

Nos. 25-238, 25-566

In the Supreme Court of the United States

CUTBERTO VIRAMONTES, ET AL.,
Petitioners,

v.

COOK COUNTY, ILLINOIS, ET AL.,
Respondents.

EDDIE GRANT, JR., ET AL.,
Petitioners,

v.

RONNELL HIGGINS, IN HIS OFFICIAL CAPACITY AS
COMMISSIONER OF THE CONNECTICUT DEPARTMENT OF
EMERGENCY SERVICES AND PUBLIC PROTECTION, ET
AL.,
Respondents.

**On Writs of Certiorari
to the United States Courts of Appeals
for the Seventh and Second Circuits**

**BRIEF OF *AMICUS CURIAE* ANNUNCIATION
LIGHT ALLIANCE IN SUPPORT OF
RESPONDENTS**

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INTEREST OF AMICUS CURIAE¹

The Annunciation Light Alliance (“Alliance”) is a non-partisan, parent-led advocacy group that formed following the mass shooting at Annunciation Catholic Church in Minneapolis, Minnesota on August 27, 2025. Hundreds of Annunciation School students, teachers, staff, parents, and parishioners were attending the first all-school mass of the new academic year when a shooter, who after extensive research selected an AR-15 semi-automatic rifle in order to inflict maximal harm, fired 116 rounds through the stained-glass windows of the church in under three minutes. Two students, ten-year-old Harper Moyski and eight-year-old Fletcher Merkel, were killed, and dozens of others were injured.

The Alliance seeks to foster a sense of shared responsibility and thoughtful action alongside policy-makers, educators, faith leaders, and community partners to help ensure all Minnesota children can learn, play, and worship in safe environments free from gun violence. The Alliance values and promotes the principles of Catholic social teaching—themes that guide Catholics to create a just world. These themes of solidarity, family, responsibility, stewardship, and the sanctity of human life reside at the core of Catholic education and practice. They illustrate

¹ Pursuant to Supreme Court Rule 37.6, counsel for amicus curiae state that no counsel for any party authored this brief in whole or in part and no entity or person, other than amicus or its counsel, made any monetary contribution intended to fund the preparation or submission of this brief.

that the proliferation of assault weapons is antithetical to the livelihood of the Annunciation community.

INTRODUCTION AND SUMMARY OF ARGUMENT

On August 27, 2025, hundreds of members of the Annunciation Catholic Church and School community—including every first- through eighth- grade student—gathered for a morning of worship in the first all-school mass of the new academic year.² Shortly after the service began, an individual approached the side of the church armed with a 17DM-15 AR-15 rifle, a 12-gauge shotgun, and a 9-millimeter pistol. *See Deena Winter & Paul Walsh, Suspected Shooter Legally Purchased Rifle, Pistol and Shotgun; Local Politicians Call for Action.*³ The shooter obtained all three weapons lawfully. *Id.* The individual fired 116 rounds through the church’s stained-glass windows in under three minutes. More than 300 students, each exercising their First Amendment right to worship, quickly went from singing hymns to sheltering under the church’s wooden pews. Two students were murdered, dozens of people live with lifelong physical injuries, and hundreds continue to struggle with the mental toll of the shooting.

² Unless otherwise noted, accounts of the August 27, 2025 mass shooting and its aftermath draw on interviews of Annunciation community members conducted between September 24, 2026, and October 6, 2026, by members of the University of Minnesota Law School Gun Violence Prevention Clinic. Interview transcripts are on file with the Clinic.

³ <https://www.startribune.com/minnesota-church-shooter-guns-permits/601462465>.

Later that same day, Petitioner Cutberto Viramontes filed the petition for a writ of certiorari asking this Court to ensure continued widespread public access to the same type of weapon the attacker used to terrorize Annunciation.

The assailant’s journal, discovered after the attack, reveals the centrality of the AR-15 to the shooter’s planned objectives.⁴ The journal demonstrates that the attacker’s goal was to perpetrate grotesque violence and inflict the maximum amount of harm.⁵ And it shows that the shooter carefully researched available options and selected the AR-15 because of its unique capacity to achieve these goals.⁶

This Court has recognized that “dangerous and unusual weapons” may lawfully be regulated “consistent with the Nation’s historical tradition of firearm regulation.” *N.Y. State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1, 24 (2022). The Annunciation community’s experience is a stark and recent illustration of how dangerous and unusual a weapon the AR-15 is. The AR-15 and similar assault weapons⁷ inflict catastrophic injuries that were unimaginable at the Founding. They can fire hundreds of rounds in seconds and are accurate at long distances. Rounds shot from AR-15s deliver so much force that even graze

⁴ See Translated Journal of Annunciation Shooter (“Translated Journal”). On file with the undersigned counsel of record.

