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**R E S U M E**

**BAR MEMBERSHIPS**

Virginia State Bar  
District of Columbia Bar  
U.S. Supreme Court  
U.S. Courts of Appeals (D.C., 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, Federal Circuits)  
U.S. District Courts (D.C., E.D. Va., Md., N.D. Ga., S.D. Ohio, E.D. Ca., C.D. Ill., E.D. Mich., D. Ariz., E.D. Wis.)  
U.S. Courts (Claims, Tax, Military Appeals)

**EDUCATION**

Georgetown University Law Center	J.D.	1978
Florida State University	Ph.D. Philosophy	1972
Florida State University	B.S. Business	1969

**EMPLOYMENT**

Attorney at Law, Civil Litigation and Criminal Defense, 1978-Present  
Senior Fellow, The Independent Institute  
Assistant Professor of Philosophy - George Mason University, 1980-81; Howard University, 1974-79; Tuskegee Institute, 1972-74  
Law Fellow/Coordinator, Barristers' Council, Georgetown University, 1975-77  
Instructor of Philosophy, Florida State University, 1970-72

**COUNSEL IN REPORTED CASES**

***U.S. Supreme Court (prevailed in all cases):***

*McDonald v. City of Chicago*, 561 U.S. 742 (2010) (on NRA brief). Case history:  
*National Rifle Ass'n v. Village of Oak Park*, 617 F. Supp.2d 752 (N.D. Ill. 2008), *aff'd sub nom.*,

*National Rifle Ass'n v. City of Chicago*, 567 F.3d 856 (7<sup>th</sup> Cir. 2009) (oral argument 2009 WL 1556531), *cert. granted sub nom.*, *McDonald v. City of Chicago*, 130 S.Ct. 48 (2009), *rev'd*, *McDonald v. City of Chicago*, 130 S. Ct. 3020 (2010), *cert. granted & remanded*, *NRA v. Chicago*, 2010 WL 2571876 (U.S. 2010). On remand, *NRA v. Chicago*, 393 F. App'x 390 (7<sup>th</sup> Cir. Aug. 25, 2010), *on further remand*, *NRA v. Village of Oak Park*, 755 F. Supp.2d 982 (N.D. Ill. 2010) (denying attorney's fees), *rev'd*, *NRA v. Chicago*, 646 F.3d 992 (7<sup>th</sup> Cir. 2011) (remanding for award of attorney's fees), 871 F. Supp.2d 781 (N.D. Ill. 2012) (fee award).

*Small v. United States*, 544 U.S. 385, 125 S. Ct. 1752, 161 L.Ed.2d 651 (2005) (on brief).

*Castillo v. United States*, 530 U.S. 120, 120 S. Ct. 2090, 147 L. Ed. 2d 94 (2000) (argued). Case history: *United States v. Branch*, 91 F.3d 699 (5<sup>th</sup> Cir. 1996), *cert. denied sub nom.*, *Castillo v. United States*, 520 U.S. 1185 (1997), *aff'd*, *after remand*, 179 F.3d 321 (5<sup>th</sup> Cir. 1999), *cert. granted*, 120 S.Ct. 865 (2000), oral argument: April 24, 2000, *final remand*, 220 F.3d 648 (5<sup>th</sup> Cir. 2000). The Supreme Court reversed the Fifth Circuit decisions. Oral argument in the Supreme Court available at <http://www.oyez.org/oyez/audio/1233/argument.smil> or 2000 WL 526625. The announcement of the decision by Justice Breyer may be heard at <http://www.oyez.org/oyez/audio/1233/opinion.smil>.

*Printz v. United States*, 521 U.S. 898, 117 S. Ct. 2365, 138 L. Ed. 2d 914 (1997) (argued), *oral argument*, 65 U.S.L.W. 3425 (Dec. 17, 1996), *rev'g Mack v. United States*, 66 F.3d 1025 (9<sup>th</sup> Cir. 1995), *rev'g* 856 F. Supp. 1372 (D. Ariz. 1994) and *rev'g Printz v. United States*, 854 F.Supp. 1503 (D. Mont. 1994). Oral argument in the Supreme Court available in *The Supreme Court's Greatest Hits* (CD, Northwestern University, 1999), 1996 WL 706933, or <http://www.oyez.org/oyez/resource/case/835/audioresources>.

*United States v. Thompson/Center Arms Co.*, 504 U.S. 505, 112 S. Ct. 2102, 119 L. Ed. 2d 308 (1992) (argued), *aff'g*. 924 F.2d 1041 (Fed. Cir. 1991), *rev'g* 19 Cl.Ct. 725 (1990). *Earlier proceeding*, *Thompson/Center Arms Co. v. Baker*, 686 F. Supp. 38 (D.N.H. 1988). Oral argument in the Supreme Court available at 1992 WL 687859.

### ***Federal and State Courts:***

*Baca v. New Mexico Dept. of Public Safety*, 132 N.M. 282, 47 P.3d 441 (2002) (Intervenors).

