

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 694 MD 2019

Page 1 of 9

September 28, 2022

**CAPTION**

Landmark Firearms LLC,
US Rifle, LLC, Polymer80, Inc.,
and Firearms Policy Coalition, Inc.,
Petitioners

v.

Colonel Robert Evanchick, Commissioner
Pennsylvania State Police,
Respondent

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Active

Case Processing Status: February 12, 2020 Awaiting Answer

Journal Number:

Case Category: Miscellaneous Case Type(s): Equity

CONSOLIDATED CASES**RELATED CASES****COUNSEL INFORMATION****Petitioner US Rifle, LLC**

Pro Se: No

IFP Status:

Attorney: Prince, Joshua Gareth
Law Firm: Prince Law Offices, P.C.
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646 Lenape Rd
Bechtelsville, PA 19505
Phone No: (610) 845-3803

Fax No:

Attorney: Kraut, Adam Jeremy
Law Firm: Firearms Policy Coalition
Address: 1215 K St Fl 17
Sacramento, CA 95814
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Fax No:

Miscellaneous Docket Sheet**Docket Number: 694 MD 2019****Page 2 of 9****September 28, 2022****COUNSEL INFORMATION****Petitioner Polymer80, Inc.**

Pro Se: No

IFP Status:

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Petitioner Landmark Firearms LLC

Pro Se: No

IFP Status:

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Petitioner Firearms Policy Coalition

Pro Se: No

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Attorney: Kraut, Adam Jeremy
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Miscellaneous Docket Sheet

Docket Number: 694 MD 2019

Page 3 of 9

September 28, 2022



COUNSEL INFORMATION

Respondent **Evanchick, Robert**
 Pro Se: No
 IFP Status:
 Attorney: Neary, Keli Marie
 Law Firm: Pennsylvania Office of Attorney General
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 Attorney: Lovette, Andrew James
 Law Firm: Pennsylvania State Police
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 Phone No: (717) 783-5568 Fax No:

 Attorney: Herman, John Joseph
 Law Firm: Pennsylvania State Police
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 Attorney: Boland, Nicole Jeanne
 Law Firm: Pennsylvania Office of Attorney General
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 Phone No: (717) 783-3146 Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
12/20/2019	Miscellaneous Docket Filing Fee	70.25	12/20/2019	2019-CMW-H-002637	70.25

AGENCY/TRIAL COURT INFORMATION

Order Appealed From: Notice of Appeal Filed:
 Order Type:
 Documents Received: December 20, 2019

Court Below:
 County: Division:
 Judge: OTN:
 Docket Number: Judicial District:

Miscellaneous Docket Sheet

Docket Number: 694 MD 2019

Page 4 of 9

September 28, 2022



ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
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Date of Remand of Record:

BRIEFING SCHEDULE

Petitioner	Respondent
Firearms Policy Coalition Brief	Evanchick, Robert Brief
Due: Filed: January 20, 2020	Due: Filed: January 10, 2020
Landmark Firearms LLC Brief	
Due: Filed: January 20, 2020	
Polymer80, Inc. Brief	
Due: Filed: January 20, 2020	
US Rifle, LLC Brief	
Due: Filed: January 20, 2020	

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 20, 2019	Petition for Review Filed			
	Landmark Firearms LLC		Petitioner	
	US Rifle, LLC		Petitioner	
	Polymer80, Inc.		Petitioner	
	Firearms Policy Coalition		Petitioner	
December 20, 2019	Application for Emergency Relief			
	Prince, Joshua Gare	Landmark Firearms LLC	Petitioner	
	Prince, Joshua Gare	US Rifle, LLC	Petitioner	
	Prince, Joshua Gare	Polymer80, Inc.	Petitioner	
	Prince, Joshua Gare	Firearms Policy Coalition	Petitioner	
	Document Name: Pet.'s App. for Special Relief in the Form of an Emergency Preliminary Injunction			
	Comment: Under PA. R.A.P. 1532.			
December 20, 2019	Memorandum of Law Filed			
	Prince, Joshua Gare	Landmark Firearms LLC	Petitioner	
	Prince, Joshua Gare	US Rifle, LLC	Petitioner	
	Prince, Joshua Gare	Polymer80, Inc.	Petitioner	
	Prince, Joshua Gare	Firearms Policy Coalition	Petitioner	
	Document Name: Brief of Petitioner in Support of App. for Special Relief in the Nature of a Preliminary Injunction			
December 20, 2019	Entry of Appearance			
	Neary, Keli Marie	Evanchick, Robert	Respondent	