⁵ Translated Journal, Book 1, at 15 (June 26, 2025).

⁶ *Id.*

⁷ “Assault weapons” is the term used in the challenged statutes. See Cook County Ordinance No. 93-O-37; 1993 Conn. Pub. Acts 93-306. Amicus uses it here solely for consistency with the record.

wounds can cause traumatic brain injuries, explode internal organs, and cause other serious, long-term injuries that, even if survived, lead to lifelong disabilities and medical complications. *See infra* p. 20. And these weapons’ capacity for mass violence causes uniquely devastating complications for medical providers and first responders. *See infra* pp. 21-23. This is no surprise, as these weapons derive from military weapons built to kill effectively and efficiently.

The destructive features of assault weapons also render ineffective the best school-security procedures. Annunciation took every precaution and employed best practices to protect its students and community. Prior to the shooting, it invested hundreds of thousands of dollars to retrofit its school and church with state-of-the-art security measures and received an “A+” security review from a consultant from the U.S. Department of Homeland Security. But because the shooter had access to an AR-15, none of those measures proved to be enough.

Regulating assault weapons is also consistent with our national historical tradition of regulating firearms to protect the rights of others. Included in the First Amendment’s guarantee of free exercise of religion for each individual is “a correlative freedom to engage in group effort toward those ends.” *Roberts v. U.S. Jaycees*, 468 U.S. 609, 622 (1984); *see Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 19 (2020) (per curiam). The Annunciation community’s story shows that the proliferation of assault weapons, and the mass violence they uniquely facilitate, frustrates the ability of Catholics and other people of faith

to gather, worship in community, and exercise religion without fear. After the shooting, some Annunciation survivors will no longer attend mass, not only at Annunciation, but at any church.

The proliferation of assault weapons is antithetical to Catholic social teaching and infringes on Annunciation community members' ability to live consistent with foundational Catholic principles. This brief shares the story of the Annunciation community—a tragic story that shows all too graphically why assault weapons are dangerous and unusual tools that burden the exercise of Annunciation members' Catholic faith, despite their diligence before the attack and their resilience in its aftermath. Amicus urges the Court to affirm the judgments below.

ARGUMENT

I. The Shooter's Access To An AR-15 Enabled Them To Inflict Uniquely Devastating Harm On The Annunciation Catholic School Community.

The Annunciation Catholic Church and School form the center of a vibrant Catholic community in southwest Minneapolis. The church's sign, large and visible, appears at the end of an oak-lined street, just blocks away from several Annunciation family homes. Many Annunciation parents and their children live only a few minutes from school and church, making school dropoff convenient on most mornings.

Today, children play while cars line up for parent pick-up. Boys serving as crossing guards jostle each other and shout to their supervisor, "Are we done yet?"

Can we go?” The Principal greets kids and parents individually by name. On Fridays, school uniforms are not required, but many kids wear Annunciation-branded t-shirts or hoodies. Emblazoned across clothing is the school’s unofficial motto for the year, “Move your feet.”⁸ Alongside these words, the initials “FM” and “HM” appear on the sleeves. Other shirts and bracelets say “Harper,” “Fletcher,” or both.

Inside the school, “20 + C + M + B + 26” is written in chalk on every door, marking the date in accordance with the annual Catholic tradition of “chalking the door” as a prayer for Christ’s blessing and protection. The school has engaged in this practice for decades, but the protection it implores carries more weight now than ever before.

To ensure the physical protection of the school, Annunciation underwent a security upgrade between 2023 and 2025. A consultant from the Department of Homeland Security advised the school on appropriate measures to keep the students, staff, and faculty safe and awarded the school an “A+” after concluding his security review. Doors were tinted, security cameras installed, windows updated, access keys changed. The school spent hundreds of thousands of dollars to provide a safe space for community worship and education.

On the day before the attack, the second day of school, the entire school walked over to the church,

⁸ The Annunciation Principal noted that “move your feet” is the latter half of an African proverb, “When you pray, move your feet.” This proverb connects to a biblical passage from Luke 1:79, “Guide our feet into the way of peace.”

sat in the pews, and talked about what it means to “be safe at school.” Children were reminded to listen to adults, follow directions, and “help your buddies.”

On August 27, 2025, Annunciation’s security system and administrative practices functioned exactly as intended. The shooting happened anyway.

* * *

A single gunshot rang out first. The Annunciation Principal thought to himself, “Could that be a firecracker just outside the window?” Then there were two more. The noise was outside the left side of the church. Someone voiced the same thought aloud, “Is that a firework?” Then the cracks began coming rapidly, and their real source became clear. Multiple people shouted, “Everyone get down!” The deacon at the front of the sanctuary yelled it into his microphone, “Get down!”

