

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 24-1091

EDWARD WILLIAMS

v.

ATTORNEY GENERAL UNITED STATES OF AMERICA

(E.D. Pa. No. 2:17-cv-02641)

Before: CHAGARES, *Chief Judge*, HARDIMAN, SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER, MATEY, PHIPPS, FREEMAN, MONTGOMERY-REEVES, CHUNG, BOVE, and MASCOTT, *Circuit Judges*

ORDER SUA SPONTE REHEARING EN BANC

The Court sua sponte orders rehearing en banc in the above captioned case. The appeal presents the following issue:

Whether a court may consider evidence beyond an individual's predicate conviction(s), including, for example, other criminal convictions or conduct post-dating the predicate conviction, when a court evaluates whether 18 U.S.C. § 922(g)(1) is constitutional as applied to an individual seeking declaratory relief?

In light of the Supreme Court's decision in *United States v. Rahimi*, 602 U.S. 680 (2024) and our Court's decision in *Range v. Attorney General*, 124 F.4th 218 (3d Cir. 2024) (en banc), the parties may submit briefs addressing whether a court may consider evidence beyond an individual's predicate conviction(s), including, for example, other criminal convictions or conduct post-dating the predicate conviction, when a court evaluates whether 18 U.S.C. § 922(g)(1) is constitutional as applied to an individual seeking declaratory relief. If a party chooses to submit a brief, then the brief shall not exceed 3750 words and shall be submitted on or before November 21, 2025 at 5:00 p.m. In addition to the electronic supplemental brief, 15 paper copies will be required.

The Clerk will list the case at the direction of the Court once supplemental briefing has been completed.

On this date, the Court has also ordered sua sponte rehearing en banc in *Bosh v. Attorney General*, C.A. No. 24-1719 which raises a legal issue similar to the issue presented in this appeal.

By the Court,

s/ Michael A. Chagares
Chief Judge

Date: October 31, 2025

CJG/cc: Dillon Harris, Esq.
 Joshua Prince, Esq.
 Michael S. Raab, Esq.