

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ELLA M. SAMUEL,)	
)	
Plaintiff,)	
)	
vs.)	No. 15-780-NJR-SCW
)	
JESSICA TRAME,)	
)	
Defendant.)	

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

NOW COMES Defendant, JESSICA TRAME, in her Official Capacity as Bureau Chief of the Illinois State Police Firearms Services Bureau, by and through her attorney, Lisa Madigan, Attorney General of Illinois, and pursuant to Fed R. Civ. P. 56, moves for summary judgment, stating as follows:

INTRODUCTION

Plaintiff seeks a permanent injunction barring enforcement of the residency requirement of the Firearm Concealed Carry Act (430 ILCS 66/1 *et seq.*), thereby permitting her to apply for an Illinois concealed carry license. The Carry Act permits nonresidents to apply, pursuant to the rules of the Illinois State Police (“ISP”), for a concealed carry license if the nonresident is a resident of a state or U.S. territory with laws related to firearm ownership, possession, and carrying that are substantially similar to Illinois’ requirements. Currently, Hawaii, New Mexico, South Carolina, and Virginia are “substantially similar,” based on information provided by the jurisdictions in response to ISP’s request for information and review of their laws. Plaintiff maintains that Illinois’ regulations constitute an unconstitutional ban on the carrying or possession of firearms as applied to nonresidents from states that are not deemed substantially similar. The challenged statutes are reasonably related to Illinois’ important and substantial

interest in protecting the public by ensuring initial and continued eligibility for concealed carry licenses and Illinois' related interest in obtaining information necessary to make those determinations. The challenged regulations are, therefore, constitutional. Accordingly, Defendant requests judgment in her favor.

UNDISPUTED MATERIAL FACTS

See Defendant's Response to Plaintiff's Motion for Summary Judgment, Additional Material Facts.

ARGUMENT

A memorandum of law in support of this motion is submitted herewith and incorporated herein.

WHEREFORE, Defendant requests this honorable Court enter judgment in her favor and against Plaintiff.

Respectfully submitted,

JESSICA TRAME, in her Official Capacity as
Bureau Chief of the Illinois State Police
Firearms Services Bureau,

Defendant,

LISA MADIGAN, Attorney General, State of
Illinois,

Attorney for Defendant.

By: s/ Bilal A. Aziz
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CERTIFICATE OF SERVICE

Bilal A. Aziz, Assistant Attorney General, herein certifies that he has served a copy of the foregoing *Defendant's Motion for Summary Judgment* upon:

Thomas G. Maag
Maag Law Firm, LLC
22 West Lorena Ave.
Wood River, IL 62095

by mailing a true copy thereof to the address referred to above in an envelope duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois on November 30, 2015.

/s/ Bilal A. Aziz _____
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