The Principal stood up and moved toward the side of the sanctuary, where bullets were flying into the church. He walked out the first set of doors, his first instinct to confront the shooter, but stopped before the set of doors leading outside the church. Guided by the Holy Spirit’s presence, he thought, “If I leave, who will stay with the kids?”

He came back inside and stood with his back to the stone wall of the church, facing the sanctuary of students cowering under pews. He moved window to window, parallelling the steps of the shooter outside. Bullets exploded through the narrow stained-glass windows, whizzing by him and into the church full of children, teachers, and parishioners.

The children sought refuge under the thick and ancient wooden pews, many laying on top of one another as shields. Teachers held children's hands and prayed. Parents who had been attending mass went to every single door and held them shut, ready to confront anyone who attempted to enter.

Two students were not able to take cover underneath the pews. When the shooting moved toward the back of the sanctuary, the Principal went to them. Knowing in that moment that they were gone, he sat with Harper and Fletcher and offered his care while simultaneously trying to protect the other children from seeing them. He looked from Harper and Fletcher to the kids sheltering around them, who were staring at him, wide-eyed, asking, "Are we going to be ok?"

Multiple adults called 911 from within the church. The first officer to respond arrived in minutes. By the time he arrived, the shooting had stopped. He entered the sanctuary and said to the people who were still sheltering inside, "For everyone who is able, it is time to get up and leave now."

Older children, bleeding from shrapnel wounds, shepherded first-graders out from underneath shards of wood and the remnants of pews, saying, "Come on, it's time to go, it's ok."

Annunciation Catholic Church has fourteen small reliefs on the walls of the nave. These represent the fourteen stations of the cross, and they depict Jesus Christ on the day of his crucifixion. Commonly, the stations of the cross will be arranged along a path, along which worshippers move in order, stopping to

say prayers associated with each station. Harper and Fletcher were sitting between stations twelve and thirteen. Station twelve depicts Jesus dying on the cross, and station thirteen is Jesus's Mother, Mary, holding him after he had died. Although these children did not have their parents with them in those moments, they had a Father, and they had a Mother.

* * *

Two blocks away, an Annunciation parent was walking his dog when he heard what he at first thought was a roofer's nail gun. He asked a woman walking by, "That sounds like gunshots, right?" "Yes," she answered, "It sounds like it's coming from the school."

When the alert for a "pediatric mass casualty" sounded over the loudspeaker that morning, one general trauma surgeon had already been at the hospital for over 24 hours. She had just treated five casualties from an unrelated mass shooting the night before. Alongside her colleagues, she initiated the hospital's mass casualty protocols and prepared operating rooms before the first ambulances arrived.

Parents rushed to the school grounds. Shortly after the shooting stopped, one mother was told that her child might be one of the critically injured children. But the damage caused by the AR-15 was so severe that the child was unrecognizable. The mother simply could not tell whether it was her child or someone else's. The mother and her husband held the child on the grass outside of the church as they waited for an ambulance and told the child how much they were loved. The ambulance arrived, but only one parent

was able to ride along. As the ambulance arrived, the mother noticed the child's shoes were not the ones her child had worn that day. The child's father was only able to confirm that their child was not the one taken away in the ambulance when he reunited with their uninjured child in the school gym later on. He says it felt like seeing a ghost.

Upon arriving at the school, one parent encountered an injured woman lying on the ground outside. She had been shot in the leg. The woman's face had turned white and pale. When the parent asked if he could do anything for her, she just shrugged as if to say, "I don't know what you should do."

An emergency care doctor who lives in the Annunciation neighborhood was the first physician to arrive after the attack. He immediately began assisting with triage, ambulance coordination, and the difficult process of reuniting parents with their children in the school gym. With children in shock and wearing identical uniforms, and attendance sheets incomplete because it was so early in the morning, responders struggled to account for each child.

One mother was on the bus on the way to the Minnesota State Fair when people started murmuring around her. She heard sirens; ambulances began passing the bus. "There must be a crash ahead," she thought. Then someone said, "there was another shooting," with a resigned shake of the head. Each message brought the shooting closer to her family. A school shooting. A school shooting in southwest Minneapolis. A message from a parents' group chat: "Shooting at mass this morning." Then she got a call from a paramedic. "I am an EMT and I have your son

here with me; he was shot in the arm; his vitals are stable; we are on the way to the hospital.”

Back at the school, the uniforms of state patrol officers created a “sea of maroon” as parents and first responders congregated in the back parking lot of the school. Children who were not awaiting medical attention outside had been ushered into the school’s gym and cafeteria for reunification.