Miscellaneous Docket Sheet

Docket Number: 694 MD 2019

Page 5 of 9

September 28, 2022



DOCKET ENTRY				
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 24, 2019	Entry of Appearance Boland, Nicole Jeanne	Evanchick, Robert	Respondent	
	Document Name: Nicole J. Boland, Esq.			
December 27, 2019	Hearing Scheduled Ceisler, Ellen			12/30/2019
	Document Name: Hearing on Petitioner's Application for Special Relief in the Nature of an Emergency Preliminary			
	Comment: Injunction under Pa. R.A.P. 1532, is scheduled for January 21, 2020, at 1:30 p.m., in Courtroom 3001, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pennsylvania. Respondent's answer is due on or before January 10, 2020.			
January 10, 2020	Order Filed Per Curiam			01/10/2020
	Document Name: A hearing on Petitioners' Application for Special Relief in the Form of an Emergency Preliminary			
	Comment: Injunction having been scheduled for January 21, 2020, at 1:30 p.m., in Courtroom 3001, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pennsylvania, it is hereby ORDERED that the parties shall exchange witness and exhibit lists on or before January 17, 2020, and attempt in good faith to reach factual stipulations and stipulations as to the admission of exhibits prior to the hearing.			
January 10, 2020	Answer to Application for Relief Boland, Nicole Jeanne	Evanchick, Robert	Respondent	
	Document Name: Answer to Petitioners' Application for Special Relief in the Form of an Emergency PI			
January 10, 2020	Respondent's Brief Filed Evanchick, Robert		Respondent	
	Document Name: Brief in Opposition to App. for Special Relief			
January 17, 2020	Filed - Other Boland, Nicole Jeanne	Evanchick, Robert	Respondent	
	Document Name: Respondent's Witness and Exhibit List			
January 17, 2020	Filed - Other Prince, Joshua Garett	Landmark Firearms LLC	Petitioner	
	Prince, Joshua Garett	Firearms Policy Coalition	Petitioner	
	Prince, Joshua Garett	Polymer80, Inc.	Petitioner	
	Prince, Joshua Garett	US Rifle, LLC	Petitioner	
	Document Name: Petitioners' Witness & Exhibit List			
January 17, 2020	Filed - Other Boland, Nicole Jeanne	Evanchick, Robert	Respondent	
	Document Name: AMENDED Respondent's Witness & Exhibit List			
January 20, 2020	Petitioner's Brief Filed Landmark Firearms LLC		Petitioner	
	US Rifle, LLC		Petitioner	
	Polymer80, Inc.		Petitioner	
	Firearms Policy Coalition		Petitioner	
	Document Name: Brief in Support of PI			

