

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

BLAKE BEELER, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:21-cv-152
)	Judge Katherine A. Crytzer
JEFF LONG,)	Magistrate Judge Debra C. Poplin
)	
Defendant.)	

AGREED ORDER

The Parties, having reached agreement, state the following background facts in support of this Agreed Order:

1. Prior to the filing of this action, the State of Tennessee, by and through Defendant, Jeff Long, in his official capacity as the Commissioner of the Tennessee Department of Safety and Homeland Security actively enforced, administered, or implemented laws, and—to the extent they exist—any related regulations, policies, procedures, practices, and customs, regulating the possession and carrying of handguns that restricted individuals aged 18 years old to twenty years old from carrying handguns or obtaining permits to carry handguns on the basis of age alone.

2. On April 22, 2021, Plaintiffs Blake Beeler, Logan Ogle, and the Firearms Policy Coalition, Inc., filed their complaint in this action. On September 6, 2022, Plaintiffs filed their First Amended Complaint to declare unconstitutional and enjoin enforcement of Tenn. Code Ann §§ 39-17-1307(a)(1), (a)(2), (g)(1), 39-17-1351(b)-(c), and 1366(b)(3), and any related regulations, policies, procedures, practices, and customs that Defendant administers, implements, and/or enforces pursuant to Tenn. Code Ann §§ 39-17-1307(a)(1), (a)(2), (g)(1), 39-17-1351(b)-(c), and

1366(b)(3) in order to restrict individuals aged 18 years old to 20 years old from carrying handguns or obtaining permits to carry handguns on the basis of age alone (collectively “the Challenged Scheme”). Plaintiffs argued that, on account of their age alone, the Challenged Scheme made them categorically ineligible for an enhanced handgun carry permit under Tenn. Code Ann. § 39-17-1351 or concealed handgun carry permit under Tenn. Code Ann. § 39-17-1366, categorically ineligible for any permitless carry under Tenn. Code Ann § 39-17-1307, and otherwise generally barred them from exercising the full scope of public carry rights they would otherwise be entitled to exercise.

3. The Challenged Scheme regulating the possession and carrying of handguns restricts individuals aged 18 years old to 20 years old from carrying handguns or obtaining permits to carry handguns on the basis of age alone.

4. The United States Supreme Court issued its decision in *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 213 L. Ed. 2d 387, 142 S. Ct. 2111 (2022), on June 23, 2022.

5. The parties agree that the Challenged Scheme violates the Second and Fourteenth Amendments to the United States Constitution.

6. On or about January 23, 2023, the parties reached an agreement to resolve the matter consistent with the Plaintiffs’ requested relief in its operative complaint, as memorialized in this Agreed Order.

THEREFORE, THE PARTIES AGREE, AND THE COURT ORDERS, AS FOLLOWS:

1. The Challenged Scheme regulating the possession and carrying of handguns that restricts individuals aged 18 years old to 20 years old from carrying handguns or obtaining permits to carry handguns on the basis of age alone violates the Second and Fourteenth Amendments to the United States Constitution.

2. Defendant and his officers, agents, employees, and all others acting under his direction and control, are permanently enjoined from implementing or enforcing the Challenged Scheme to prevent individuals aged 18 years old to 20 years old from carrying handguns or obtaining permits to carry handguns on the basis of age alone.

3. Defendant, in his official capacity as Commissioner of the Tennessee Department of Safety and Homeland Security, shall provide a copy of this Agreed Order to the Tennessee District Attorneys General Conference, the Tennessee Sheriffs' Association, and the Tennessee Association of Chiefs of Police.

4. Defendant shall implement any and all procedures necessary to accept and review enhanced handgun carry permit applications under Tenn. Code Ann. § 39-17-1351 and concealed handgun carry permit applications under Tenn. Code Ann. § 39-17-1366 submitted by individuals aged 18 years old to 20 years old and shall not deny issuance of such a permit on the basis of age alone.

5. Defendant, in his official capacity as Commissioner of the Tennessee Department of Safety and Homeland Security, shall, no later than 90 days from the date of this Order, begin processing enhanced handgun carry permit applications under Tenn. Code Ann. § 39-17-1351 and concealed handgun carry permit applications under Tenn. Code Ann. § 39-17-1366 received from individuals aged 18 years old to 20 years old who otherwise qualify for such a permit.

6. Pursuant to 42 U.S.C. § 1988(b), the Court awards attorneys' fees and costs to Plaintiffs in the amount of \$47,250.

7. Defendant, his privies, and his agents shall be released from any further liability for attorneys' fees, costs, and expenses incurred in this matter, except to the extent of attorneys' fees,

costs, and expenses that may be incurred if necessary in connection with an action to enforce the provisions of the Order.

8. This constitutes a final and conclusive resolution of the above-captioned case, with the exception of any matter involving an enforcement of this Agreed Order. Upon entry of this Order, all unadjudicated damages, injuries, claims, demands, or causes of action—known or unknown—arising from, related to, or in any way connected to this lawsuit, that have accrued through the date of this Agreed Order and that were or could have been brought by these Parties, their privies, or their agents, whether current or former, in their official and individual capacities, against one another, shall be deemed released, waived, dismissed, withdrawn, and/or denied as moot, except as may be necessary to enforce the terms of this Agreed Order.

9. The Court retains jurisdiction for the purpose of enforcing this Agreed Order and its provisions, including but not limited to its declaration of law and permanent injunction.

10. The Clerk shall enter judgment in accordance with Federal Rule of Civil Procedure 58.

IT IS SO ORDERED on this _____ day of _____ 2023.

KATHERINE A. CRYTZER
United States District Judge

Submitted for entry:



s/ Jay L. Johnson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed electronically and served through the electronic filing system on this the 23rd day of January 2023, upon the following:

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