One child, in shock, reported to first responders that she had not been shot. She was bleeding, but she said that she had fallen and hit her head. While treating her, first responders found that she had been grazed by a bullet. The bullet exerted so much force that it caused a life-threatening brain bleed. Its energy alone passing by her head caused “blast effect damage.” After rushing her into surgery, doctors removed a portion of her skull, placed her head in a helmet, and were only later able to surgically reattach the removed piece. Somehow, she survived.

The rapid, near-perfect first response and the coincidental proximity of two Level 1 trauma centers to the church fundamentally changed the outcome of the shooting. Police blocked highway entrance ramps so ambulances could get to hospitals unobstructed. Ambulance crews enacted the transportation protocols that emergency drills had prepared them to employ. Some injured children were able to get to the operating room in under an hour, a virtually unheard-of swiftness.

When the injured children arrived at the hospital, many of them were confused and screaming, terrified that the attacker was still coming after them. In the

hours after, doctors fielded calls from panicked parents trying to determine where their children were and whether they were alright. The hospital staff struggled to give parents any meaningful information because many of the children were either unrecognizable, already in surgery, or too traumatized to even provide their names.

Contrary to some stories, the stained-glass windows of the church did not shatter. They were punctured with neat holes. The shooter's AR-15 shot bullets designed to explode *after* their first impact. After efficiently piercing the windows, the bullets fragmented, launching shrapnel in every direction. Today, many children still have pieces of lead in their bodies. Some will carry the shrapnel for the rest of their lives.

One family had an injured child being treated at a local hospital. The child's sister, who had also been in the church, refused to go into the hospital hallways in her uniform because she was scared that people would know she had been at Annunciation. Her mom helped her change in the hospital bathroom, where she wiped other children's blood off of her daughter's new sneakers.

First responders struggled to identify which children were killed in the shooting because of the unusual destructiveness of the AR-15. Harper Moyski's parents decided to split up, with one at the hospital in case she was there, and one at the school. When first responders had accounted for every child except two, the doctor at the school and law enforcement had to notify the parents. The Moyskis had to learn their

child had been murdered while separated from each other.

A few months after the attack, more of Harper's remains would be found inside the church. See Michelle Krupa, *The Shooting Finally Stopped. Then Came Everything Else*, CNN (May 17, 2026).⁹ Because of the violence wrought by the AR-15, her family had to cremate their daughter twice.

* * *

After the shooting, no one was required to return to school until the community had celebrated the lives of Harper and Fletcher. Harper was an aspiring veterinarian; she wanted to visit every U.S. national park; she loved turtles. Fletcher was in a band with his friends; he loved fishing and playing with Legos. Fletcher's best friend keeps the last Lego set they built together displayed in his room. The school has placed their desks, which in Annunciation tradition typically follow children from classroom to classroom, first through eighth grade, in a hallway that people can choose to visit. There is a basket and notepad on each desk for children to write letters and prayers to their friends.

Many teachers did not believe that anyone would be able to return to school. At an initial meeting, Dr. David Schonfeld, an expert who has counseled communities after school shootings since Columbine, provided guidance. He said, "No one believes there's a

⁹ <https://www.cnn.com/interactive/2026/05/us/minneapolis-annunciation-school-shooting-recovery/>.

time to come back. If you're waiting to feel ready, you won't."

In the end, nearly every living student came back to Annunciation to learn, and every single teacher came back to school to teach.

* * *

Even though the shooting stopped, the costs—physical, emotional, spiritual, financial—have and will not. Children now have extremely different needs at school. Some kids are navigating the loss of a sibling or a best friend. Some have formal PTSD diagnoses. Many have regular medical appointments to deal with ongoing physical and mental effects of the shooting. A grim appointment with a doctor "to get lead levels checked" is not an unusual part of an Annunciation family's schedule.

In order to anticipate sensory triggers, some teachers check the weather more often and plan activities around whether there is going to be a thunderstorm. Others build more flexibility into their lesson plans and practice re-engaging a classroom after once-ordinary noises like sirens and construction disrupt focus. Counting students over and over again to make sure all are safely accounted for has become a compulsive habit. *See Krupa, supra.*

At six years old, one Annunciation student became one of the youngest injured survivors of a school shooting in American history. He did not know what a bullet was before the attack. The child suffered a nearly fatal laceration of his spleen. The significant amount of retained shrapnel found "head to toe" in his small body created elevated lead levels, which can

compromise learning and behavior in children. For months after the attack, the child's parents found fragments of lead in his bed as his body naturally "shed" what shrapnel it could. Bullets from the shooter's AR-15 are now splinters of lead embedded along this child's left side that, in his words, "light up like Christmas lights" on medical scans.

Since the shooting, Annunciation has spent more than a million dollars on additional security, despite already having an "A+" school safety rating from U.S. Department of Homeland Security. The middle school windows were upgraded because teachers did not feel safe in the ground-level classrooms. For several months, the school employed 24-hour security guards. Today, a security guard is present whenever children are in the building.

