



Written by [D. Michael DeRidder](#) on July 2, 2024

Supreme Court Declines Review of Illinois Firearm Ban

The U.S. Supreme Court [declined to hear a case challenging Illinois' ban](#) on firearms it classifies as “assault weapons,” rifle magazines with a capacity of more than 10 rounds, and handgun magazines with a capacity of more than 15 rounds. The ban was passed following the mass shooting that resulted in the deaths of seven people during an Independence Day parade in Highland Park, Illinois, on July 4, 2022.

Associate Justice Clarence Thomas wrote that SCOTUS has not ruled which firearms are protected by the Second Amendment, stating, “We have never squarely addressed what types of weapons are ‘Arms’ protected by the Second Amendment.” He noted that [the Seventh Circuit Court has determined that AR-15 rifles are not protected](#), stating:



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The Court of Appeals for the Seventh Circuit rejected petitioners’ request for a preliminary injunction, concluding “that the AR-15 . . . is not protected by the Second Amendment.” ... According to the Seventh Circuit, the rifle selected by millions of Americans for self-defense and other lawful purposes does not even fall within the scope of the Arms referred to by the Second Amendment. This Court is rightly wary of taking cases in an interlocutory posture. But, I hope we will consider the important issues presented by these petitions after the cases reach final judgment.

Thomas said that SCOTUS should review the decision [if the Seventh Circuit Court upholds the Illinois ban](#), stating:

But, if the Seventh Circuit ultimately allows Illinois to ban America’s most common civilian rifle, we can—and should—review that decision once the cases reach a final judgment. The Court must not permit “the Seventh Circuit [to] relegat[e] the Second Amendment to a second-class right.”

Hannah Hill, executive director of the National Foundation for Gun Rights, [responded on X, stating](#):

The Supreme Court just refused to overturn the Illinois semi-auto ban. They will slap down the 5th Circuit for overstepping in favor of gun rights, but not the 7th Circuit for ruling that AR-15s aren’t guns protected by the Second Amendment.

She said the [legal challenges to the Illinois ban would continue](#):



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We will definitely be back. We planned for the long game with our six lawsuits challenging AWBs [assault-weapon bans] and mag bans, and our Colorado cases ARE in a final judgment posture. We WILL outlast both the gun grabbers and the Supreme Court's procedural reticence. But my heart breaks for the people of Illinois today. Their rights have been denied by their own government and delayed by the Supreme Court, and the nation will suffer for today's decision.



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