*Blaustein & Reich, Inc. v. Buckles*, 220 F. Supp.2d 535 (E.D. Va. 2002), *aff'd*, 365 F.3d 281 (4<sup>th</sup> Cir. 2004) (Plaintiff).

*Brown v. Continental Telephone Co. of Va., Inc.*, 670 F.2d 1364 (4<sup>th</sup> Cir. 1982) (Plaintiff).

*Coalition of New Jersey Sportsmen v. Whitman*, 44 F. Supp.2d 666 (D. N.J. 1999), *aff'd*, 263 F.3d 157 (3<sup>d</sup> Cir. 2001), *cert. denied*, 534 U.S. 1039 (2001) (Plaintiffs).

*Farmer v. Higgins*, 907 F.2d 1041 (11th Cir. 1990), *cert. denied*, 498 U.S. 1047 (1991) (Plaintiff).

*F.J. Vollmer Co., Inc. v. Higgins*, 23 F.3d 448 (D.C. Cir. 1994), *later proceeding*, *F.J. Vollmer Co., Inc. v. Magaw*, 102 F.3d 591 (D.C. Cir. 1996) (Plaintiff).

*Fresno Rifle & Pistol Club, Inc. v. Van de Kamp*, 746 F. Supp. 1415 (E.D. Cal. 1990), *aff'd*, 965 F.2d 723 (9th Cir. 1992) (Plaintiffs).

*Gilbert Equipment Co., Inc. v. Higgins*, 709 F. Supp. 1071 (S.D. Ala. 1989), *aff'd*, 894 F.2d 412 (11th Cir. 1990) (*mem.*) (Plaintiff).

*Gun Owners' Action League, Inc. v. Swift*, 284 F.3d 198 (1<sup>st</sup> Cir. 2002), *cert. denied*, 537 U.S. 827 (2002) (Plaintiffs).

*Heller v. District of Columbia*, 698 F. Supp.2d 179 (D. D.C. 2010), *aff'd in part & rev'd in part*, 670 F.3d 1244 (D.C. Cir. 2011), *on remand*, 290 F.R.D. 1, *later proceeding*, 952 F. Supp.2d 133 (D. D.C. 2013), *later proceeding*, 45 F. Supp.3d 35 (D. D.C. 2014), *aff'd in part & rev'd in part*, 801 F.3d 264 (D.C. Cir. 2015), *reh. denied*, 814 F.3d 480 (D.C. Cir. 2016) (Plaintiffs).

*Intrac Arms International, L.L.C. v. Albright*, 1998 U.S. Dist. LEXIS 21858 (D. D.C. 1998) (Plaintiff).

*Koog/McGee v. United States*, 79 F.3d 452 (5th Cir. 1996), *cert. denied*, *United States v. Gonzalez*, 521 U.S. 1118, 117 S.Ct. 2507, 138 L.Ed.2d 1011 (1997), *rev'g Koog v. United States*, 852 F. Supp. 1376 (W.D. Tex. 1994), and *aff'g McGee v. United States*, 863 F. Supp. 321, *earlier proceeding* 849 F. Supp. 1147 (S.D. Miss. 1994) (Plaintiffs).

*Lomont v. Summers*, 135 F. Supp. 2d 23 (D. D.C. 2001), *aff'd*, 285 F.3d 9 (D.C. Cir. 2002) (Plaintiffs).

*National Rifle Ass'n v. Brady*, 914 F.2d 475 (4th Cir. 1990), *cert. denied*, 499 U.S. 959 (1991), *later proceeding*, *National Rifle Ass'n v. Bentsen*, 999 F.2d 772 (4th Cir. 1993) (Plaintiffs).

*National Rifle Ass'n v. City of South Miami*, 774 So. 2d 815 (Fla. 3<sup>rd</sup> DCA 2000), *later proceeding*, 812 So. 2d 504 (Fla. 3<sup>rd</sup> DCA 2002) (Plaintiffs).

*National Rifle Ass'n v. City of Evanston*, 2009 WL 1139130 (N.D. Ill. 2009) (Plaintiffs).

*National Rifle Ass'n v. Nagin*, 2005 WL 2428840 (E.D. La. 2005) (Plaintiffs).

*National Rifle Ass'n v. Reno*, 216 F.3d 122 (D.C. Cir. 2000), *cert. denied*, 533 U.S. 928

(2001) (Plaintiffs).

*National Shooting Sports Foundation, Inc. v. Jones*, 840 F. Supp.2d 310 (D. D.C. 2012), *aff'd*, 716 F.3d 200 (D.C. Cir. 2013) (Plaintiffs).

*New York State Rifle & Pistol Ass'n, Inc. v. Cuomo*, 990 F. Supp.2d 349 (W.D. N.Y. 2013), *aff'd in part & rev'd in part*, 804 F.3d 242 (2nd Cir. 2015) (Plaintiffs).

*Peoples Rights Organization, Inc. v. City of Columbus*, 925 F. Supp. 1254 (S.D. Ohio 1996), *aff'd in part and rev'd in part*, 152 F.3d 522 (6th Cir. 1998) (Plaintiffs).