As the school year continued, Annunciation carpeted the school's tile floors to soften the clang from falling metal water bottles. Despite this and other efforts to make the school less sensory stimulating, teachers noticed for months that the sound of a chip bag popping would send kids ducking under lunch tables.

Though the community has returned to school, they have not returned to church in the same way. Weekly mass is now held in the auditorium, and services have been re-oriented to feel different from those previously held in the sanctuary next door. There are certain songs they still cannot sing; the congregation faces a different direction so that there are no windows to the left of where people are sitting.

The Annunciation Principal remembers that, during Fletcher’s funeral, held in a church, the beginning of a hymn that had played during mass on August 27 caused children to drop under the pews.

Many families have not been able to attend Catholic mass at any church on Sundays. “I have lost religion,” relayed one parent.

Annunciation instructs children on the themes of Catholic social teaching, which honor the sanctity of life, the power of community, and the need to address structural injustice to support the common good. Alongside these themes, children learn about the practical actions associated with them—corporal and spiritual Works of Mercy. The Annunciation Principal reflects that it used to be hard to teach children what “Works of Mercy” means. Today, he remembers that despite not knowing whether the shooting was over, people paused with Harper and Fletcher. They held their hands, kissed their foreheads, and prayed over them. An adult covered their faces with cloths. No one has to explain Works of Mercy anymore. Every student present in that church knows what it means to minister to the wounded, comfort the afflicted, hold the hand of the dying, and bury the dead.

* * *

In their actions before, during, and in the year since the attack on Annunciation Catholic Church, the Annunciation community has consistently and firmly lived by the tenet, “love one another as I have loved you.” Students, teachers, and parishioners protected each other on August 27. Today, the Alliance

seeks to protect everyone from the same violence, profound loss, and hardship its community has experienced.

One parent wants to be able to tell his two children that leaders have made the necessary changes to ensure that the chances of a mass shooting taking place in any school are “very, very small.” His son had been best friends with Fletcher. One night, the parent went to get his son ready for bed and found him praying. “I am asking God to bring Fletcher back,” the young boy stated, as if it were any other prayer.

Another parent recognizes that there are children in our country today not yet personally touched by gun violence whom we might still be able to protect. She shares, “I can only assume that most people, like me, think that they are safe. And they aren’t. . . . It’s like we’re all riding down the highway without a seat-belt on.”

Community members shared how painful it can be to hear their story reduced to two children dead and twenty-seven injured. Interviewees shared how the shooting has placed stress on marriages, caused parents to take leave from work, and robbed families of the children they had before, and the children they could have become. For many Annunciation families, what happened on August 27 has “completely taken over [their] lives” and “this is [their] forever now.” As one parent shared, “I often think about the fact that while I’m living my ‘after,’ this is still someone else’s ‘before.’ I would do anything in my power to go back to my ‘before’ but the best I have is trying to protect someone else’s.”

To those who were not there that day in August, a reminder from the Principal of Annunciation Catholic School: “Blessed are the Peacemakers, called to lead the way.”

II. Assault Weapons Inflict Catastrophic Injuries That The Founders Could Not Have Anticipated.

The Annunciation community’s story demonstrates the disconnect between our nation’s historical use and understanding of firearms and the unique, historically unprecedented devastation that modern assault weapons can inflict.

A. This Court’s Precedents Authorize State Regulation of Weapons That Cause Harms Unknown to the Founders.

As this Court has recognized, an “important limitation on the right to keep and carry arms” is that not all weapons receive Second Amendment protection. *District of Columbia v. Heller*, 554 U.S. 570, 627 (2008). The Second Amendment does not establish “a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.” *Id.* at 626. On the contrary, this nation has a “historical tradition of prohibiting the carrying of ‘dangerous and unusual weapons.’” *Id.* at 627 (citation omitted).

As developed in detail in other briefs in support of Respondents in this case, this tradition of regulating dangerous and unusual weapons has been observed and reaffirmed by political commentators from the time of the Founding, the common law, and statutes and legal cases from the sixteenth-century through

the nineteenth. *See Bruen*, 597 U.S. at 21 (citing *Heller*, 554 U.S. at 627).

