

ANDREW M. WILLINGER

Mailing Address:
210 Science Drive
Durham, NC 27708-9985

Email: Andrew.willinger@duke.edu
Phone: 919-613-8641
973-818-3753 (cell)

ACADEMIC POSITIONS

Duke Center for Firearms Law, Durham, NC
Executive Director, June 2022 – present

Duke University School of Law, Durham, NC
Lecturing Fellow, July 2023 – present

EDUCATION

Duke University School of Law, Durham, North Carolina 2016
Juris Doctor, *magna cum laude*
Order of the Coif; Top 5% of the class; *Duke Law Journal*, Staff Editor

Dartmouth College, Hanover, New Hampshire 2012
Bachelor of Arts, *magna cum laude*

PUBLICATIONS

*Bruen's Enforcement Puzzle: Unearthing and Adjudicating the Historical Enforcement Record in Second Amendment Cases**
99 N.D. L. REV. __ (forthcoming 2024) [[link to current draft](#)]

*Missing Pieces: Gaps in the Record of Early American Decisional Law**
DUKE L.J. ONLINE (2024) [[link](#)]

*Extreme Risk Protection Orders in the Post-Bruen Age: Weighing Evidence, Scholarship and Rights for a Promising Gun Violence Prevention Tool**
51 FORDHAM URB. L.J. 157 (2023) (with Shannon Frattaroli) [[link](#)]

The Territories Under Text, History, and Tradition

101 WASH. U. L. REV. 1 (2023) (lead article) [[link](#)]

- Cited in *Atkinson v. Garland*, 70 F.4th 1018 (7th Cir. 2023) (Wood, J., dissenting)
- Cited in *Miller v. Bonta* (S.D. Cal. 2023)
- Cited in *Duncan v. Bonta* (S.D. Cal. 2023)
- Cited in *Rhode v. Bonta* (S.D. Cal. 2024)

* Invited submission.

Does the Second Amendment Make Gun Politics Obsolete?
55 (2) POLITY 363 (2023) (with Joseph Blocher) [\[link\]](#)

WORKS IN PROGRESS

Flexible in Theory, Fatal in Practice?

Exporting the Second Amendment

SELECTED POPULAR WRITING

[California's New 'Bounty-Hunter' Gun Law](#), BLOOMBERG LAW (Aug. 15, 2022)

[Private Property Default Exceptions, Firearms Training, and Multi-Tiered Licensing](#), SECOND THOUGHTS BLOG (Jan. 11, 2023)

- Cited in *Koons v. Platkin* (D.N.J. 2023)

[The Perils of Independent Judicial Analysis of Historical Sources](#), SECOND THOUGHTS BLOG (Jan. 17, 2023)

[Territorial Gun Regulation and the "Lost" History of the Federal Second Amendment](#), SECOND THOUGHTS BLOG (Aug. 8, 2022)

[History in Practice: How Have Lower Courts Applied Bruen So Far?](#), SECOND THOUGHTS BLOG (Aug. 3, 2022)

[New York's Response to Bruen: The Outer Limits of the "Sensitive Places" Doctrine](#), SECOND THOUGHTS BLOG (July 13, 2022)

SELECTED MEDIA

Quoted in Mathew Rice, "[Welcome to Washington: An Originalist Case for Saving Hunter Biden](#)," THE N.Y. SUN (Mar. 21, 2024)

Interviewed for "[SCOTUS Will Decide Trump Immunity & Bump Stock Ban](#)," BLOOMBERG LAW PODCAST (Feb. 28, 2024)

Quoted in Champe Barton, "[Mexico's Lawsuit Against U.S. Gunmakers Has Cleared a Big Hurdle](#)," THE TRACE (Feb. 5, 2024)

Interviewed for Martin Kaste, "[In today's gun rights cases, historians are in hot demand. Here's why](#)," NPR WEEKEND EDITION (Feb. 3, 2024)

Quoted in Dan Kane, "[Lawmakers revoked NC's gun permit law. It might have saved professor killed at UNC](#)," THE NEWS & OBSERVER (Jan. 28, 2024)

