearms Law was a taking under the Maryland Constitution.

5. The Circuit Court Abused its Discretion in Entering a Permanent Injunction Involving Portions of the County Code not Even Referenced in the Operative Complaint.

The operative complaint states repeatedly that it challenges “Chapter 57, **as amended**” by Bill 4-21 and 21-22E (emphasis added).¹³ Bills 4-21 and 21-22E do not modify County Code § 57-10, and the operative complaint does not even refer to County Code § 57-10. Yet the Circuit Court enjoined enforcement of § 57-10 as not a local law. *See* Ex. 5 at 4, Ex. 6 at 2. Similarly, Bills 4-21 and 21-22E do not modify County Code § 57-11 (d), and it is also not referenced in the operative complaint. But the Circuit Court enjoined § 57-11 (d) as impliedly preempted. *See* Ex. 5 at 3-4; Ex. 6 at 2.

¹³ *See* Pls.’ Second Am. Compl., attached hereto as **Exhibit 10**, at ¶¶ 3, 9, 11-13, 36, 50, 52, 54, 56, 59, 63-67, 69, 70, 73-80, 82, 84, 86, 90, 93, 93(b)-(o), 93(o)(vi), 99-101; Prayer for Relief ¶¶ A-C, H.

The Circuit Court afforded Plaintiffs more relief than requested in their complaint and thereby deprived the County of due process. This Court must vacate the Circuit Court's entry of declaratory and injunctive relief as to County Code § 57-10 and § 57-11(d).

CONCLUSION

For the foregoing reasons, the County's Cross-Petition for Writ of Certiorari should be granted.

Respectfully submitted,

JOHN P. MARKOV'S
COUNTY ATTORNEY

Edward B. Lattner,
Deputy County Attorney

Erin J. Ashbarry,
Chief, Government Operations Division

Kristen J. Nunley
Assistant County Attorney

Dated: February 18, 2025

**CERTIFICATION OF WORD COUNT AND OF COMPLIANCE WITH
RULES 8-112, 8-303(b)(1), and 8-303(e)(2)**

1. This Cross Petition and Answer contains 3,898 words.
2. This brief complies with the font, spacing, and type size requirements stated in Rule 8-112 as it was prepared with proportionally spaced type, using Times New Roman font and 13pt type size.

/s/ Erin J. Ashbarry

Erin J. Ashbarry

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of February, 2025, a copy of the foregoing was electronically served through the MDEC and via email to:

Mark W. Pennak
Maryland Shall Issue, Inc.
9613 Harford Rd., Ste. C #1015
Baltimore, MD 21234-21502
mpennak@marylandshallissue.org

/s/ Erin J. Ashbarry

Erin J. Ashbarry

IN THE SUPREME COURT OF MARYLAND

ENGAGE ARMAMENT, LLC, <i>et al.</i> ,	:	
	:	
Petitioners,	:	
	:	
v.	:	SCM-PET-0472-2024
	:	No. 0472, Sept. Term 2024
MONTGOMERY COUNTY,	:	
MARYLAND,	:	
	:	
Respondent.	:	
	:	

EXHIBIT LIST

**MONTGOMERY COUNTY, MARYLAND’S CROSS-PETITION
FOR WRIT OF CERTIORARI AND ANSWER TO
PETITION FOR WRIT OF CERTIORARI**

Montgomery County Bill 4-21, Weapons – Protection of Minors and Public Places – Restrictions Against Ghost Guns and Undetectable Guns, effective July 16, 2021	1
Montgomery County Bill 21-22E (Expedited), Weapons – Firearms in or Near Places of Public Assembly, effective November 28, 2022	2
Montgomery County Code Chapter 57, as amended by Bills 4-21 and 21-22E	3
Memorandum Decision and Order, <i>Maryland Shall Issue, Inc. v. Montgomery County, Md.</i> , Civil No. 485899V (Montgomery Cnty. Circuit Ct., Nov. 27, 2023)	4
Declaratory Judgment, <i>Maryland Shall Issue, Inc. v. Montgomery County, Md.</i> , Civil No. 485899V (Montgomery Cnty. Circuit Ct., Dec. 15, 2023).....	5
Order Granting Injunctive Relief, <i>Maryland Shall Issue, Inc. v. Montgomery County, Md.</i> , Civil No. 485899V (Montgomery Cnty. Circuit Ct., Dec. 15, 2023)	6
Order Granting Certification of Final Judgment Under Md. Rule 2-602, <i>Maryland Shall Issue, Inc. v. Montgomery County, Md.</i> , Civil No. 485899V (Montgomery Cnty. Circuit Ct., Dec. 15, 2023).....	7

EXHIBIT LIST
MONTGOMERY COUNTY, MARYLAND’S
CROSS-PETITION FOR WRIT OF CERTIORARI AND
ANSWER TO PETITION FOR WRIT OF CERTIORARI

Montgomery County, Md. v. Engage Armament, LLC, et al.,
No. 2319, Sept. Term 2023 (Appellate Ct. of Md. January 24, 2025) 8

1984 Md. Laws 3866-3868 (Governor Hughes’ 1984 Veto)..... 9

Second Amended Complaint, *Maryland Shall Issue, Inc., et al., v.*
Montgomery County, Md., (Nov. 30, 2022)..... 10

Docket Entries Showing Circuit Court’s Judgment, *Engage Armament, LLC, et al., v.*
Montgomery County, Md., Civil No. 485899V
(Montgomery Cnty. Circuit Ct.) 11