

STATE OF MINNESOTA

COURT OF APPEALS

A25-\_\_\_\_\_

**FILED**

September 15, 2025

**OFFICE OF  
APPELLATE COURTS**

Tim Walz, Governor of Minnesota, in his official capacity; Keith Ellison, Attorney General of Minnesota, in his official capacity; Drew Evans, Superintendent of the Minnesota Bureau of Criminal Apprehension, in his official capacity,

**STATEMENT OF THE CASE OF  
APPELLANTS**

Ramsey County  
Trial Court Case No. 62-CV-25-1083

Date of Decision: August 18, 2025

Appellants,

Appellate Case No.

vs.

Minnesota Gun Owners Caucus,

Respondent.

Appellants Tim Walz, Governor of Minnesota; Keith Ellison, Attorney General of Minnesota; and Drew Evans, Superintendent of Minnesota Bureau of Criminal Apprehension (collectively, the “State”) submit this Statement of the Case:

**1. Court or agency of case origination and name of presiding judge or hearing officer.**

Ramsey County District Court, the Honorable Leonardo Castro presiding.

**2. Jurisdictional statement.**

**(A) Appeal from district court.** Yes.

**Statute, rule or other authority authorizing appeal:**

Minn. R. Civ. App. P. 103.03(a).

**Date of entry of judgment or date of service of notice of filing of order from which appeal is taken:**

Judgment was entered on August 18, 2025 (Index No. 63).

**Authority fixing time limit for filing notice of appeal (specify applicable rule or statute):**

Minn. R. Civ. App. P. 104.01, subd. 1.

**Date of filing any motion that tolls appeal time:** N/A

**Date of filing of order deciding tolling motion and date of service of notice of filing:** N/A

**(B) Certiorari appeal.** N/A

**(C) Other appellate proceedings.** N/A

**(D) Finality of order or judgment.**

Does the judgment or order to be reviewed dispose of all claims by and against all parties, including attorney fees? Yes  No

**3. State type of litigation and designate any statutes at issue.**

Plaintiff Minnesota Gun Owners Caucus claimed a law amending the definition of a trigger activator (the “Binary Trigger Amendment”), which was included as part of an omnibus bill passed by the Minnesota Legislature on May 19, 2024 (the “2024 Omnibus”), violated the single-subject clause of the Minnesota Constitution. The Articles of the Minnesota Constitution and Minnesota Statutes at issue are as follows:

Minn. Const. art. IV, § 17

Minn. Const. art. I, § 8

Minn. Stat. § 609.67, subd. 1(d)(3)

HF 5247, 93d Leg., Reg. Sess. (Minn. 2024)

**4. Brief description of claims, defenses, issues litigated and result below. For criminal cases, specify whether conviction was for a misdemeanor, gross misdemeanor, or felony offense.**

Respondent brought a complaint (Index No. 1) alleging that the Binary Trigger Amendment violated the single-subject and remedies clauses of the Minnesota Constitution. Binary triggers allow firearms to discharge a cartridge during both the backward movement of the trigger and the forward movement, effectively doubling

the rate of fire. As a remedy for its procedural challenge, Respondents asked the district court to declare the entire 2024 Omnibus unconstitutional.

The State moved to dismiss the complaint and urged the district court to reject Respondent's sweeping request for relief, while cautioning that plaintiffs like Respondent have used, and would continue to use, the single-subject clause as a vehicle to redline disfavored legislation. (Index Nos. 11, 18–20, 38.)

First, the State argued that courts should treat the single-subject clause claim as a non-justiciable political question, considering the realities of modern legislation and to avoid interfering with Minnesota's political process.