This Court has also explained that the Second Amendment does not require the government to identify an exact historical analogue to a challenged regulation to demonstrate that it is consistent with the nation’s history and tradition. *See United States v. Rahimi*, 602 U.S. 680, 692 (2024). Requiring otherwise would impose a functionally impossible obligation to identify a precise “historical twin” to justify any regulation. *Bruen*, 597 U.S. at 30. Nor does the government have to prove that a modern regulation addresses the exact societal problems that motivated the Founders to enact their own types of firearm regulations. *See id.* at 27. “The regulatory challenges posed by firearms today are not always the same as those that preoccupied the Founders in 1791 or the Reconstruction generation in 1868.” *Id.* It is accordingly enough to show that the modern regulation addresses situations where firearms are being “misused in other ways that were unknown to our forebears but pose an equivalent risk to persons or property.” *Wolford v. Lopez*, 609 U.S. 185, 220 (2026) (Barrett, J., concurring). When a State identifies “particular ‘abuse[s]’ of the right” to keep and bear arms, “it can respond with ‘focused regulations’ to address the threat.” *Id.* (citing *Rahimi*, 602 U.S. at 700). This is especially apt where the modern law is addressing a societal problem or technological developments that did not even exist at the Founding. *See Bruen*, 597 U.S. at 27.

B. Assault Rifles Cause Devastating Injuries.

The Annunciation community's experience painfully illustrates how the AR-15 is a dangerous and unusual weapon that may lawfully be regulated "consistent with the Nation's historical tradition of fire-arm regulation." *Bruen*, 597 U.S. at 24.

AR-15s cause uniquely harmful injuries. A doctor who was at the scene of the Annunciation attack explained that while surgeons can fix a bullet hole caused by a pistol, the sheer force of AR-15 rounds can "explode" internal organs or cause severe, irreparable internal damage. One child who was struck inside the church suffered a nearly fatal laceration of his spleen and requires ongoing medical treatment more than a year later.

Annunciation students continue to need intense medical support to address retained lead shrapnel. AR-15 bullets, designed to explode after first impact, fragmented after going through the church's stained-glass windows. Significant amounts of shrapnel were retained in children's small bodies, creating heightened lead levels and "shedding" of the shrapnel over time. In one child's body, doctors found shrapnel from "head to toe," fragments of which eventually started to naturally "shed." His parents found bullet fragments in the six-year-old's bed for months. Many families are now familiar with what shrapnel looks like on their child's medical scans. One parent shared that her child's doctors told her that they do not yet fully know the long-term effects of this amount of lead trapped in a growing child's body.

Due to the physical force of this weapon, even graze wounds from AR-15 bullets cause traumatic brain injuries. “Blast effect damage” is understood by medical professionals to be injuries caused by the velocity alone of an AR-15 bullet. As reported above, *supra* at 11-12, one child started bleeding and suffered a life-threatening brain bleed simply because an AR-15 bullet passed by her head. Doctors had to remove a portion of her skull. Over a year after her injury, she continues to need surgeries.

AR-15 injuries, even if non-fatal, cause lifetime medical complications, disabilities, and emotional trauma. Many children continue to have their elevated lead levels tested on a regular basis and receive ongoing medical care to treat their injuries. Both children and adults have been diagnosed with PTSD and attend trauma therapy regularly.

C. Assault Rifles Cause Unique Stress on Medical Providers and First Responders.

The effect assault weapons have on the medical system and healthcare providers also demonstrates the fundamental difference between these weapons and long guns or pistols.

Large numbers of providers are needed to treat the injured in mass casualties, and providers and resources are drawn away from their normal day-to-day work, delaying or derailing the treatment of other sick patients. A responding physician pointed out that a single critically injured trauma patient harmed by an assault weapon, like the Annunciation children, can

require the services of fifty to sixty healthcare providers in just a few hours.

One doctor continues to look back on his experience at Annunciation after subsequent shootings. He and his colleagues have remarked how “grateful” they are when attackers use handguns rather than assault weapons, because the resulting number of injured people and the extent of those injuries are comparatively minor to the kind of carnage they see after attacks like the Annunciation mass shooting.

One general trauma surgeon who responded to the attack does not recall responding to a mass shooting during her entire residency. In just the last year, however, she has treated patients from five mass shootings. The greater the frequency of mass casualty events, with their high volumes of critically injured patients, the less time healthcare workers have to process, and the more they suffer from burnout and leave their jobs.

As one doctor reported, the trauma is simply different when the victims are children. The Annunciation community has maintained relationships with many first responders since August 27. Community members learned that dozens of officers took leave after the attack. The Principal shared, “More EMTs and first responders have left their positions because of what they experienced at Annunciation than after any other event in Minnesota history.”

While modern medicine is capable of confronting mass harms, there are limits to the care medical providers can offer when so many suffer so much violence at once. In the eyes of one Annunciation parent and

ICU physician, medicine and the medical system simply cannot keep up with the development of weapons like AR-15s that are designed to inflict so much damage.

D. Assault Rifles Enable Mass Violence at Horrific Speed and Magnify the Lethality of Gun Violence.

The uniquely devastating physical injuries that AR-15s cause still do not capture the true impact of these weapons on a community. The stories shared here result from less than three minutes of fire from an assault weapon. The AR-15 allowed the shooter to enact mass violence without even entering the church. In fact, the shooter came no closer than six feet from the church windows. As one parent observed, an AR-15 doesn't give anyone enough time to run or hide.

