

Supreme Court Smacks Down NRA

No one imagined a simple gun purchase by a former Virginia State Trooper would end up in federal court. It did, and the case pitted the [National Rifle Association](#) (NRA) against proponents of gun purchase restrictions.

Angel Alvarez mailed a \$400 check to his nephew, Bruce Abramski with which to buy a Glock 19 handgun. Abramski went to a gun dealer in Rocky Mount, Virginia, passed the required background check and signed an ATF Form attesting to him being the intended owner. Later, when investigators misidentified Abramski as a bank robbery suspect, [federal investigators](#) found the receipt revealing he had bought the Glock. Abramski had lied on a federal form.

Abramski told the court that his straw purchase was not material as his uncle is lawfully capable of owning a gun. Abramski and his attorney made a bigger claim: the 1968 gun control law only governs the initial purchase, not resales of weapons. The NRA told the court federal regulators pulled the straw purchasing prohibition out of thin air.

The NRA, which was footing the bill for Abramski, discovered a divide at the national level when it came to handling straw sales. Various circuit courts supported the government's assertion that giving a false report on the ATF 4473 is a breach of the law despite the intention. The U.S. Fifth Circuit, in another case, held that as long as the last individual involved in the sales chain also qualified to possess a gun, the subsequent sale was lawful within the law which regarding the 4473. The Supreme Court has consented to listen to the argument and settle any apparent disputes between the various appellate courts.

[Brady](#) experts believe that the NRA is scraping the barrel in trying to claim a constitutional power to gun possession as everyone connected to the deal is legally authorized for gun ownership. The 4473, with its faults, doesn't hand the buyer the freedom to determine for himself if the weapon will end up in law-abiding hands. Abramski could have just avoided the problem by asking his Virginia merchant to ship the gun to his uncle's trader in Pennsylvania — dealers do this frequently.

UPDATE

The Supreme Court upheld the ban on [straw buyers](#). Observers say the decision was a huge victory as buying for others is one of the biggest ways criminals obtain guns without a background check or leaving a paper trail.