

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Ronald Koons v. Attorney General New Jersey; Aaron Siegel, et al. v. Attorney General New Jersey

No. Nos. 23-1900 & 23-2043, United States Court of Appeals for the Third Circuit (December 11, 2025)

SUMMARY

The United States Court of Appeals for the Third Circuit granted petitions for rehearing en banc in consolidated appeals involving challenges to New Jersey firearm regulations. The court vacated its September 10, 2025 opinion, as amended on September 17, 2025, and the judgment entered on September 10, 2025, and directed the Clerk to list the cases for rehearing en banc.

CASE DETAILS

COURT	United States Court of Appeals for the Third Circuit
WRITING FOR THE COURT	Michael A. Chagares, Chief Judge; Thomas L. Hardiman; Jane R. Roth; Cheryl Ann Krause; Leonard I. Garth; David J. Porter; Stephanos Bibas; Peter J. Phipps; Anthony J. Scirica; Montgomery-Reeves; Eugene E. Siler Jr.; A. Joseph Greenaway Jr.; Brittany S. Brantley; A. R. Bove; M. Todd M. Mascott
JURISDICTION	United States Court of Appeals for the Third Circuit
DECIDED	December 11, 2025
DOCKET	Nos. 23-1900 & 23-2043
DISPOSITION	vacated
PROCEDURAL POSTURE	The parties petitioned for rehearing en banc from the Third Circuit's opinion filed September 10, 2025, as amended September 17, 2025, and from the judgment entered September 10, 2025.
PRECEDENTIAL VALUE	procedural order
PARTIES	Attorney General New Jersey, Superintendent New Jersey State Police, Aaron Siegel, et al. v. Ronald Koons, Nicholas Gaudio, Jeffrey M. Muller, Gil Tal, Second Amendment Foundation Inc., Firearms Policy Coalition Inc., Coalition of New Jersey Firearm Owners, New Jersey Second Amendment Society

TOPICS

appellate procedure

second amendment

constitutional law

PRACTICE AREAS

appellate procedure

constitutional law

firearms law

QUESTIONS PRESENTED

1. Whether the petitions for rehearing en banc should be granted.
2. Whether the Third Circuit's prior opinion and judgment should be vacated upon granting rehearing en banc.

HOLDINGS

1. The petitions for rehearing en banc were granted because a majority of the active judges voted in favor of rehearing.
2. The Third Circuit's opinion filed September 10, 2025, as amended September 17, 2025, and the judgment entered September 10, 2025, were vacated.

KEY QUOTATIONS

“A majority of the active judges having voted for rehearing en banc in the above captioned cases, it is ordered that the petitions for rehearing are GRANTED.”

“The opinion filed on September 10, 2025, amended on September 17, 2025, and the judgment entered on September 10, 2025 are hereby vacated.”

FACTUAL BACKGROUND

The underlying appeals challenged New Jersey firearm legislation and involved plaintiffs and intervenors asserting Second Amendment-related claims. The order itself does not resolve the merits or recite the underlying factual record.

PROCEDURAL HISTORY

The consolidated appeals arose from two actions in the United States District Court for the District of New Jersey, docketed as Nos. 1:22-cv-07464 and 1:22-cv-07463. On December 11, 2025, a majority of the Third Circuit's active judges granted rehearing en banc, ordered the cases listed for rehearing, and vacated the prior appellate opinion and judgment.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The Clerk was directed to list the cases for rehearing en banc.

OPINION

PER CURIAM.

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT Nos. 23-1900 & 23-2043 RONALD KOONS; NICHOLAS GAUDIO; JEFFREY M. MULLER; GIL TAL; SECOND AMENDMENT FOUNDATION INC; FIREARMS POLICY COALITION INC; COALITION OF NEW JERSEY FIREARM OWNERS; NEW JERSEY SECOND AMENDMENT SOCIETY v. ATTORNEY GENERAL NEW JERSEY; SUPERINTENDENT NEW JERSEY STATE POLICE, PRESIDENT OF NEW JERSEY STATE SENATE, SPEAKER OF THE NEW JERSEY GENERAL ASSEMBLY Intervenor in District Court (D.N.J.

No. 1:22-cv-07464) AARON SIEGEL; JASON COOK; JOSEPH DELUCA; NICOLE CUOZZO; TIMOTHY VARGA; CHRISTOPHER STAMOS; KIM HENRY; ASSOCIATION OF NEW JERSEY RIFLE AND PISTOL CLUBS INC. v. ATTORNEY GENERAL NEW JERSEY; SUPERINTENDENT NEW JERSEY STATE POLICE PRESIDENT OF THE NEW JERSEY STATE SENATE, SPEAKER OF THE NEW JERSEY GENERAL ASSEMBLY Intervenor in District Court (D.N.J.

No. 1:22-cv-07463) Attorney General New Jersey and Superintendent New Jersey State Police, Appellants in 23-1900 Aaron Siegel, et al. Appellants in 23-2043 On Appeal from (D.N.J. Nos. 1:22-cv-07464 and 1:22-cv-07463) ORDER SUR PETITIONS FOR REHEARING EN BANC Present: CHAGARES, Chief Judge, HARDIMAN, SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER, MATEY, PHIPPS, FREEMAN, MONTGOMERY-REEVES, CHUNG, BOVE, and MASCOTT, Circuit Judges A majority of the active judges having voted for rehearing en banc in the above captioned cases, it is ordered that the petitions for rehearing are GRANTED.

The Clerk of this Court shall list the cases for rehearing en banc. The opinion filed on September 10, 2025, amended on September 17, 2025, and the judgment entered on September 10, 2025 are hereby vacated. BY THE COURT, s/ Michael A. Chagares Chief Judge Date: December 11, 2025 Sb/cc: All Counsel of Record