

Support Services Bureau  
Licensing Division  
1111 Reisterstown Road  
Pikesville MD 21208  
410-653-4500

August 7, 2012

RE: Handgun Permit Application - Return

Dear Applicant:

As you may know on March 2, 2012, Judge Benson Everett Legg of the United States District Court for the District of Maryland ruled that Maryland's requirement of a 'good and substantial reason' in Md. Public Safety Code Ann §5-306 for issuance of a handgun permit is "insufficiently tailored to the State's interest in public safety and crime prevention." However, on March 30, 2012, Judge Legg issued two further orders: first, he made it clear that the effect of his March 2 Memorandum and Order is intended to enjoin the State Police from enforcing the "good and substantial reason" provision in §5-306. Second, he stayed the effect of his injunction. On July 23, 2012, Judge Legg lifted this Stay. The State of Maryland subsequently filed an appeal and requested a Stay from the Fourth Circuit.

On August 1, 2012, the 4<sup>th</sup> Circuit granted an additional Stay. This means that the State Police are obligated to continue to apply the law to all permit applications as enacted by the Maryland General Assembly including the "good and substantial reason" requirement. As of this date, we do not know how long the stay will be in effect. The Fourth Circuit is scheduled to hear the case in late October of 2012. We do not have any information on when a decision will be made by the appellate court.

You have recently submitted a permit application in which you have not provided any representation or evidence that you have a good and substantial reason to wear, carry or transport a handgun. Therefore, rather than processing your application and denying it on the absence of a good and substantial reason, we are returning your application and fee to you. At this point there are two available options for your choosing: 1) you can resubmit your application and provide a good and substantial reason for your permit request and the State Police will process it considering the information in the application, or 2) you can decide that you will not apply for a permit at this time, but instead will wait for a ruling from the appellate court.

Should you have questions that have not been addressed above or need additional information, please contact the Maryland State Police Handgun Permit Unit at [msp.licensing@maryland.gov](mailto:msp.licensing@maryland.gov). The commander of the Handgun Permit Unit may also be reached by mail at 1111 Reisterstown Road, Pikesville, Maryland 21208, or by telephone at 410-653-4500.

Sincerely,

*Captain Jack McCauley*

Captain Jack McCauley, Commander  
Licensing Division  
Department of Maryland State Police