

No. 11 - 16255 [DC# 2:09-CV-01235-MCE-DAD]

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IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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ADAM RICHARDS, BRETT STEWART, THE SECOND  
AMENDMENT FOUNDATION, INC, and THE  
CALGUNS FOUNDATION INC.,  
*Plaintiffs - Appellants,*

vs.

ED PRIETO (Sheriff of Yolo County) and YOLO COUNTY,  
*Defendants - Appellees.*

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APPEAL FROM THE  
UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

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**APPELLANTS' NOTICE OF DECISION IN *Nordyke v. King*,  
and REQUEST FOR RELIEF FROM STAY,  
and REQUEST FOR SETTING WITH  
*Peruta v. County of San Diego***

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## NOTICE

On June 20, 2011, this Court filed an order that this case:

*Richards v. Preto (County of Yolo)*, Case No.: 11-16255 and the case of *Peruta v. County of San Diego*, Case No.: 10-56971 “*shall be calendered before the same panel for oral argument if practicable.*” (Docket Nos.: 9 and 46 respectively.)

On December 20, 2011, this Court issued an order staying the proceedings in both cases pending this Court's en banc decision in *Nordyke v. King*, Case No.: 07-15763. (Docket Nos.: 40 and 77 respectively.)

On June 1, 2012, an en banc panel of this Circuit issued its opinion in *Nordyke v. King*, Case No.: 07-15763.

## REQUEST FOR RELIEF FROM STAY and SPECIAL SETTING

Appellants request that the stay in this matter be lifted.

Appellants also request that the case proceed to panel assignment, oral argument and decision along side *Peruta v. San Diego*, Case No.: 10-59671, as set forth in this Court's June 20, 2011 Order.

Respectfully Submitted on June 4, 2012,

/s/  
Donald Kilmer for Appellants

**CERTIFICATE OF SERVICE**

On June 4, 2012, I served the foregoing **APPELLANTS' NOTICE OF DECISION IN *Nordyke v. King*, and REQUEST FOR RELIEF FROM STAY, and REQUEST FOR SETTING WITH *Peruta v. County of San Diego*** by electronically filing it with the Court's ECF/CM system, which generated a Notice of Filing and effects service upon counsel for all parties in this case.

I declare under penalty of perjury that the foregoing is true and correct and that his declaration was made on June 4, 2012 in San Jose, CA.

/s/ Donald Kilmer  
Attorney of Record for Appellants