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 694 MD 2019

Page 6 of 9

September 28, 2022



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 20, 2020	Filed - Other Landmark Firearms LLC US Rifle, LLC Polymer80, Inc. Firearms Policy Coalition		Petitioner Petitioner Petitioner Petitioner	
January 22, 2020	Application for Extension of Time to File Neary, Keli Marie	Evanchick, Robert	Respondent	
	Document Name: Respondent's App. in the Form of a Motion for Enlargement of Time to File a Responsive Pleading			
January 23, 2020	Order Granting Application for Extension of Time to File Brobson, P. Kevin			01/24/2020
	Document Name: Upon consideration of Respondent's unopposed Application in the Form of a Motion for Comment: Enlargement of Time to File a Responsive Pleading, the Application is granted. Respondent shall file and serve a responsive pleading within 10 days following the Court's decision on Petitioners' Application for Relief in the Form of a Preliminary Injunction.			
January 31, 2020	Memorandum Opinion Filed Brobson, P. Kevin			01/31/2020
	Document Name: Memorandum Opinion (17 pages) Petitioners' Application for Relief in the Comment: Nature of a Preliminary Injunction is GRANTED. Colonel Robert Evanchick, Commissioner of the Pennsylvania State Police (PSP), and his agents, servants and officers, are enjoined from implementing or enforcing PSP's new policy addressed to partially manufactured receivers, as currently set forth in PSP's Letter of January 9, 2020, until final disposition of the Petition for Review, including appeals. Pursuant to Pa. R.C.P. No. 1531(b), this Order shall become effective upon Petitioners' filing of a bond or legal tender of the United States with the Court in the amount of one hundred dollars (\$100).			
February 3, 2020	Security Filed Prince, Joshua Garett	Landmark Firearms LLC	Petitioner	
	Document Name: Security filed in the amount of \$100.00 in compliance with 1/31/20 Memorandum Opinion			
February 4, 2020	Order Filed Per Curiam			02/04/2020
	Document Name: Counsel having posted security in the amount of \$100. 00, the Prothonotary shall note on the Comment: docket the filing of the security and shall cause the funds to be deposited and held in the Court's escrow account until further order of this Court.			
February 10, 2020	Application for Extension of Time to File Neary, Keli Marie	Evanchick, Robert	Respondent	
	Document Name: Respondent's Unopposed App. in the Form of a Motion for Enlargement of Time to File An Answer			
February 11, 2020	Order Granting Application for Extension of Time to File Brobson, P. Kevin			02/12/2020
	Document Name: Respondent shall file an answer to Petitioners' petition for review by February 24, 2020.			
February 13, 2020	Transcript Lodged Court Reporter			
	Document Name: Proceeding held 1/21/2020 at 1:34 p.m., PJC, CR 3001, Hbg., PA.			

Miscellaneous Docket Sheet

Docket Number: 694 MD 2019

Page 7 of 9

September 28, 2022



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 13, 2020	Exhibit Court Reporter Document Name: Proceeding held 1/21/2020 at 1:34 p.m., PJC, CR 3001, Hbg., PA. - Joint Exhibit A; Comment: Pet's Exhibits A,B,C,D,E,F and G (envelope) Respondents Exhibits A,B,C,D,E,F,G, H (binder).			
February 21, 2020	Amended Court Reporter Document Name: Amended Certificate of Service (Proceeding held 1/21/2020).			
February 24, 2020	Answer to Petition for Review Neary, Keli Marie Boland, Nicole Jeanne	Evanchick, Robert Evanchick, Robert	Respondent Respondent	
February 26, 2020	Transcript Filed Court Reporter Document Name: Proceeding held 1/21/2020 at 1:34 p.m., PJC, CR 3001, Hbg., PA.			
March 24, 2020	Answer to New Matter Prince, Joshua Gare Prince, Joshua Gare Prince, Joshua Gare Prince, Joshua Gare Document Name: Pet.'s Reply to Def.'s New Matter	Landmark Firearms LLC Firearms Policy Coalition Polymer80, Inc. US Rifle, LLC	Petitioner Petitioner Petitioner Petitioner	
March 25, 2022	Order - Rule to Show Cause Per Curiam Document Name: A Rule to Show Cause is hereby issued against Petitioners. The Rule is returnable by April 25, 2022. Comment: NOW, March 25, 2022, this action having been dormant for an extended period of time, a Rule to Show Cause why the action should not be dismissed for want of prosecution is hereby issued against Petitioners. The Rule is returnable by April 25, 2022. Petitioners shall serve a copy of their response to this Rule on all parties and shall so certify in the response. Upon failure of Petitioners to respond to this Rule on or before April 25, 2022, the Prothonotary is directed to dismiss this action as of course.			03/28/2022
April 20, 2022	Application for Stay Prince, Joshua Gare Prince, Joshua Gare Prince, Joshua Gare Prince, Joshua Gare Boland, Nicole Jeanne Document Name: Joint App. to Stay	Landmark Firearms LLC Firearms Policy Coalition Polymer80, Inc. US Rifle, LLC Evanchick, Robert	Petitioner Petitioner Petitioner Petitioner Respondent	
April 20, 2022	Filed - Other Prince, Joshua Gare Prince, Joshua Gare Prince, Joshua Gare Prince, Joshua Gare Document Name: Proposed Order	Firearms Policy Coalition Landmark Firearms LLC Polymer80, Inc. US Rifle, LLC	Petitioner Petitioner Petitioner Petitioner	

