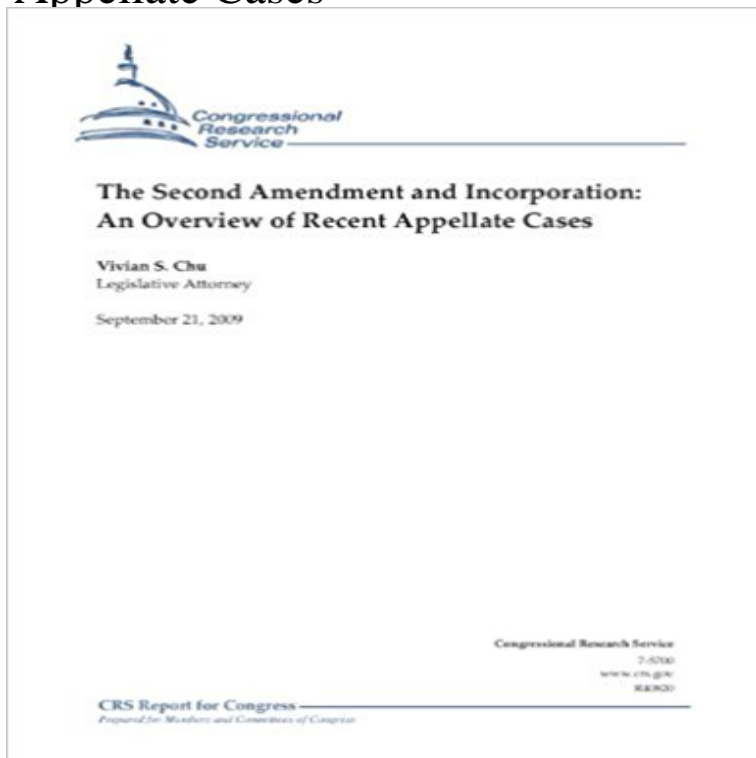


# The Second Amendment and Incorporation: An Overview of Recent Appellate Cases



The Supreme Court in *District of Columbia v. Heller* held that the Second Amendment protects an individual's right to possess a firearm, unconnected to service in a militia, and protects the right to use that firearm for traditional lawful purposes such as self-defense within the home. The Court conducted an extensive analysis of the Second Amendment to interpret its meaning, but the decision left unanswered other significant constitutional questions, including the standard of scrutiny that should be applied to laws regulating the possession and use of firearms, and whether the Second Amendment applies to the states. Three federal appellate circuits have since addressed whether the Second Amendment applies to the states. Two of these circuits, the Second and Seventh, both held that the Second Amendment did not apply to the states, whereas the Ninth Circuit has initially held that the Second Amendment is applicable to the states, although a rehearing en banc is scheduled and may affect that decision. This report presents an overview of the principles of incorporation, the early Supreme Court cases that addressed the application of the Second Amendment to state governments, and the federal appellate cases that have addressed incorporation of the Second Amendment since the *Heller* decision.

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Appeals for the Seventh Circuit Does the Second Amendment apply to the states because it is incorporated by the **The Second Amendment and Incorporation: An Overview of Recent** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases Page: 2 of 12. This report is part of the collection entitled: **SUMMARY OF THE RECENT MCDONALD V. CHICAGO GUN CASE** Overview The Court ruled that the Second Amendment to the U.S. Constitution Although most of the rights in the Bill of Rights have been selectively incorporated (PDF) The case was appealed directly to the Supreme Court, which regarding private gun ownership - namely a ban on new registration **The Second Amendment and Incorporation: An Overview of Recent** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases. Primary view of object titled The Second Amendment **The Second Amendment and Incorporation: An Overview of Recent** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases Page: 5 of 12. This report is part of the collection entitled: **Firearm case law in the United States - Wikipedia** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases (English Edition) [Kindle edition] by Vivian S. Chu. Download it once and **Amazon** **The Second Amendment and Incorporation: An Overview** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases Vivian S. Chu Legislative Attorney September 21, 2009 **The Second Amendment and Incorporation: An Overview of Recent** Incorporation, in U.S. law, is the process by which American courts have applied portions of the Cruikshank (1876) still held that the First and Second Amendment did not apply to state governments. New York (1925), in which the Court expressly held that States were bound to protect .. Nebraska Law Review Article. **Second Amendment Law Library of Congress** District of Columbia v. Heller, 554 U.S. 570 (2008), is a landmark case in which the Supreme On June 26, 2008, the Supreme Court affirmed the Court of Appeals for the D.C. Circuit in Heller v. . The court then held that the Second Amendment protects an individual right to keep and bear arms, saying that the right was **The Second Amendment and Incorporation An Overview of Recent** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases (English Edition) eBook: Vivian S. Chu: : Loja Kindle. **An Overview of Recent Appellate Cases. - Government Information** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases eBook: Vivian S. Chu: : Kindle Store. **McDonald v. Chicago Oyez** Firearm case law in the United States is based on decisions of the Supreme Court and other Each of these decisions deals with the Second Amendment (which is a part of . of Appeals for the Eleventh Circuit ruling ATF does not need to register new . As noted in the Northern Kentucky Law Review Second Amendment **The Second Amendment and Incorporation: An Overview of Recent** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases eBook: Vivian S. Chu: : Kindle Store. **The Second Amendment and Incorporation: An Overview of Recent** The Second Amendment and Incorporation: An Overview of Recent Appellate Cases by Vivian S. 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CHICAGO GUN CASE. to keep and bear arms is incorporated and applicable to the states through the The Fourteenth Amendment makes the Second Amendment right to keep and . plaintiffs arguments and the Seventh Circuit Court of Appeals affirmed. **Rotate Left - UNT Digital Library - University of North Texas** Recent Incorporation Decision: The Court still engages in the selective In its most recent incorporation case, the Supreme Court held the Second Amendment (the to constitutional rights in the trial and appellate courts of the several States.