*Peoples Rights Organization, Inc. v. Montgomery*, 142 Ohio App. 3d 443, 756 N.E.2d 127 (2001), *appeal denied*, 93 Ohio St. 3d 1410, 754 N.E.2d 258 (2001) (Plaintiffs).

*Richmond Boro Gun Club, Inc. v. City of New York*, 896 F. Supp. 276 (E.D. N.Y. 1995), *aff'd*, 97 F.3d 681 (2nd Cir. 1996) (Plaintiffs).

*Robertson v. City of Denver*, 874 P.2d 325 (Colo. 1994), *appeal after remand*, 978 P.2d 156 (Colo. App. 1999) (Plaintiffs).

*Ron Peterson Firearms, LLC v. Jones*, 760 F.3d 1147 (10<sup>th</sup> Cir. 2014) (Plaintiff).

*RSM, Inc. v. Buckles*, 94 F. Supp. 2d 692 (D. Md. 2000), *rev'd*, 254 F.3d 61 (4th Cir. 2001) (Plaintiffs).

*Ruiz v. People Express Airlines*, 802 F.2d 1508 (4th Cir. 1986), *cert. denied*, 480 U.S. 934 (1987) (Plaintiffs).

*Seegars v. Ashcroft*, 297 F. Supp. 2d 201 (D. D.C. 2004), *rev'd in part & aff'd in part*, 396 F.3d 1248 (D.C. Cir. 2005), *reh. denied*, 413 F.3d 1 (D.C. Cir. 2005) (with opinions), *cert. denied*, 456 U.S. 1157 (2006) (Plaintiffs).

*Sendra Corp. v. Magaw*, 111 F.3d 162 (D.C. Cir. 1997) (Plaintiff).

*Shew v. Malloy*, 994 F. Supp.2d 234 (D. Conn. 2014), *aff'd in part & rev'd in part*, 804 F.3d 242 (2nd Cir. 2015) (Plaintiffs).

*Sig Sauer, Inc. v. Jones*, 133 F. Supp.3d 364 (D. N.H. 2015), *aff'd*, 826 F.3d 598 (1st Cir. 2016) (Plaintiff).

*Springfield Armory, Inc. v. City of Columbus*, 805 F. Supp. 489 (S.D. Ohio 1992), *rev'd*, 29 F.3d 250 (6th Cir. 1994) (Plaintiffs).

*Springfield, Inc. v. Buckles*, 116 F. Supp. 2d 85 (D. D.C. 2000), *aff'd*, 292 F.3d 813 (D.C. Cir. 2002) (Plaintiff).

*State v. Denver*, 139 P.2d 635 (Colo. 2006), oral argument available at 2005 WL 6190565 or [mms://www.courts.state.co.us/supctoralarguments/051208\\_05sa22.wma](http://mms://www.courts.state.co.us/supctoralarguments/051208_05sa22.wma) (Plaintiff).

*Taylor v. United States*, 848 F.2d 715 (6th Cir. 1988) (Plaintiff).

*Torraco v. Port Authority of N.Y. & N.J.*, 615 F.3d 129 (2<sup>nd</sup> Cir. 2010) (Plaintiffs).

*United States v. Bundy*, 392 F.3d 641 (4<sup>th</sup> Cir. 2004) (Defendant).

*United States v. Evans*, 712 F. Supp. 1435 (D. Mont. 1989), *aff'd*, 928 F.2d 858 (9th Cir. 1991) (defendant in District Court).

*United States v. Fourteen Various Firearms*, 889 F. Supp. 875, *later proceeding*, 899 F. Supp. 249 (E.D. Va. 1995) (Defendant).

*United States v. Hunter*, 843 F. Supp. 235 (E.D. Mich. 1994) (Defendant).

*United States v. Leasure*, 1997 U.S. App. LEXIS 5823 (4<sup>th</sup> Cir. 1997) (Defendant).

*United States v. Rock Island Armory, Inc.*, 773 F. Supp. 117 (C.D. Ill. 1991), *appeal dismissed*, No. 91-2595, 1991 WL 224268 (7th Cir. Aug. 13, 1991) (Defendants).

*Williams v. State*, 10 A.3d 1167 (Md. 2011), *cert. denied*, 132 S.Ct. 93 (2011) (Petitioner)

*Wilson v. Cook County*, 348 Ill. Dec. 160, 943 N.E.2d 768 (1 Dist. 2011), appeal granted & argued in Ill. Sup. Ct., [http://www.state.il.us/court/Media/On\\_Demand.asp](http://www.state.il.us/court/Media/On_Demand.asp) (oral argument), *rev'd*, 2012 IL 112026, 968 N.E.2d 641 (2012) (Appellants).

## **DRAFTED BRIEFS**

*Commonwealth of Virginia v. United States*, No. 3:95v357 (E.D.Va. 1995). Prepared Tenth Amendment portions of Virginia's briefs challenging federal motor voter law.

*Kasler v. Lungren*, 61 Cal.App.4th 1237, 72 Cal.Rptr.2d 260 (1998), *rev'd*, *Kasler v. Lockyer*, 23 Cal.4th 472, 2 P.3d 581 (2000), *cert. denied*, 531 U.S. 1149 (2001) (with Don Kates).

