

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION**

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**REBEKAH JENNINGS, BRENNAN  
HARMON, ANDREW PAYNE, and  
NATIONAL RIFLE ASSOCIATION  
OF AMERICA, INC.,**

**Plaintiffs,**

**vs.**

**BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS AND EXPLOSIVES;  
KENNETH E. MELSON, in his official  
capacity as Acting Director of the Bureau of  
Alcohol, Tobacco, Firearms and Explosives;  
and ERIC H. HOLDER, Jr., in his official  
capacity as Attorney General of the United  
States,**

**Defendants.**

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**Case No. 5:10-cv-00140-C**

**NOTICE OF RECENT AUTHORITY**

Defendants hereby respectfully bring to the Court's attention two recent appellate decisions, Nordyke v. King, \_\_ F.3d \_\_, No. 07-15763 (9th Cir. May 2, 2011), and United States v. Chafin, No. 09-4098 (4th Cir. April 13, 2011) (per curiam), copies of which are attached as exhibits to this Notice.

Dated: May 12, 2011

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

On May 12, 2011, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or *pro se* parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Daniel Riess  
Daniel Riess