Interviewed for "[Justices Weigh New Gun Test in Domestic Violence Case](#)", BLOOMBERG CASES AND CONTROVERSIES PODCAST (Nov. 9, 2023)

Quoted in Melissa Quinn, and Erica Brown, "[Supreme Court to hear arguments in case that could limit Congress on gun control](#)," ROLL CALL (Nov. 6, 2023)

Quoted in Clare Hymes, Melissa Quinn, and Erica Brown, "[Hunter Biden pleads not guilty at arraignment on felony gun charges](#)," CBS NEWS (Oct. 3, 2023)

Quoted in Devan Cole, "[How Clarence Thomas' landmark Second Amendment ruling could help Hunter Biden fight his gun charges](#)," CNN (Sep. 27, 2023)

Quoted in Hannah Wiley, "[California Legislature approves concealed-carry limits, teeing up possible Supreme Court fight](#)," L.A. TIMES (Sep. 12, 2023)

Quoted in Dan Kane, "[Could the UNC shooting suspect legally possess a gun? Here's what we know so far](#)," THE NEWS & OBSERVER (Sep. 7, 2023)

Interviewed for "[Is it Unconstitutional to Take Guns Away from Domestic Abusers?](#)", NEW BOOKS NETWORK'S POSTSCRIPT (July 24, 2023)

Quoted in Lydia Wheeler, "[Judges Confused by Supreme Court's Historical Test for Gun Laws](#)," BLOOMBERG LAW (July 12, 2023)

Interviewed for Karen Conti, "[Can domestic violence abusers own a firearm?](#)", WGN RADIO 720 CHICAGO (July 9, 2023)

Quoted in Avalon Zappo, "[Justices Take Up Gun Case That Puts Landmark 2nd Amendment Ruling to the Test](#)," THE NATIONAL LAW JOURNAL (June 30, 2023)

Quoted in Aliza Chasan, "[What are red flag laws – and do they work in preventing gun violence?](#)", CBS News (June 30, 2023)

Interviewed for Martin Kaste, "[Washington state is moving to ban or restrict the sale of assault weapons](#)," NPR'S ALL THINGS CONSIDERED (April 26, 2023)

Quoted in Sanya Mansoor, "[States Are Banning Assault Weapons. Courts Could Stop Them](#)," TIME (Mar. 30, 2023)

Quoted in Shawn HUBLER, "[In the Gun Law Fights of 2023, a Need for Experts on the Weapons of 1791](#)," N.Y. TIMES (Mar. 14, 2023)

Interviewed for Emma Withrow, "[Republican lawmakers closer to repealing Jim Crow-era pistol permit law in NC](#)," CBS 17 (Mar. 11, 2023)

Interviewed for "[Willinger on Gun Laws after Bruen, Barkow on Sayfullo Saipov Death Penalty Case, Martini and Susler on Inside Out](#)," WGN Radio Legal Face-Off (Feb. 27, 2023)

Interviewed for "[Federal judge blocks motion to halt Illinois assault weapons ban](#)," WBEZ CHICAGO (Feb. 21, 2023)

Quoted in Avalon Zappo, "[Judge Frustrated Over Lack of Historical Analysis in Gun Rights Case](#)," LAW.COM (Feb. 8, 2023)

Quoted in Hannah Wiley, "[California Democrats try again to rewrite concealed-carry gun law](#)," L.A. TIMES (Feb. 1, 2023)

Quoted in Frank Main & Tina Sfondeles, "[Why Illinois' new assault weapons ban might not hold up in court](#)," CHI. SUN TIMES (Jan. 13, 2023)

Quoted in Ariane de Vogue, "[Supreme Court asked to step in on New York concealed carry firearm law](#)," CNN (Jan. 3, 2023)

Quoted in Theodore Decker, "[Ohio preemption law must fall if cities want local gun restrictions](#)," THE COLUMBUS DISPATCH (Dec. 22, 2022)

Interviewed for "[Federal judge strikes down California gun safety law, Governor Newsom rejoices](#)," KCBS RADIO (Dec. 20, 2022)