*United States v. Mack*, 164 F.3d 467 (9<sup>th</sup> Cir. 1999) (with Don Kates).

*United States v. Twelve Miscellaneous Firearms*, 816 F. Supp. 1316 (C.D. Ill. 1993).

## AMICUS BRIEFS

*Brooks v. State*, 128 S.W.3d 844 (Mo. 2004) (National Rifle Association)

*Bryan v. United States*, 524 U.S. 184 (1998) (National Association of Criminal Defense Lawyers).

*City of Chicago v. U.S. Dept. of Treasury, BATF*, 287 F.3d 628 (7<sup>th</sup> Cir. 2002), *vacated & remanded*, 537 U.S. 1229 (2003), *on remand*, 384 F.3d 429 (7<sup>th</sup> Cir. 2004), *further proceeding*, 423 F.3d 777 (7<sup>th</sup> Cir. 2005) (NRA).

*District of Columbia v. Heller*, 554 U.S. 570 (2008) (55 Members of U.S. Senate, President of U.S. Senate, 250 Members of U.S. House of Representatives). 2008 WL 383530; <http://stephenhalbrook.com/lawsuits/Heller.brief.senators.pdf>

*Dukakis v. U.S. Department of Defense*, 686 F. Supp. 30, *aff'd*, 859 F.2d 1066 (1st Cir. 1988), *cert. denied*, 490 U.S. 1020 (1989).

*Harris v. United States*, 536 U.S. 545 (2002) (the Cato Institute and National Association of Criminal Defense Lawyers).

*Henderson v. United States*, 2015 WL 2340840 (U.S. 2015) (National Association of Criminal Defense Lawyers).

*Houston v. City of New Orleans*, 675 F.3d 441, *vacated & remanded*, 682 F.3d 361 (5<sup>th</sup> Cir. 2012) (NRA)

*In re Jorge M.*, 23 Cal.4th 866, 4 P.3d 297 (2000) (International Wound Ballistics Association).

*Kalodimos v. Village of Morton Grove*, 103 Ill.2d 483, 470 N.E.2d 266 (1984) (Illinois Small Business Men's Association).

*Kellogg v. City of Gary*, 519 N.E.2d 570 (Ind. App. 1988), *rev'd*, 562 N.E.2d 685 (Ind. 1990).

*Logan v. United States*, 552 U.S. 23 (2007) (NRA)

*Millender v. County of Los Angeles*, 620 F.3d 1016 (9<sup>th</sup> Cir. 2010) (*en banc*), *rev'd*, *Messerschmidt v. Millender*, 132 S.Ct. 1235 (2012) (NRA, CRPA).

*Mosby v. Devine*, 851 A.2d 1031 (R.I. 2004) (NRA).

*Nordyke v. King*, 319 F.3d 1185 (9th Cir. 2003), *reh. denied*, 364 F.3d 1025 (9th Cir. 2004), *later proceeding*, 563 F.3d 439, *reh. en banc granted*, 575 F.3d 890 (9th Cir. 2009) (National Rifle Association), *later proceeding*, 2011 WL 1632063 (9th Cir. 2011), *later proceeding*, 2012 WL 1959239 (9th Cir. 2012) (*en banc*) (California Rifle & Pistol Association).

*Ohioans for Concealed Carry v. City of Clyde*, 120 Ohio St.3d 96, 896 N.E.2d 967 (2008) (National Rifle Association)

*Parker v. State*, 221 Cal. App.4th 340, 164 Cal. Rptr.3d 345 (5th Dist. 2013), *dismissed as moot*, 384 P.3d 1242 (Ca. 2016) (*mem*) (FFLGuard LLC & Gun Owners of California)

*Perpich v. U.S. Department of Defense*, 880 F.2d 11 (8th Cir. 1989), *aff'd*, 496 U.S. 334 (1990) (Firearms Civil Rights Legal Defense Fund).

*People v. Aguilar*, 2013 IL 112116, 2013 WL 5080118 (Ill. 2013) (Illinois State Rifle Association, Congress of Racial Equality, Pink Pistols).

*Peruta v. County of San Diego*, 742 F.3d 1144 (9th Cir. 2014), *rev'd*, 824 F.3d 919 (9th Cir. 2016) (*en banc*) (Congress of Racial Equality).

*Quilici v. Village of Morton Grove*, 695 F.2d 261 (7th Cir. 1982), *cert. denied*, 464 U.S. 863 (1983).

*State v. Fisher*, 290 Wis.2d 121, 714 N.W.2d 495 (2006) (National Rifle Association).

*State v. McAdams*, 714 P.2d 1236 (Wyo. 1986).

*United States v. Drasen*, 845 F.2d 731 (7th Cir. 1988), *cert. denied*, 488 U.S. 909 (1988).

*United States v. Emerson*, 270 F.3d 203 (5th Cir. 2001) (Texas Justice Foundation).

*United States v. Murphree*, 783 F.2d 605 (6th Cir. 1986).

