

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

FEDERAL LAW ENFORCEMENT
OFFICERS ASSOCIATION, *et al.*,

Plaintiffs,

v.

GURBIR GREWAL, in his official
capacity as Attorney General of the State
of New Jersey, *et al.*,

Defendants.

Civil Action No. 20-05762 (ZNQ) (TJB)

ORDER

QURAIISHI, District Judge

THIS MATTER comes before the Court upon the Motion for Summary Judgment filed by Plaintiffs Federal Law Enforcement Officers Association (“FLEOA”), New Jersey Fraternal Order of Police (“NJFOP”), Richard Bowen, Joseph Jakubiec, and Christopher Martinez (collectively, “Plaintiffs”). (ECF No. 34.) Defendants Gurbir Grewal and Andrew Bruck, in their official capacities as Attorney General of the State of New Jersey, and Patrick Callahan, acting in his official capacity as the Superintendent of the New Jersey State Police (collectively, the “State”), opposed Plaintiffs’ Motion for Summary Judgment and filed a Cross-Motion for Summary Judgment. (ECF Nos. 41, 54.) Plaintiffs opposed the State’s Cross-Motion for Summary Judgment and filed a Sur-Reply. (ECF Nos. 44, 57.) The Court decided the Motions based on the submissions and without oral argument pursuant to Federal Rule of Civil Procedure 78(b) and Local Civil Rule 78.1(b). For the reasons set forth in the accompanying Opinion and for good cause shown,

IT IS on this **21st** day of **June**,

ORDERED that Plaintiffs' Motion for Summary Judgment (ECF No. 34) is hereby **GRANTED**; and it is further

ORDERED that Defendants' Cross-Motion for Summary Judgment (ECF Nos. 41) is hereby **DENIED**; and it is further

ORDERED that N.J.S.A.2C:39-5, N.J.S.A. 2C:39-6(l), and N.J.S.A. 2C:39-3(f) are preempted by LEOSA, as-applied, to any retired law enforcement officer who is qualified under 18 U.S.C. § 926C(e) ("QRLEO") and has identification required by 18 U.S.C. § 926C(d), regardless of their residence; and it is further

ORDERED that any QRLEO who has identification required by 18 U.S.C. § 926C(d) may carry a concealed firearm in the State of New Jersey, including hollow point ammunition, without obtaining a Retired Police Officer permit under New Jersey law regardless of their residence or the agency from which they retired; and it is further

ORDERED that the State of New Jersey is enjoined from arresting and/or prosecuting any QRLEO who has identification required by 18 U.S.C. § 926C(d) regardless of their residence or the agency from which they retired; and it is further

ORDERED that the Clerk is instructed to mark this matter **CLOSED**.

s/ Zahid N. Quraishi
ZAHID N. QURAISHI
UNITED STATES DISTRICT JUDGE