Miscellaneous Docket Sheet

Docket Number: 694 MD 2019

Page 8 of 9

September 28, 2022



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 20, 2022	Answer to Rule to Show Cause Why Action Should Not Be Dismissed For		Failure to Prosecute	
	Prince, Joshua Gare	Landmark Firearms LLC	Petitioner	
	Prince, Joshua Gare	Firearms Policy Coalition	Petitioner	
	Prince, Joshua Gare	Polymer80, Inc.	Petitioner	
	Prince, Joshua Gare	US Rifle, LLC	Petitioner	
	Document Name: Petitioners' Answer to the 3-25-22 Rule to Show Cause			
April 21, 2022	Order Directing Status Report			04/22/2022
	Per Curiam			
	Document Name: by 8-19-22			
	Comment: NOW, April 21, 2022, upon consideration of Petitioner's Answer to this Court's March 25, 2022 Rule to Show Cause, the Rule is hereby DISCHARGED.			
	Upon further consideration of the parties' Joint Application for Stay, and it appearing that the Pennsylvania State Police intend to promulgate regulations directly related to the issues presented in this case, the Joint Application for stay is GRANTED.			
	The parties shall file a joint status report within 14 days of the Pennsylvania State Police's promulgation of said regulations, or by August 19, 2022, whichever is sooner.			
August 19, 2022	Application for Extension of Time to File			
	Boland, Nicole Jeanne	Evanchick, Robert	Respondent	
	Document Name: Application for Extension of Time to File Joint Status Report			
August 22, 2022	Joint Status Report			
	Prince, Joshua Gare	Landmark Firearms LLC	Petitioner	
	Prince, Joshua Gare	Firearms Policy Coalition	Petitioner	
	Prince, Joshua Gare	Polymer80, Inc.	Petitioner	
	Prince, Joshua Gare	US Rifle, LLC	Petitioner	
	Boland, Nicole Jeanne	Evanchick, Robert	Respondent	
August 25, 2022	Status Report Filed			
	Boland, Nicole Jeanne	Evanchick, Robert	Respondent	
	Document Name: Supplemental Status Report			
September 6, 2022	Order Filed			09/06/2022
	Per Curiam			
	Document Name: The Stay imposed by Court's 4-21-22 Order is hereby VACATED.			
	Comment: NOW, September 6, 2022, upon consideration of the Joint Status Report filed by Petitioners and Respondent on August 22, 2022, and the Supplemental Status Report filed by Respondent on August 25, 2022, the stay imposed by this Court's April 21, 2022 order is hereby VACATED, and the Court will entertain a formal application to dismiss this matter as moot based upon the federal regulations cited in the parties' status reports, or any other dispositive application.			
September 14, 2022	Order Denying Application for Extension of Time to File			09/14/2022
	Per Curiam			
	Document Name: Application is DENIED as moot due to filing of Joint Status Report on 8-22-22.			
	Comment: NOW, September 14, 2022, upon consideration of the Application for Extension of Time to File Joint Status Report (Application) filed by Colonel Robert Evanchick, Commissioner Pennsylvania State Police (Respondent), and given that Landmark Firearms LLC, US Rifle, LLC, Polymer80, Inc., and the Firearms Policy Coalition, Inc. (collectively, Petitioners) and Respondent filed the above-referenced Joint Status Report on August 22, 2022, and this Court entered an order in response to the Joint Status Report on September 6, 2022, the Application is DENIED as moot.			

3:12 P.M.

Miscellaneous Docket Sheet

Docket Number: 694 MD 2019

Page 9 of 9

September 28, 2022

Commonwealth Court of Pennsylvania