*United States v. Skoien*, 2010 WL 2735747 (7th Cir. 2010) (*en banc*) (National Rifle Association).

*Voting Rights Coalition v. Wilson*, 60 F.3d 1411 (9th Cir. 1995), *cert. denied*, 516 U.S. 1093 (1996). (Prepared portion of Virginia's amicus brief in Ninth Circuit; filed amicus brief for Sheriff Jay Printz in Supreme Court.)

*Wollschlaeger v. Florida*, 848 F.3d 1293 (11th Cir. 2017) (*en banc*) (Unified Sportsmen of Florida).

*Woollard v. Gallagher*, 712 F.3d 865 (4<sup>th</sup> Cir. 2013) (California Rifle & Pistol Ass'n et al.).

## **BOOKS**

*Gun Control in the Third Reich: Disarming the Jews and "Enemies of the State."* Oakland: The Independent Institute, 2013.

### **Translations of *Gun Control in the Third Reich*:**

*Fatales Erbe – Hitlers Waffengesetze: Die legale Entwaffnung von Juden und "Staatsfeinden" im "Dritten Reich"*. Berlin: Berlin Story Verlag, 2016.

*Bas Les Armes! Le Désarmement Des Juifs et Des "Ennemis Intérieurs du Iiie Reich"*. Genève: Éditions Slatkine, 2016.

*The Founders' Second Amendment: Origins of the Right to Bear Arms*. Chicago: Ivan R. Dee, 2008. {Cited as authority in *McDonald v. City of Chicago*, 130 S. Ct. 3020, 3037 (2010) (majority opinion); *Binderup v. Attorney General of U.S.*, 2016 WL 4655736, \*24, 40 n.87 (3<sup>rd</sup> Cir. 2016) (*en banc*) (concurring & dissenting opinions); *United States v. Skoien*, 614 F.3d 638, 640, 648-49 (7<sup>th</sup> Cir. 2010) (*en banc*) (majority and dissenting opinions); *United States v. Tooley*, 717 F. Supp.2d 580, 589, 591 (S.D. W.Va. 2010).}

*The Swiss and the Nazis: How the Alpine Republic Survived in the Shadow of the Third Reich*. Havertown, Pa.: Casemate Publishers; Gloucestershire, UK: Spellmount Ltd., 2006.

### **Translations of *The Swiss and the Nazis*:**

*Schweizer Widerstand gegen Nazi-Deutschland - von Zeitzeugen erlebt und dokumentiert, eine Ergänzung zum Bergier-Bericht*. Lenzburg, CH: Verlag Merker im Effingerhof, 2010.

*La Suisse face aux nazis*. Bière, CH: Editions Cabédita 2011.

*Szwajcaria i naziści. Jak alpejska republika przetrwała w cieniu III Rzeszy*. Poznań, Poland: Wydawnictwo Dolnośląskie, 2015.

*Target Switzerland: Swiss Armed Neutrality in World War II*. Rockville Center, N.Y.: Sarpedon Publishers, 1998 (hardback); Cambridge, MA: Da Capo Press, 2003 (paperback); Kindle Edition.

### **Awards for *Target Switzerland*:**

Stiftung für Abendländische Besinnung (Foundation for Western Thought) prize, Zürich, Nov. 9, 2002, which included publication of booklet *STAB-Preis 2002 für Stephen P. Halbrook und Angelo M. Codevilla*. “Kontrapunkt zur Diffamierung der Schweiz’: Preisverleihung an Stephen Halbrook und Angelo Codevilla,” *Neue Zürcher Zeitung*, 11.11.2002, Nr. 262, S. 27.

Max Geilinger Foundation prize for works contributing to Swiss and Anglo-American culture, Zürich, May 27, 2000, which included publication of booklet *Die Schweiz im Visier*. “Auszeichnung für Stephen P. Halbrook: Überreichung des Preises der Max-Geilinger-Stiftung,” *Neue Zürcher Zeitung*, 31. Mai 2000, S. 47.

### **Translations of *Target Switzerland*:**

*Die Schweiz im Visier: Die bewaffnete Neutralität im Zweiten Weltkrieg*. Verlage Novalis Schaffhausen/Rothenhäusler Stäfa, 1999. 2.Auflage 2000, Novalis Verlag, Schaffhausen.

*La Suisse encerclée: La neutralité armée suisse durant la Deuxième Guerre mondiale*. Editions Slatkine Genève, 2000.

*La Svizzera nel mirino: La neutralità armata della Svizzera nella seconda guerra mondiale*. Coedizione Pedrazzini – Locarno/Alberti – Verbania, 2002.

*Cel: Szwajcaria*. Warszawa: Dom Wydawniczy Bellona, 2003.

