

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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**STEPHEN DEARTH and SECOND  
AMENDMENT FOUNDATION, INC.,**

**Plaintiffs,**

**vs.**

**ERIC H. HOLDER, Jr., Attorney General  
of the United States,**

**Defendant.**

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**Case No. 09-cv-0587-RLW**

**NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendant hereby respectfully brings to the Court's attention a recent appellate decision, Hightower v. City of Boston, \_\_ F.3d \_\_, 2012 WL 3734352 (1st Cir. Aug. 30, 2012), in which the First Circuit rejected the contention that a facial challenge to a state firearms statute under the Second Amendment could be premised on the overbreadth doctrine. A copy of the decision is attached as an exhibit to this Notice.

Dated: August 31, 2012

Respectfully Submitted,

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