

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 17th day of January, 2020.

Before: Chief Justice Lemons, Justice Goodwyn, Justice Mims,
Justice Powell, Justice Kelsey, and Justice McCullough

Gun Owners of America, Inc., et al., Petitioners,

against Record No. 200089
Circuit Court No. CL20-279

Hon. Ralph S. Northam, in his official capacity Respondents.
as Governor of the Commonwealth of Virginia, et al.,

Upon a Petition for Review

Upon consideration of the Emergency Petition for Review filed pursuant to Rule 5:17A, the respondents' opposition thereto and accompanying motion to exceed the page/word count limit for said response, and the petitioners' reply brief and motion for leave to file said reply, the aforementioned motions are granted and the said petition is refused.

Petitioners seek review of a final order from the Circuit Court for the City of Richmond denying what they refer to alternatively as an Application for "Temporary Injunction" or "Preliminary Injunction" to prevent the enforcement of a portion of an executive order issued by Governor Ralph S. Northam. Specifically, petitioners challenged Governor Northam's temporary bar of the carrying or possession of firearms upon the grounds of the Virginia State Capitol from 5:00 p.m. on January 17, 2020 until 5:00 p.m. on January 21, 2020. Petitioners argued (i) Governor Northam lacked authority to institute the firearm restriction, (ii) the restriction violated several of their constitutional rights, including to bear arms and free speech, and (iii) they were entitled to injunctive relief. The circuit court held a hearing on the petitioners' complaint on the same day it was filed but the present record does not include

transcripts of that hearing or a written statement of facts. Petitioners now ask this Court to conclude that the circuit court abused its discretion in denying their application.

Under Virginia law, “the granting of an injunction is an extraordinary remedy and rests on sound judicial discretion to be exercised upon consideration of the nature and circumstances of a particular case.” *Levisa Coal Co. v. Consolidation Coal Co.*, 276 Va. 44, 60 (2008). Under the circumstances, we are unable to discern whether the circuit court abused its discretion. The circuit court decided this case in less than one day, and, accordingly, the record before the Court is scant, there is no transcript or written statement of facts detailing the events of the hearing, and we are unaware of any evidence that was taken. The only information we have on which to resolve the weighty issues raised by the parties are pleadings accompanied by cursory attachments. Accordingly, the petition is refused.

A Copy,

Teste:



Clerk