*Firearms Law Deskbook, 2016-2017 Edition: Federal and State Criminal Practice*. St. Paul, MN: Thomson/West, 2015. Previous editions with annual supplements by Clark Boardman Callaghan/Thomson/West Group, 1995-2014. Available on West Law as “FALDB.” {Cited as authority in *United States v. Dodson*, 519 Fed. Appx. 344, 346 n.1 (6<sup>th</sup> Cir. 2013); *Garner v. Lambert*, 345 Fed. Appx. 66, 70 n.8 (6<sup>th</sup> Cir. 2009); *United States v. Coward*, 151 F. Supp.2d 544, 554 n.10 (E.D. Pa. 2001); *State v. Joshua A. Schultz*, 10-CM-13, Wis. Cir. Ct. (Oct. 12, 2010), <http://www.wisconsinappeals.net/wp-content/uploads/2010/10/Schultz1.pdf>.}

*Freedmen, the Fourteenth Amendment, and the Right to Bear Arms, 1866-1876*. Westport, Conn.: Praeger Publishers, 1998. Updated Edition published as *Securing Civil Rights* (Independent Institute 2010). {Cited as authority in *McDonald v. City of Chicago*, 130 S.Ct. 3020, 3038, 3042-43 (2010); *District of Columbia v. Heller*, 554 U.S. 570, 613, 615 (2008); *Peruta v. County of San Diego*, 742 F.3d 1144, 1161-62 (9<sup>th</sup> Cir. 2014); *Nordyke v. King*, 563 F.3d 439, 456 (9<sup>th</sup> Cir. 2009); Office of Legal Counsel, U.S. Department of Justice, “Whether the Second Amendment Secures an Individual Right” (2004).}

*That Every Man Be Armed: The Evolution of a Constitutional Right*. Albuquerque:

University of New Mexico Press, 1984, 2013. Reprinted in 1994, 2000 by Independent Institute, Oakland, Ca. {Cited as authority in *Printz v. United States*, 521 U.S. 898, 939 n.2 (1997) (Thomas, J., concurring); *Silveira v. Lockyer*, 328 F.3d 567, 577 n.53 (9<sup>th</sup> Cir. 2003) (Kleinfeld, J., joined by Kozinski, O’Scannlain, & Nelson, dissenting); *United States v. Emerson*, 46 F. Supp.2d 598, 603-09 (N.D. Tex. 1999); *State v. Sieyes*, 168 Wash.2d 276, 284-85, 225 P.3d 995 (2010); *Mosby v. Devine*, 851 A.2d 1031, 1052 (R.I. 2004) (Flanders, J., dissenting); *State v. Hirsch*, 338 Or. 622, 658, 114 P.3d 1104, 1124 (2005); Office of Legal Counsel, U.S. Department of Justice, “Whether the Second Amendment Secures an Individual Right” (2004).}

*A Right to Bear Arms: State and Federal Bills of Rights and Constitutional Guarantees*. Westport, Conn.: Greenwood Press, 1989. {Cited as authority in *Nordyke v. King*, 563 F.3d 439, 453 (9th Cir. 2009); *United States v. Tooley*, 717 F. Supp.2d 580, 589 (S.D. W.Va. 2010); *Mosby v. Devine*, 851 A.2d 1031, 1042 (R.I. 2004); Office of Legal Counsel, U.S. Department of Justice, “Whether the Second Amendment Secures an Individual Right” (2004).}

*Defectless Firearms Litigation* (edited, with Michael K. McCabe). Washington, D.C.: NRA-ILA, 1984.

## LAW REVIEW ARTICLES AND BOOK CHAPTERS

“Arms in the Hands of Jews Are a Danger to Public Safety’: Nazism, Firearm Registration, and the Night of the Broken Glass,” 21 *St. Thomas Law Review* 109-41 (2009). Reprinted in 21 *Journal on Firearms & Public Policy* 22 (Fall 2009).

“Bill of Rights Redivivus: Amendment II,” 17 *The Champion* (Natl. Assn. Criminal Def. Lawyers) 14-20 (Jan./Feb. 1993).

“Citizens in Arms: The Swiss Experience,” *Texas Review of Law & Politics*, vol. 8, Issue 1 (Fall 2003), 142-74.

[http://www.stephenhalbrook.com/law\\_review\\_articles/citizens-in-arms.pdf](http://www.stephenhalbrook.com/law_review_articles/citizens-in-arms.pdf). Oral presentation in *A Question of Balance, International Symposium on Legal, Economic, and Human Rights Implications of Civilian Firearms Ownership and Regulation*, Tower of London, May 1-2, 2003 (DVD available from <http://www.jamesswan.com/AQOBsgs.html>).

“Congress Interprets the Second Amendment: Declarations by a Co-Equal Branch on the Individual Right to Keep and Bear Arms,” 62 *Tennessee Law Review* 597-641 (Spring 1995). [http://www.stephenhalbrook.com/law\\_review\\_articles/congress.pdf](http://www.stephenhalbrook.com/law_review_articles/congress.pdf)

“The Constitutional Right to Hunt: New Recognition of an Old Liberty in Virginia,” 19 *William & Mary Bill of Rights Journal*, Issue 1, 197-233 (2010), [http://works.bepress.com/stephen\\_halbrook/3](http://works.bepress.com/stephen_halbrook/3)

“The Court Did Not Err,” in *Issues on Trial: Gun Control* (Greenhaven Press 2007), 203.

