

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

MICHAEL MOORE; CHARLES HOOKS;)
PEGGY FECHTER; JON MAIER; SECOND)
AMENDMENT FOUNDATION, INC.; and)
ILLINOIS CARRY,)

Plaintiffs,)

-vs-)

No. 11-3134

LISA MADIGAN, in her Official Capacity as)
Attorney General of the State of Illinois; and)
HIRAM GRAU, in his Official Capacity as)
Director of the Illinois State Police,)

Defendants.)

MOTION TO CLARIFY

Now come defendants, Lisa Madigan, Attorney General of the State of Illinois, and Hiram Grau, Director of the Illinois State Police, by their attorney, Lisa Madigan, Attorney General of the State of Illinois, and hereby move to clarify their response to plaintiffs' motion for a preliminary injunction, stating:

1. Defendants filed their response to plaintiffs' motion for preliminary injunction on July 27, 2011. (Doc. 26)

2. It has come to the attention of defendants that the brief was not clear on one point.

3. In their response to plaintiffs' motion for a preliminary injunction, defendants represented that Illinois law allows the carrying of usable firearms "in any land outside the corporate limits of a city, village or incorporated town." See Doc. 26 at 11 (quoting 720 ILCS 5/24-1 (West 2011)). This is correct under the Unlawful Use of Weapons statute, which does not impose criminal liability for the open carrying of useable firearms in unincorporated areas, see 720 ILCS 5/24-1(a)(10)(West 2011). The Aggravated Unlawful

Use of Weapons statute, however, does impose criminal liability for this conduct and the brief did not make that distinction clear. See 720 ILCS 5/24-1.6(a)(1), (3)(A-B)(West 2011); accord *People v. Williams*, 940 N.E.2d 95, 99 (Ill.App.Ct. 2010).

WHEREFORE, defendants respectfully request that this honorable Court accept this clarification of statements made in defendants' brief.

Respectfully submitted,

LISA MADIGAN, et al.,

Defendants,

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LISA MADIGAN, Attorney General
State of Illinois,

Attorney for Defendants.

By: /s/Terence J. Corrigan
Terence J. Corrigan
Assistant Attorney General

Certificate of Service

I hereby certify that on August 23, 2011, I presented the foregoing Defendants' Motion to Correct to the Clerk of the Court for filing and uploading to the CM/ECF system which will send notification of such filing to the following:

dsigale@sigalelaw.com

david@djensenpllc.com

and I hereby certify that on August 23, 2011, I have mailed by United States Postal Service, the document to the following non-registered participant:

None

Respectfully submitted,

s/Terence J. Corrigan

Terence J. Corrigan, #6191237

David A. Simpson, #6300876

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