After utilizing the AR-15 and before the shooter's suicide, the shooter switched to the shotgun. The difference in effects is striking. The attacker fired no more than two shots with the shotgun, compared to over 100 rounds from the AR-15 in a few moments. Unlike the AR-15 bullets that pierced the stained-glass windows leaving a neat hole, the shotgun pellets immediately shattered the glass they struck.

The amplified lethality of the AR-15 in the Annunciation attack underpins every aspect of the community today.

E. No Amount of Precaution Can Prevent the Harm Caused by Assault Weapons.

To combat the rise of gun violence and school shootings, school security has become a priority topic for school administrations. Annunciation is no different. Prior to the shooting, Annunciation invested heavily in safety measures to protect its community. Between 2023 and 2025, Annunciation retained a consultant from the U.S. Department of Homeland Security to assist with security upgrades. It installed 42 cameras outside of its five school buildings; added bullet-proof windows to the middle-school wing; and attached blackout screens to windows to prevent on-lookers from viewing inside classrooms. The school created a protocol to lock doors during masses. Following these security investments, the school was awarded an “A+” rating for security. But because the shooter chose to deploy an AR-15 in the attack, those measures were nowhere close to enough.

F. The Annunciation Shooter’s Own Words Demonstrate That Mass Shooters Choose Assault Weapons Because of Their Capacity to Inflict Maximum Damage.

The Annunciation attacker’s journal provides unique insight into why mass shooters choose assault weapons. The shooter at Annunciation carried a 17DM-15 AR-15 rifle, a 12-gauge shotgun, and a 9-millimeter pistol. *See* Winter & Walsh, *supra*. The shooter planned to use each weapon for a different purpose. The AR-15 was chosen over the pistol for its ability to kill more people, more quickly. The pistol was intended to be reserved to take the shooter’s own

life to avoid capture, and ultimately the shooter used it only for that purpose.

*Keep a gun on your person that is ONLY for suicide. Don't use it until the end to ensure you have a way to kill yourself.*¹⁰

*I NEED! to be able to quickly end my life. CAPTURE IS NOT AN OPTION!*¹¹

The shooter carried the shotgun as a backup to the assault weapon.

*Use the AR for most of it, as much as you can. Keep the shotgun accessible but not in the way. Slung over your back should be fine. Only switch to the shotgun or pistol if the rifle jams beyond repair, or runs out of ammo.*¹²

*I predict my attack will last for two to three minutes. I imagine I will get through three magazines and probably will not use my shotgun at all. It's there for backup, just in case. I don't think I will even make it into the building.*¹³

And the shooter chose the AR-15 to kill as many people as possible as quickly as possible.

*I am concerned a pistol caliber won't be enough to penetrate multiple bodies.*¹⁴

¹⁰ Translated Journal, Book 1, at 35 (June 23, 2025).

¹¹ *Id.* at 23 (May 29, 2025).

¹² Translated Journal, Book 2, at 169 (July 18, 2025).

¹³ Translated Journal, Book 3, at 54 (Aug. 14, 2025).

¹⁴ Translated Journal, Book 2, at 1 (June 25, 2025).

*Yes, I think I should get a rifle rather than a pistol caliber carbine. I just don't think pistol will have the penetrating power I want.*¹⁵

*Aim for headshots as much as possible with the rifle. Especially before they notice you are there and you have time to aim right. I am really thinking rifle first is the best idea. I have been running a bunch of experiments in @MOD.¹⁶ I have been getting my higher kill counts with the rifle because of penetration.*¹⁷

Man, I need a fucking AR.¹⁸

The challenged regulations are a response to a “specific, heightened risk” of the misuse of assault weapons, and do not target “the general danger associated with the presence of firearms.” *Wolford*, 609 U.S. at 220 (Barrett, J., concurring). Regulating access to assault weapons does not affect the central component of the Second Amendment, lawful citizens’ ability to use pistols, “the quintessential self-defense weapon,” *Bruen*, 597 U.S. at 47 (citing *Heller*, 554 U.S. at 629), long guns, or other weapons commonly used for personal self-defense. The challenged regulations are thus consistent with this nation’s historical tradition of regulating dangerous and unusual weapons and are constitutional under *Bruen*’s second step.

¹⁵ *Id.* at 15 (June 26, 2025).

¹⁶ @MOD is a reference to the shooter’s alteration of a first-person video game.

¹⁷ Translated Journal, Book 2, at 53-54 (June 26, 2025).

¹⁸ *Id.* at 120 (July 8, 2025).

