

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF LANCASTER

**JOHN CRUMP,
GUN OWNERS OF AMERICA, INC.,
GUN OWNERS FOUNDATION,
VIRGINIA CITIZENS DEFENSE LEAGUE, and
VIRGINIA CITIZENS DEFENSE FOUNDATION,**

Plaintiffs,

v.

Case No. CL26000201-00

**COLONEL JEFFREY S. KATZ,
In His Official Capacity as
Superintendent of the Virginia State Police,**

Defendant.

ORDER GRANTING PRELIMINARY INJUNCTION

CAME THIS DAY the Plaintiffs, by counsel, upon their Motion for Temporary Restraining Order and Preliminary Injunction (the “Motion”). Upon review of the pleadings and the arguments of counsel, and for the reasons set forth in the record at the June 25, 2026 hearing (the findings of which are incorporated herein by reference), it is hereby **ORDERED** that:

1. The Motion is GRANTED upon the specific terms set forth herein.
2. The Defendant in his Official Capacity as Superintendent of the Virginia State Police, and his successors, officers, agents, servants, and employees, are enjoined and prohibited from enforcing the following statutes:

- Va. Code § 18.2-287.4:1;
- Va. Code § 18.2-308.09(1) to the extent the offense stems from § 18.2-308.1:9;
- Va. Code § 18.2-308.2:1, to the extent the disqualification stems from §

18.2-308.1:9;

- Va. Code § 18.2-308.2:2(A) to the extent the disqualification stems from § 18.2-308.1:9;
- Va. Code § 18.2-308.2:3 to the extent the disqualification stems from § 18.2-308.1:9;
- Va. Code § 18.2-308.2:2(F) to the extent its definition of “Assault firearm,” as amended by SB749, Acts ch. 1107, is incorporated into the operative provisions enjoined by this Order;
- Va. Code § 18.2-308.2:5(E); 18.2-287.4, as amended by HB1524, Acts ch. 1101, to the extent it prohibits public carry of “assault firearms” by incorporating the amended definition;
- Va. Code § 18.2-309.1; and 19.2-386.28 to the extent the forfeiture stems from an alleged violation of the operative provisions enjoined this Order.

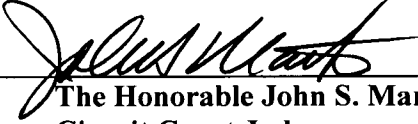
3. The prior versions of §§ 18.2-308.2.2(F), with respect to its definition of “Assault firearm,” and 18.2-287.4, will remain in effect during the pendency of this preliminary injunction.

4. This Preliminary Injunction shall be effective from the entry date of this Order until December 31, 2026, or until such sooner time as this Court, or another court of competent jurisdiction, may dissolve, stay, modify, or extend the same by further order.

5. No injunction bond shall be required pursuant to Va. Code § 8.01-631.

6. Defendant’s oral motion during the hearing to stay the preliminary injunction pending appeal is DENIED.

ENTERED this 30 day of June, 2026.


The Honorable John S. Martin
Circuit Court Judge

ENDORSEMENT WAIVED PURSUANT TO RULE 1:13
OF PLAINTIFFS' COUNSEL

SEEN AND OBJECTED TO FOR THE FOLLOWING REASONS:

- Because Plaintiffs' Motion for Preliminary Injunction should not have been granted under Rule 3:26 in light of the fact that Plaintiffs are not more likely than not to succeed on the merits under Rule 3:26(d)(i); that the balance of hardships favors Defendant under Rule 3:26(d)(ii); and that the public interest does not support the issuance of the requested preliminary injunction under Rule 3:26(d)(iii);
- Because Plaintiffs have not shown irreparable harm under Rule 3:26(c) if the preliminary injunction was not granted, whereas Defendant did show irreparable harm upon granting the preliminary injunction;
- Because Plaintiff Crump lacks standing in that he has failed to show that Defendant would cause the asserted harm or that an injunction against Defendant would address his alleged harms;
- Because Plaintiffs' facial challenges fail because some applications of the challenged statutes plainly fail outside Art. I, Sec. 13's protections;
- Because Art. I, Sec. 13 does not secure an individual right to bear and keep arms, but a collective, militia-tethered right which is not implicated by the challenged statutes;
- Because federal Second Amendment doctrine and case law does not control the meaning of Art. I, Sec. 13;
- Because Plaintiffs did not meet their burden to show that the challenged statutes fall under the "plain text" of Art. I, Sec. 13;
- Because the magazines included in the challenged statutes are accessories, not protected arms under Art. I, Sec. 13;
- Because the firearms and magazines included in the challenged statutes are not in "common use" today for lawful self-defense and thus, do not implicate Art. I, Sec. 13;
- Because the firearms and magazines included in the challenged statutes are "dangerous and unusual" and thus, do not implicate Art. I, Sec. 13;
- Because the text and history of Art. I, Sec. 13 show no design to place beyond regulation the firearms and magazines included in the challenged statutes;
- Because even if Art. I, Sec. 13 reached the firearms and magazines included in the challenged statutes, Defendant met its burden to show that Virginia's and the Nation's tradition and long history of regulating dangerous weapons sustains the challenged statutes;
- Because the challenged statutes address unprecedented societal concerns and dramatic technological changes that have arisen only recently, and thus, the challenged statutes' regulations are appropriate and do not run afoul of Art. I, Sec. 13;
- Because the challenged statutes are relevantly similar to historical regulations in Virginia and the Nation that regulate dangerous weapons, and thus, the challenged statutes' regulations are appropriate and do not run afoul of Art. I, Sec. 13;
- Because the Commonwealth's public-safety interest is substantial, the challenged statutes are narrowly drawn and are reasonably adapted to that interest, and the burden on any asserted right is modest and does not outweigh the Commonwealth's interest;
- Because the Court's rulings as to whether the firearm features implicated by the challenged statutes result in the firearms become more lethal are not supported by any evidence, are inconsistent with the evidence presented by Defendant, and are irrelevant to whether the challenged statutes run afoul of Art. I, Sec. 13;

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- Because the Court's ruling that there is no rational basis for the characteristics listed in the challenged statutes which would transform a legal firearm into an illegal firearm is not supported by any evidence, is inconsistent with the evidence presented by Defendant, and is irrelevant to whether the challenged statutes run afoul of Art. I, Sec. 13;
- Because the motion to stay the preliminary injunction pending appeal should have been granted.
- Further objected to on all other bases contained in Defendant's pleadings, the evidence presented, and argument of counsel on brief and orally on the record.

/s/ Calvin C. Brown
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