

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>FIREARM OWNERS AGAINST</b>	:	
<b>CRIME, <u>et al.</u>,</b>	:	
<b>Plaintiffs</b>	:	<b>No. 1:15-cv-00322</b>
	:	
<b>v.</b>	:	
	:	<b>(Judge Kane)</b>
<b>CITY OF HARRISBURG, <u>et al.</u>,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 24th day of March 2016, **IT IS HEREBY ORDERED THAT**

Defendants' motion to dismiss (Doc. No. 4), is **GRANTED IN PART** as follows:

1. The Court lacks subject matter jurisdiction over Plaintiffs' challenges to Harrisburg, Pa., Code §§ 3-345.1 (possession of firearms by minors), 3-345.4 (lost or stolen firearms), and 3-355.2 (emergency measures), for want of standing, and Plaintiffs will not be permitted to amend their complaint as to those claims;
2. The Court also lacks subject matter jurisdiction over Plaintiffs' challenges to Harrisburg, Pa., Code §§ 3-345.2 (discharging weapons or firearms), and 10-301.13 (parks), for want of standing, and Plaintiffs will be permitted to file an amended complaint within ten (10) days of the date of this order to demonstrate standing to challenge those ordinances; and
3. If Plaintiffs waive amendment or fail to amend, this action will be remanded to the Court of Common Pleas for Dauphin County, Pennsylvania pursuant to 28 U.S.C. § 1447(c).

**IT IS HEREBY FURTHER ORDERED THAT** Plaintiffs' motion to remand (Doc. No. 5), is **DENIED AS MOOT**; Defendants' motion to file a supplemental brief (Doc. No. 45), is **DENIED AS MOOT**; and Plaintiffs' motion for leave to amend (Doc. No. 37), is **DENIED AS MOOT**.

S/ Yvette Kane  
 Yvette Kane, District Judge  
 United States District Court  
 Middle District of Pennsylvania