Quoted in Cole Claybourn, "[What to Know about Gun Policies on Colleges Campuses](#)," U.S. NEWS & WORLD REPORT (Dec. 16, 2022)

Quoted in Jimmy Vielkind, "[States Advancing Gun-Control Proposals Face Legal Uncertainty](#)," WALL ST. JOURNAL (Dec. 5, 2022)

Quoted in Nina Baker, "[In Iowa, Voters Set Their Sights on Gun Rights](#)," THE NATION (Nov. 1, 2022)

Quoted in Keegan Hamilton, "[Ghost Guns Are Causing Chaos in American Courts](#)," VICE (Oct. 27, 2022)

Quoted in Jonah Bromwich, "[Federal Judge Blocks N.Y. Gun Law, Finding Much of It Unconstitutional](#)," N.Y. TIMES (Oct. 6, 2022)

Quoted in Nusaiba Mizan, "[Fact-check: Is Abbott right that raising age for AR purchases is unconstitutional?](#)" AUSTIN-AM. STATESMAN (Sep. 20, 2022)

Interviewed for "[Duke Law's Andrew Willinger on Bruen's Fallout](#)," THE RELOAD PODCAST (Aug. 1, 2022)

Interviewed for "[Supreme Court's Next Term Could Be As Controversial](#)," BLOOMBERG LAW PODCAST (July 12, 2022)

Quoted in Ariane de Vogue, "[Supreme Court makes it clear there's a red America and a blue America](#)," CNN (July 2, 2022)

PRESENTATIONS AND PUBLIC SPEAKING

ABA Midyear Meeting, Louisville, KY (Feb. 2, 2024)

Presentation on “The Past and Future of the Right to Keep and Bear Arms”

2023 Cooper-Walsh Colloquium: Public Health History and the Future of Gun Regulation after Bruen, Fordham University School of Law (Oct. 13, 2023)

Panelist discussing *Extreme Risk Protection Orders*

Notre Dame Law Review Symposium: History, Tradition, and Analogical Reasoning, Notre Dame Law School (Nov. 3, 2023)

Panelist discussing historical enforcement evidence under *Bruen*

Mississippi Law Journal Symposium, University of Mississippi (Nov. 10, 2023)

Panelist discussing the constitutionality of federal firearm prohibitions

Jewish for Good at the Levin Jewish Community Center, Durham, NC (Dec. 15, 2023)

Presentation on “The Gun Debate”

Gun Country Panel Discussion, Chapel Hill, NC (Jan. 30, 2024)

Panelist at *Gun Country* book launch event discussing legal issues

COURSES TAUGHT

Second Amendment: History, Theory, and Practice[†] (Upper Level Seminar)

Duke University School of Law, Fall 2023

LEGAL WORK EXPERIENCE

Patterson Belknap Webb & Tyler LLP, New York

Associate, Litigation, October 2019 – June 2022

- Drafted briefs for dispositive motions, including motions to dismiss and motions for summary judgment; took and defended multiple expert and fact witness depositions.
- Prepared fact and expert witnesses for trial and drafted examination scripts; served as second chair for trial testimony of affirmative survey expert in defamation case.
- *Pro bono matters*: Drafted amicus brief in Fourth Circuit appeal challenging terrorist screening database; obtained discharge upgrade for LGBTQ+ military veteran.

The Honorable William L. Osteen, Jr., United States District Judge, Greensboro, NC

Law Clerk, 2018 – 2019

- Assisted in drafting opinions and orders, researched issues for criminal trials.
- Prepared judge for Fourth Circuit oral arguments and drafted opinions.

[†] Co-taught with Joseph Blocher. Student evaluations available upon request.

Simpson Thacher & Bartlett LLP, New York

Associate, Corporate, 2016 – 2018 (Summer Associate, New York/Hong Kong, 2015)

- Represented corporations and banks in debt and equity offerings and mergers and acquisitions.
- Obtained special immigrant juvenile status in Bronx Family Court for pro bono client.

BAR ADMISSIONS AND PROFESSIONAL ACTIVITIES

North Carolina

New York