

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

FIREARMS OWNERS AGAINST CRIME - : No. 32 MAP 2023
INSTITUTE FOR LEGAL, LEGISLATIVE :
AND EDUCATIONAL ACTION, : Appeal from the Order of the
LANDMARK FIREARMS LLC, AND JAMES : Commonwealth Court at No. 218
STOKER, : MD 2022 dated March 6, 2023

Appellants

v.

COLONEL CHRISTOPHER PARIS,
COMMISSIONER PENNSYLVANIA STATE
POLICE,

Appellee

ORDER

PER CURIAM

AND NOW, this 21st day of February, 2024, oral argument is **GRANTED**. The issues, as stated by Appellants, are:

1. Whether the Commonwealth Court, in relation to its March 6, 2023 Opinion and Order, abused its discretion, committed [an] error of law, or violated the constitutional rights of Appellants, when in partially granting the Commissioner’s preliminary objections:
 - a. It held that injunctive relief is barred by sovereign immunity, which is directly contrary to this Court’s prior holding in [*Allegheny County v. Commonwealth*, 490 A.2d 402, 414 (Pa. 1985)] and which the court failed to address;
 - b. It held that the [Pennsylvania State Police’s] duty of timeliness under the Uniform Firearms Act is not sufficiently defined as to be eligible for mandamus relief, and is discretionary, not mandatory, even though the court declared that “[i]t is thus clear that the General Assembly intended

that background checks and their results be communicated to requesters as efficiently and promptly as reasonably possible”; and,

- c. It held that declaratory relief is unavailable in the absence of specific statutory staffing and funding mandates[?]
2. Whether the Commonwealth Court, in relation to its April 4, 2023 Memorandum and Order, abused its discretion, committed [an] error of law, or violated the constitutional rights of Appellants, when it granted the Commissioner’s request and vacated/dissolved the preliminary injunction[?]
3. Whether the Commonwealth Court, in relation to its April 4, 2023 Memorandum and Order, abused its discretion, committed [an] error of law, or violated the constitutional rights of Appellants, when it denied Appellants the ability to file an Amended Petition for Review[?]

A True Copy Elizabeth E. Zisk
As Of 02/21/2024


Attest:
Chief Clerk
Supreme Court of Pennsylvania