“‘A Crime to Possess a Firearm’: Does the Second Amendment Apply in New York?” 14 *Government, Law & Policy Journal* 51-56 (Summer 2012).

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## **PUBLICATIONS FEATURING**

David Cole, *Engines of Liberty: The Power of Citizens Activists to Make Constitutional Law* (N.Y.: Basic Books, 2016), 117-37.

John Gibeaut, “Bringing Lawyers, Guns and Money,” *ABA Journal*, Oct. 2008,  
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## LECTURES AND TALKS

American Bar Association, National Association of Criminal Defense Lawyers, Fairfax Bar Association, U.S. Congress Constitutional Forum, Heritage Foundation, Federalist Society, American Constitution Society, Cato Institute, American Enterprise Institute, American Civil Liberties Union, American Society for Legal History, Students for Liberty

Law Schools: Georgetown University, University of Virginia, American University, University of Richmond, St. Johns University, Touro University, Valparasio University, University of Arizona, George Mason University, University of Maine, Stetson University, St. Thomas University, University of Iowa, Chapman University, George Washington University, University of Arkansas, University of Denver, Wake Forest University, William Mitchell College, Hamline University, University of St. Thomas, City University of New York, Texas Wesleyan University, Southern Methodist University, University of Texas, Baylor University, Regent University, Syracuse University, Florida Coastal University, Florida State University, University of North Carolina, Campbell University, University of Missouri, Washington University, Saint Louis University, Temple University, Chicago-Kent, University of Kentucky, University of Louisville, Northern Kentucky University, University of Georgia, Santa Clara University, University of South Carolina, Gonzaga University, University of Idaho, Lewis and Clark

University, Willamette University, University of Oregon, University of Hawaii, Rutgers University - Newark, University of Tennessee, University of Illinois

Universities: Yale University, Norwich University, University of Connecticut

ABC News NOW, CNN, Phil Donahue Show, Court TV, Voice of America, numerous TV/radio shows

C-SPAN, interviews & Congressional testimony, 1988-2014, <http://www.c-spanvideo.org/stephenhalbrook>

“Justice” with Judge Jeanine Pirro, Fox News - <http://www.stephenhalbrook.com/videos/jeanine.mp4>

[http://www.foxnews.com/on-air/justice-jeanine/index.html#/v/2186710402001/second-american-revolution-on-the-horizon/?playlist\\_id=163706](http://www.foxnews.com/on-air/justice-jeanine/index.html#/v/2186710402001/second-american-revolution-on-the-horizon/?playlist_id=163706)

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NewsMax TV <http://www.newsmax.com/Newsmax-Tv/nazi-gun-control-power/2014/10/16/id/601250/>

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## **AFFILIATIONS AND COMMITTEE SERVICE**

Committee on Hearings, National Rifle Association

Ethics Forum, Fairfax Hospital Association

Research Fellow, Independent Institute, Oakland, CA

Public Information Committee, Virginia State Bar

Board of Scholars, Virginia Institute for Public Policy

## **CONTINUING LEGAL EDUCATION & COMPLIANCE SEMINARS TAUGHT**

“Avoiding License Revocation,” Firearms Industry Compliance Conference, Orchid Advisors, Miami, Oct. 8, 2014

“Constitutional Components of Firearms Laws” and “Ethical Considerations When Representing Gun Owners or Dealers,” Gun Law in Virginia, National Business Institute, Aug. 30, 2016

“Constitutional Law – The Right to Bear Arms,” Texas Bar CLE, Ft. Worth, Sept. 27, 2013

“Constitutional Law: To the Supreme Court and Beyond,” National Firearms Law Seminar, Orlando, April 25, 2003

“The Constitutional Right to Hunt,” National Firearms Law Seminar, Pittsburgh, April 29, 2011

“The Constitutional Right to Hunt,” National Firearms Law Seminar, St. Louis, April 13, 2007

“Ethical Issues: Counseling Clients in Possession of Unregistered Firearms,” Virginia CLE, Richmond, Nov. 10, 2011

“Ethical Issues: Counseling Clients in Possession of Unregistered Firearms” and “The Right to Bear Arms under the Virginia and United States Constitutions,” Virginia CLE, Fairfax, Nov. 6, 2013

“Ethical Issues in Firearms Law” and “Second Amendment Litigation,” University of San Diego School of Law, October 15, 2011

“Ethical Issues in Firearms Planning and Transfer – Disposal of Contraband,” “Gun Trust Planning – Avoiding Landmines Under the Gun Control Act,” “State Gun Law Concerns,” Gun Trusts and Gun Law, Virginia CLE, Oct. 17, 2016

“Extent of the Individual Right to Gun Ownership,” GMU Civil Rights Law Journal Symposium, Arlington, VA, Oct. 17, 2007

“Federal Constitutional Law Update,” National Firearms Law Seminar, Houston, April 15, 2005

“Federal Firearms Law Issues” and “Counseling Clients in Illegal Possession of Firearms,” Firearms Law in Tennessee, Lorman Educational Services, Nashville, May 12, 2005

