

FEDERAL PUBLIC DEFENDER

NORTHERN AND SOUTHERN DISTRICTS OF MISSISSIPPI

OMODARE B. JUPITER
Federal Public Defender

First Assistant
ABBY BRUMLEY EDWARDS
Senior Litigator
MICHAEL L. SCOTT
Assistant Federal Public Defender
PRINCESS ABBY
Research & Writing Specialists
TOM C. TURNER
CARMEN G. CASTILLA
KIMBERLY G. GORE

200 SOUTH LAMAR STREET ~ SUITE 200-N
JACKSON, MISSISSIPPI 39201
(601) 948-4284 FACSIMILE (601) 948-5510

1200 JEFFERSON AVENUE ~ SUITE 100
OXFORD, MISSISSIPPI 38655
(662) 236-2889 FACSIMILE (662) 234-0428

2510 14th STREET ~ SUITE 902
GULFPORT, MISSISSIPPI 39501
(228) 865-1202 FACSIMILE (228) 867-1907

Oxford
Assistant Federal Public Defenders
GREGORY S. PARK
M. SCOTT DAVIS
MERRILL K. NORDSTROM
Research & Writing Specialist
KIGER L. SIGH

Gulfport
Assistant Federal Public Defenders
JOHN W. WEBER
ELLEN M. ALLRED
LEILANI L. TYNES

May 23, 2023

Lyle W. Cayce, Clerk of the Court
600 S. Maestri Place
New Orleans, LA 70130

Re: United States v. Daniels, 22-60596

Dear Mr. Cayce:

This letter is electronically filed with the Court under the provisions of Rule 28(j) of the Federal Rules of Appellate Procedure. Rule 28(j) allows a party to supplement its appellate brief with case law that is rendered subsequent to the filing date of the brief.

Mr. Daniels filed his initial brief on February 3, 2023 and his reply brief on March 27, 2023. In those briefs, Mr. Daniels cited to *United States v. Connelly*, No. EP-22-CR-229(2)-KC, 2022 WL 2806324 (W.D. Tex. Dec. 21, 2022). On April 6, 2023, after the subject briefs were filed, the district court issued a new decision in the *Connelly* case based on a motion to reconsider -- *United States v. Connelly*, No. EP-22-CR-229(2)-KC, 2023 WL 2806324 (W.D. Tex. April 6, 2023). This new decision supports the analysis and arguments made by Mr. Daniels that 18 U.S.C. § 922(g)(3) is unconstitutional as violative of the Second Amendment. The *Connelly* decision indicates that it is slated for publication, but it does not yet appear in the Federal Supplement; however, it does appear in the Westlaw electronic database at 2023 WL 2806324.

Should you require additional information, please feel free to contact me.

Respectfully submitted,

/s/ Kimberly Golden Gore

Kimberly Golden Gore (MS Bar # 100363)
Research and Writing Specialist