Second, the State argued for the application of what is known in other jurisdictions as the “codification rule.” Under the codification rule, any defects in the title or subject of a bill are cured when the bill is subsequently codified into the specific statutes. *E.g., State v. Mabry*, 460 N.W.2d 472, 475 (Iowa 1990). The Revisor of Statutes codified all the statutes affected by the 2024 Omnibus, including the Binary Trigger Amendment, on November 1, 2024. Because Respondent filed its complaint long after codification, the State argued that its single-subject challenge should be dismissed as untimely. Otherwise, plaintiffs like Respondent would be able to challenge legislation passed as far back as six years ago due to the format of the legislation—not the substance of the law.

Third, the State argued that severance of the Binary Trigger Amendment would be the proper remedy for any violation of the single-subject clause, rather than a wholesale invalidation of the entire 2024 Omnibus. Minnesota Supreme Court binding precedent, as acknowledged by the district court, unambiguously provides that severance is the appropriate remedy for single-subject clause violations. *E.g., Otto v. Wright County*, 901 N.W.2d 446, 456 (Minn. 2018).

Fourth, the State argued that the remedies clause did not apply because Respondent did not identify a common law right it sought to vindicate or that the legislature attempted to abolish.

Respondent opposed the State's motion and filed a pre-discovery motion for summary judgment. (Index Nos. 21–26, 32, 37.) The State opposed Respondent's motion for summary judgment, for many of the same reasons articulated in its motion to dismiss. Further, Respondent failed to demonstrate standing with sufficient, admissible evidence.

The district court held an initial hearing on May 13, 2025, and subsequently ordered Respondent to submit declarations from alleged members for *in camera* review to establish associational standing. (Index Nos. 39, 41, 45.) On June 4, 2025, the district court entered an order finding that Respondent had sufficiently established

associational standing and ordering supplemental briefing on the merits of Respondent's motion for summary judgment. (Index No. 46.)

On July 29, 2025, the district court held a second hearing on Respondent's motion for summary judgment. And on August 18, 2025, the district court entered an opinion and order: 1) refusing to consider whether single-subject clause challenges present a non-justiciable political question; 2) refusing to consider whether the codification rule barred Respondent's single-subject clause challenge; 3) denying the State's motion to dismiss Respondent's single-subject clause challenge; 4) granting the State's motion to dismiss Respondent's remedies clause challenge; and 5) granting Respondent's motion for summary judgment and entering judgment in its favor. (Index No. 63.)

**5. List specific issues proposed to be raised on appeal.**

- Did the district court err in holding that the 2024 Omnibus violated the single-subject clause of the Minnesota Constitution and granting Respondent's Motion for Summary Judgment?
- Did the district court err in denying the State's Motion to Dismiss Respondent's single-subject clause challenge?

**6. Related appeals.**

*UnitedHealth Group Incorporated, et al. v. State of Minnesota, et al.*, Appellate Court No. A25-1398, Ramsey County District Court Case No. 62-CV-24-4764.

**7. Contents of record.**

Is a transcript necessary to review the issues on appeal? Yes  No

If yes, full  or partial  transcript?

Has the transcript already been delivered to the parties and filed with the trial court administrator? Yes  No

If not, has it been ordered from the court reporter? Yes  No  (Appellants will order the transcript(s) once an appellate case number is assigned)

If a transcript is unavailable, is a statement of the proceedings under Rule 110.03 necessary? Yes  No

In lieu of the record as defined in Rule 110.01, have the parties agreed to prepare a statement of the record pursuant to Rule 110.04? Yes  No

8. **Is oral argument requested?** Yes  No

9. **Identify the type of brief to be filed.**

Formal brief under Rule 128.02.

Informal brief under Rule 128.01, subd. 1 (must be accompanied by motion to accept unless submitted by claimant for reemployment benefits).

Trial memoranda, supplemented by a short letter argument, under Rule 128.01, subd. 2.

10. **Names, addresses, and telephone numbers of attorney for appellants and respondent.**

<b><u>Attorneys for Respondent</u></b>	<b><u>Attorneys for the State</u></b>
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Dated: September 15, 2025

Respectfully submitted,

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State of Minnesota

/s/ Anna Veit-Carter

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