



GUN OWNERS OF AMERICA NEW YORK STATE

A NO COMPROMISE PRO-GUN
GROUP FOR NEW YORK

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Preliminary Injunctions Now in Force

The U.S. Second Circuit Court has finally issued a ruling on the preliminary injunctions in five cases, which it heard on March 20, 2023. Those cases are: Antonyuk, Gazzola, Hardaway, Christian, and Spencer. Please see the table below for details about the lawsuits.

The plaintiffs in Antonyuk, Hardaway, Christian, and Spencer were granted a preliminary injunction by the District Court, the first court to hear the suits. A preliminary injunction prevents the law from being enforced, while the Constitutionality of the law is being tried.

The preliminary injunctions were then appealed to the Second Circuit Court. The Second Circuit Court issued a stay in each case, which prevented the injunctions from going into effect while the appeal of those injunctions was heard.

Finally, on December 8, 2023, the Second Circuit Court issued a ruling upholding the preliminary injunctions in part, and overturning them in part, for Antonyuk, Hardaway, Christian, and Spencer. The court left in place the district court's denial of a preliminary injunction in Gazzola.

What does that mean for gun owners? The big item here is that we got the requirement thrown out that any place open to the public has to post a sign allowing it, before you can carry concealed into Walmart or whatever it is.

Another provision of the law which is now enjoined (meaning it can't be enforced) is the requirement that you provide information about your social media accounts when you apply for a license.

We did win an injunction against the law prohibiting carrying in churches, but the way the paperwork was filed in the case (Spencer) makes the injunction apply ONLY to the church that filed the lawsuit, which is His Tabernacle Family Church in the town of Horseheads. We're pretty sure we can get this expanded to all churches in the final order, but for now the law can still be enforced with regard to any other church.

What about carrying on private property NOT open to the public? Like with the church injunction, our ducks weren't perfectly in a row, so we didn't get the victory we wanted. The good news is that instead of vacating that part of the injunction, the Second Circuit Court sent it back to the District Court and told them to think about it again. That means we get another chance to make the case for enjoining that part of the law.

So what's next? With the preliminaries out of the way, we now enter the main phase of the lawsuit, where the facts and arguments are considered thoroughly, followed by a final decision from the District Court. Just because part of the law survived a preliminary injunction does not mean it will survive in the final decision. We can use the feedback provided by the Second Circuit Court with the injunctions to revise our arguments, and increase their chance of success. We have just begun to fight.

Stay tuned, and sign up your friends as members of GOA-NY so that they get this newsletter. Find out more about the lawsuits at <https://goanys.com/lawsuits>

Table of Lawsuits

Plaintiff	On behalf of	Preliminary Injunction
Antonyuk	Gun owners	Yes
Gazzola	Gun shops	No
Christian	Private property owners	Yes
Hardaway	Churches	Yes
Spencer	Churches	Yes
Goldstein	Synagogues	No
Corbett	Permit applicants	No
Lane	Gun owners	No
Lewis	Gun owners	No

We need your support

Now is the time to build our ranks, and push hard until we win the battle once and for all. Please talk to your friends, family, neighbors, fellow gun owners, and any like-minded freedom loving people. We're winning now, and we need more troops to continue the fight.

Membership in GOA-NY is separate from national GOA membership. GOA-NY provides the boots on the ground to find plaintiffs for our lawsuits. GOA national has the legal team to put the lawsuits together. Please join or renew your membership in both organizations so we have all our bases covered.