



Written by [Bob Adelman](#) on November 27, 2015

Lawsuit Against Gun Shop's "Muslim Free Zone" Tossed

Following the shooting of four servicemen in Chattanooga by a Muslim terrorist on July 16, Andy Hallinan, the owner of Florida Gun Supply, posted a video to his shop's Facebook page declaring his store would immediately be a "Muslim-Free Zone," adding:

I have a moral and legal responsibility to ensure the safety of all patriots in my community and so, effectively immediately, I'm declaring Florida Run Supply as a Muslim-free zone.

I will not arm and train those who wish to do harm to my fellow patriots.

Hallinan then went on to say:

We are in a battle, patriots, not only with Islamic extremism ... we're also in a battle against extreme political correctness that threatens our lives because if we can't call evil "evil" for fear of offending people, then we really can't defeat our enemies.

Of course, many would find unfounded Hallinan's fear that accepting known Muslims as customers would amount to "arm[ing] and train[ing] those who wish to do harm to my fellow patriots." But a more fundamental question is, does Hallinan have the right, as the owner of a gun shop, to exclude certain customers from his business he believes may do harm? Put simply, does he have the right to freedom of association?

After Hallinan posted his video, it not only provoked controversy but the state affiliate of the Council on American-Islamic Relations, CAIR-Florida, Inc., filed suit claiming religious discrimination.

CAIR-Florida spokesman Ibrahim Hooper said it was just a publicity stunt and that Hallinan's declaration was blatantly illegal under the Civil Rights Act of 1964. Hooper called on the Justice Department to investigate possible violations of federal civil rights laws, noting:

These bigoted declarations are no different than "whites only" signs posted in businesses during a period of our nation's history that we had hoped was over. The Department of Justice must investigate these hate-filled and un-American business practices to determine whether federal civil rights laws are being violated.

Twelve days later CAIR-Florida filed a civil suit against Hallinan and his shop claiming religious discrimination and that Hallinan "has singled out Muslims as a group of people that it intends to treat differently." It demanded that the court issue an injunction against Hallinan, prohibiting him from discriminating against Muslims and demanding that he pay their attorneys' fees as well.

U.S. District Judge Beth Bloom tossed the complaint on Monday. The decision was not based on the issue of freedom of association but on the fact that no one has been injured, and that consequently CAIR-Florida had no standing to bring the complaint:

[CAIR's complaint] must provide more than labels and conclusions ... [it] demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation.





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Hallinan's defense, aided by attorneys from the American Freedom Law Center (AFLC), noted:

There are no facts demonstrating that Plaintiff [Muslims represented by CAIR-Florida] was (or will be) unlawfully discriminated against.

There are no facts demonstrating that Plaintiff has attempted to purchase a firearm from Defendant and was denied on the basis of its religion or has attempted to attend a gun safety class and was denied on the basis of its religion or attempted to do anything at Defendant's retail gun store and was denied on the basis of religion.

And there are no allegations that Plaintiff will attempt to do any such activities at Defendant's retail gun store in the future and be unlawfully denied on the basis of religion.

Thus, Plaintiff has not alleged facts to demonstrate actual present harm or a significant possibility of future harm as required by Article III.

Consequently, Judge Bloom granted Hallinan's motion to dismiss.

AFLC's co-founder Robert Muse called the lawsuit "patently frivolous." He also stated that "no firearms dealer or gun range owner ... should be required to sell weapons to or train anyone that the dealer or owner has reason to believe is a terrorist threat.

AFLC wasn't done, however, in its criticism of the lawsuit brought by CAIR-Florida, an affiliate of CAIR itself:

This dismissal was yet another AFLC victory against CAIR and its jihadi *lawfare* against patriotic Americans across the country. This victory follows on the heels of a recent victory against CAIR in a Michigan federal court... [Emphasis added.]

CAIR was born from a jihadi terrorist conspiracy, and it has done little to distance itself from those bona fides.

CAIR is on notice: if you attempt to use the courts to conduct your civilizational jihad, AFLC will be there to defend law-abiding, patriotic Americans and our nation's national security. We will match and defeat your civilization jihad with our constitutional *lawfare* in every courtroom across the nation. [Emphasis added.]

Those "bona fides" have resulted in long and detailed examples of aiding and abetting enemies of the United States, especially and particularly Hamas, which has been designated as a terrorist organization by the European Union, Canada, Israel, Egypt, Japan, the United Arab Emirates and the United States. Interestingly, even hard-core leftist Senator Barbara Boxer (D-Calif.) withdrew a "certificate of accomplishment" she originally gave to a former CAIR official after her staff looked into CAIR and learned of its extremist and terrorist connections.

CAIR has had experience losing lawsuits like the one brought in Florida. Back in 2004 it initiated a lawsuit against an opposition group, Anti-CAIR, which also was tossed, but "with prejudice" (meaning that it cannot be reopened). That ruling implicitly acknowledged the accuracy of the statements made by Anti-CAIR:

CAIR is a terrorist supporting front organization that is partially funded by terrorists;

CAIR ... is supported by terrorist-supporting individuals, groups and countries;

CAIR has proven links to, and was founded by, Islamic terrorists; and



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CAIR actively supports terrorists and terrorist-supporting groups and nations.

“Lawfare” is how CAIR hopes to intimidate and silence actions such as those of Hallinan and others who see through the façade of CAIR as a harmless, even beneficial, lobby for everyday Muslims. The ruling in Florida further exposes CAIR’s tactic for what it really is: a legal shakedown.

A graduate of an Ivy League school and a former investment advisor, Bob is a regular contributor to The New American magazine and blogs frequently at www.LightFromTheRight.com, primarily on economics and politics. He can be reached at badelmann@thenewamerican.com.



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