

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Appellant,

v.

GATOR'S CUSTOM GUNS, INC., ET
AL.,

Respondents.

No. 1 0 2 9 4 0 - 3

RULING

The State of Washington, by and through the Attorney General's Office, has filed an emergency motion for a stay of a Cowlitz County Superior Court order invalidating Washington's statutory ban on large capacity magazines as defined by RCW 9.41.010(25) and imposing an injunction on enforceability of "any of the provisions of ESSB 5078 as codified at RCW 9.42.300 and 9.41.375," pending appellate review.

Having considered the State's motion and attachments thereto, the superior court's order, the debatable nature of the factual and legal issues raised in this case, and the public safety issues concerning the proliferation of large capacity magazines compatible with assault weapons as defined by RCW 9.41.010(2); taking into account the provisions of RAP 8.1(b)(3) and RAP 8.3; and taking into consideration the effective administration of justice under SAR 15(a), I have determined that it is

appropriate to enter a temporary stay of the superior court's order pending resolution of the State's emergency motion for a stay pending further review of that order.

Accordingly, the order entered on April 8, 2024, in Cowlitz County Superior Court Cause No. 23-2-00897-08, is stayed pending further order of this court. The clerk of this court is directed to issue a briefing schedule and set a date for oral argument on the emergency motion for a stay.

So ordered,



COMMISSIONER

April 8, 2024