III. The Second Amendment Permits Legislatures To Regulate Assault Weapons To Protect The Free Exercise Of Religion.

A shooter with an assault weapon disrupted the Annunciation community's exercise of their First Amendment rights to freely exercise their religion and peacefully assemble on August 27, 2025. The consequences of that tragedy reverberate today. The proliferation of assault weapons inhibits many in their community from fully practicing their Catholic faith. The challenged regulations are a constitutional means of protecting the exercise of other fundamental rights, especially rights often exercised collectively, such as the practice of religious worship.

Legislatures have historically regulated firearms to protect the ability of others to exercise their own fundamental rights. *See, e.g.,* William Baude & Robert Leider, *The General-Law Right to Bear Arms*, 99 Notre Dame L. Rev. 1467, 1491 (2024) (noting that, traditionally, “the state could regulate a right for limited purposes, such as to protect the rights of others.”). Restrictions on firearms protect the exercise of individual fundamental rights to vote, pray, speak, and peaceably assemble. *See* Joseph Blocher & Reva B. Siegel, *When Guns Threaten the Public Sphere: A New Account of Public Safety Regulation under Heller*, 116 Nw. U. L. Rev. 139, 141 (2021). For example, the common-law public disorder crimes recognized from the sixteenth into the nineteenth centuries to criminalize riots, routs, and other unlawful assemblies exemplify the kind of historical firearms restrictions that existed to protect the fundamental

right to peaceably assemble. *See generally* Mark Anthony Frassetto, *To the Terror of the People: Public Disorder Crimes and the Original Public Understanding of the Second Amendment*, 43 S. Ill. U. L.J. 61 (2018). Historical affray laws, which prohibited carrying weapons “to the Terror of the People,” restricted the carrying and bearing of firearms to prevent others from experiencing terror when performing daily tasks in public. *See id.* at 76-77; *Rahimi*, 602 U.S. at 697.

This Court’s modern Second Amendment jurisprudence also authorizes the enactment of firearms regulations to protect the exercise of other fundamental rights. *Heller* identified bans on firearms in government buildings and schools as “presumptively lawful,” and this Court has endorsed these “sensitive places” laws throughout its treatment of the Second Amendment since *Heller*. *See, e.g., Heller*, 554 U.S. at 626-27; *Wolford*, 609 U.S. at 193. *Bruen* recognized eighteenth- and nineteenth-century laws which fully prohibited firearms in legislative assemblies and polling places, where citizens exercise the right to vote and peaceably assemble, and in courthouses, where the right to due process is protected in the criminal legal system. *Bruen*, 597 U.S. at 30 (“[T]hese locations were ‘sensitive places’ where arms carrying could be prohibited consistent with the Second Amendment.”). Just as there are locations in which the Constitution permits legislatures to fully prohibit arms to protect other fundamental rights, so too does it permit the restriction of specific types of weapons that impede a community’s ability to exercise their faith freely.

The danger assault weapons pose to public safety

has fundamentally altered the Annunciation community's ability to freely practice their Catholic faith. The ability to worship in community at mass is central to Catholic worship. The shooter's use of an assault weapon simultaneously devastated the community while also depriving them of the place that should have been the community's refuge after tragedy.

The proliferation of assault weapons, and those weapons' devastating impact on the Annunciation community, have prevented several members from attending church at Annunciation, or even attending any church at all. One parent professes that she "lost religion" on August 27, 2025. That same parent relays that her children who were present in the church during the attack were unable to attend the funeral mass of a beloved family member.

One family's child wore a dress at her First Communion that four generations of her family had worn at that milestone. The mother can no longer bring herself to look at that dress because of the memory of what happened in the building where it was last worn. Her family struggles to reconcile the church as both a sacred place and a place of tragedy. The proliferation of assault weapons in private civilian life is also antithetical to Catholic social teaching, which values life and honors human dignity. See Brief for *Amicus Curiae* the United States Conference of Catholic Bishops in Support of Neither Party at 6 ("Amicus . . . affirms the right of self-defense while rejecting the premise that protection of that right disables political communities from regulating any weapon capable of defensive use.").

First Amendment rights necessarily encompass the right to assemble as a congregation to worship and pray. *See Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 524 (2022) (citing *Emp. Div., Dep't of Hum. Res. of Or. v. Smith*, 494 U.S. 872, 877 (1990)) (recognizing the centrality of performing acts of faith to the Free Exercise Clause). As Annunciation's experience makes plain, assault weapons interfere with the right to assemble and freely exercise religion. The Court should uphold the challenged regulations because they are consistent with the historical tradition of regulating firearms to protect the fundamental rights of others.

CONCLUSION

For the foregoing reasons, the judgments below should be affirmed.

Respectfully submitted,

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October 28, 2026