“Federal Litigation Panel” and “Second Amendment Scholarship,” University of Denver Law School, Oct. 12, 2013

“Firearms Confiscations During Emergencies,” National Firearms Law Seminar,

Louisville, May 16, 2008

“Firearms Law and the Second Amendment Symposium,” George Mason University Law School, Arlington, VA, Sept. 24, 2005

“From Heller to Chicagoland: Incorporation of the Second Amendment into the Fourteenth Amendment?” National Firearms Law Seminar, Charlotte, May 14, 2010

“Going Armed With Dangerous and Unusual Weapons to the Terror of the People,” Firearms and the Common Law Tradition, The Aspen Institute, Washington, D.C., September 15, 2016

“Habeas Corpus and the Rights of Firearms Owners,” National Association of Criminal Defense Lawyers, Washington, D.C., May 21, 1996

“*Heller* in Chicagoland,” George Mason University Law School, Arlington, VA, Nov. 19, 2008

“*Heller* in Chicagoland,” National Firearms Law Seminar, Phoenix, May 15, 2009

“How Do I Best Manage a Report of Violations, Warning Conference, or Revocation Process?” Firearms Industry Compliance Conference, Orchid Advisors, Orlando, May 12, 2015

“Interpreting the Second Amendment,” Texas Bar CLE, Dallas, May 23, 2007

“Jury Nullification,” American Bar Association, Washington, D.C., March 31, 1997

“Litigating Firearms Law Cases in the Supreme Court,” National Firearms Law Seminar, Charlotte, May 19, 2000

“Litigating the Right to Keep and Bear Arms,” Federal Bar Association, Pittsburgh, Dec. 7, 2006

“Recent Developments in Second Amendment Jurisprudence,” First Annual Delaware Firearms Law Seminar, Wilmington, Oct. 30, 2014

“A Right to Bear Arms (But Only at Home?),” National Firearms Law Seminar, St. Louis, April 13, 2012

“The Right to Bear Arms,” Kentucky Bar Association Annual Convention, Covington, June 16, 2006

“The Right to Bear Arms in the Post *Heller/McDonald* World,” Texas Bar CLE, San

Antonio, Sept. 28, 2012

“The Right to Bear Arms under the Virginia and U.S. Constitutions,” Virginia CLE, Richmond, Nov. 10, 2011

“The Second Amendment and the Right to Bear Arms,” American Bar Association Annual Meeting, Atlanta, August 11, 1991

“The Second Amendment in the Supreme Court and the Circuits: Current Issues,” Biennial Conference for Federal Appellate Staff Attorneys, Federal Judicial Center, Austin, May 12, 2016

“Second Amendment Litigation: Current Issues,” 8<sup>th</sup> Annual South Carolina Gun Law Seminar, Charleston, Feb. 17, 2017

“Second Amendment Litigation: Ongoing Challenges,” 20th Annual National Firearms Law Seminar, Atlanta, April 28, 2017

“Second Amendment Litigation Update,” Delaware Firearms Law Seminar, Wilmington, Sept. 30, 2015

“Second Amendment Litigation Update,” Delaware Firearms Law Seminar, Wilmington, Oct. 6, 2016

“Second Amendment Litigation Update,” National Firearms Law Seminar, Louisville, May 20, 2016

“Second Amendment Update” and “Zealous Representation *Without* the Bounds of the Law,” National Firearms Law Seminar, June 11, 1999

“Setting the State for Kristallnacht: Disarming the German Jews, October 1938,” Oct. 13, 2016, The Al Katz Center for Holocaust Survivors & Jewish Learning, Bradenton, Florida.

“State and Federal Constitutional Issues Related to Firearms Law,” Firearms Law in Virginia, Virginia CLE, Richmond, June 23, 2005

“Suing the Firearms Industry,” Consumer Law Symposium, Chapman University Law School, Jan. 30, 2004

“Suppressors: Past, Present, and Future,” Firearms Industry Compliance Conference, Arlington, Va., May 9, 2017

“The Supreme Court and Second Amendment Litigation,” National Firearms Law

Seminar, Milwaukee, May 19, 2006

“The Supreme Court and the Second Amendment” and “Suppression of Exculpatory Evidence: The Waco Prosecution,” First Annual Firearms Law Seminar, Philadelphia, June 5, 1998

“Supreme Court Update” and “Ethical Issues: Candor Toward the Tribunal,” National Firearms Law Seminar, Reno, April 26, 2002

“Void Where *Verboten*: Constitutional Challenges to Firearm Prohibitions,” National Firearms Law Seminar, Nashville, April 10, 2015

“What is a Non-Frivolous, Good Faith Argument for the Reversal of Existing Law?” and “The Supreme Court’s *Apprendi-Castillo* Decisions and the Right to Jury Trial,” National Firearms Law Seminar, Kansas City, May 18, 2001

“The Word That Means Anything You Want it to Mean: ‘Assault Weapons,’ the Second Amendment, and Linguistic Manipulation,” National Firearms Law Seminar, Indianapolis, April 25, 2014