

## ANDREW M. WILLINGER

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## CURRENT AND FUTURE POSITIONS

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**Duke University School of Law, Durham, NC**

*Executive Director, Center for Firearms Law, June 2022 – present*

*Lecturing Fellow, July 2023 – present*

- **Courses Taught:** 2nd Amendment: History, Theory & Practice<sup>†</sup> (Fall 2023 and 2024)

**Georgia State University College of Law, Atlanta, GA**

*Assistant Professor of Law, starting January 2026, Constitutional Law and Civil Procedure*

## EDUCATION

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**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*

**Dartmouth College, Hanover, New Hampshire** 2012

Bachelor of Arts, *magna cum laude*

## PUBLICATIONS

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*Bruen's Enforcement Puzzle: Unearthing and Adjudicating the Historical Enforcement Record in Second Amendment Cases\**

**99 NOTRE DAME L. REV. 1425** (2024) [[link](#)]

*Missing Pieces: Gaps in the Record of Early American Decisional Law\**

**73 DUKE L.J. ONLINE 209** (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)

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<sup>†</sup> Co-taught with Joseph Blocher. Student evaluations available upon request.

\* Invited submission.

- Cited in *Miller v. Bonta* (S.D. Cal. 2023); *Duncan v. Bonta* (S.D. Cal. 2023); *Rhode v. Bonta* (S.D. Cal. 2024)

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

## WORKS IN PROGRESS

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*History and Tradition As Heightened Scrutiny*  
60 WAKE FOREST L. REV. \_\_ (forthcoming 2025) [[link](#)]

*Judge-Scholar Collaboration and the Second Amendment\** (with co-author Eric Ruben)  
78 SMU L. REV. \_\_ (forthcoming 2025)

*Mexico's Case Against the Gun Industry and Domestic Tort Liability\**  
64 SO. TEX. L. REV. \_\_ (forthcoming 2025)

*Private Law Analogues* – Explores whether and how the historical practices of non-governmental organizations should be viewed as analogues for modern public regulation under historically-focused constitutional tests.

## SELECTED POPULAR WRITING

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[Cargill and the Regulatory Time Gap](#), THE REGULATORY REVIEW (July 24, 2024) [[part of the 2023-2024 Supreme Court Term Essay Series](#)]

[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)

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

## SELECTED MEDIA

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Quoted in Saranac Hale Spencer, "[Gun Charges Against Hunter Biden Didn't Come from 1994 Crime Bill](#)," FACTCHECK (Dec. 16, 2024)

Quoted in Melissa Quinn, "[Supreme Court to weigh legality of Biden administration's ghost guns rule](#)," CBS NEWS (Oct. 7, 2024)

Quoted in Anjali Huynh, "[N.H. residents fight Mass. gun laws in court](#)," THE BOSTON GLOBE (Oct. 1, 2024)

Quoted in Samantha Latson, "[The Supreme Court expanded gun rights. That could complicate the Trump assassination attempt case.](#)" POLITICO (Sep. 21, 2024)

Quoted in Stephen Dinan, "[Appeals courts increasingly skeptical of gun controls in wake of Supreme Court rulings](#)," WASHINGTON TIMES (Sep. 5, 2024)

Quoted in Jessica Kegou and Clare Hymes, "[Could parents of Trump rally shooter face legal consequences?](#)" CBS NEWS (July 19, 2024)

Quoted in Devan Cole, "[Minnesota ban on 18- to 20-year-olds obtaining handgun permits is unconstitutional, federal appeals court says](#)," CNN (July 16, 2024)

Quoted in Lawrence Hurley and Dareh Gregorian, "[After gun control victory at Supreme Court, justices have other firearms cases in their sights](#)," NBC NEWS (June 22, 2024)

Interviewed for "[Bloomberg Intelligence: SCOTUS Gun Ruling, ETF Reshuffle](#)," BLOOMBERG INTELLIGENCE PODCAST (June 21, 2024)

Interviewed for "[SCOTUS Decisions, Hunter Biden, Chicago's plan to handle the DNC and much more](#)," WGN RADIO LEGAL FACE-OFF (June 21, 2024)

Interviewed for "[Eyewitness News at 4pm](#)," ABC 11 WTVD-TV RALEIGH (June 14, 2024)

Quoted in John Fritze and Devan Cole, "[How the Supreme Court could help Hunter Biden appeal his conviction](#)," CNN (June 12, 2024)

Quoted in Rebecca Boone, "[What's the firearms form at the center of Hunter Biden's gun trial? AP Explains](#)," THE ASSOCIATED PRESS (June 7, 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 (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 & 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)

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

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

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)

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

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- **SMU Law Review Symposium: Rahimi and The Future of Text, History and Tradition**, Dallas, TX (Oct. 25, 2024), Moderator
- **Supreme Court Preview 2024-25**, American Constitution Society, Virtual Event (Oct. 3, 2024)
- **2024 Firearms Law Works-in-Progress Conference**, Durham, NC (May 24, 2024), Moderator
- **Thoughts on the Future of the Second Amendment after Bruen**, The Federalist Society, Triangle Lawyers Chapter, Raleigh, NC (May 22, 2024)
- **How Should a President Be?: Firearms and Gun Violence**, with New America Us@250 Fellow and bestselling author Alexis Coe, Washington, DC (May 15, 2024)
- **"The Past and Future of the Right to Keep and Bear Arms,"** American Bar Association Midyear Meeting, Louisville, KY (Feb. 2, 2024)
- **Cooper-Walsh Colloquium**, Fordham School of Law, New York, NY (Oct. 13, 2023)
- **Notre Dame Law Review Symposium: History, Tradition, and Analogical Reasoning**, South Bend, IN (Nov. 3, 2023)
- **Mississippi Law Journal Symposium**, Oxford, MS (Nov. 10, 2023)
- **"The Gun Debate,"** Levin Jewish Community Center, Durham, NC (Dec. 15, 2023)
- **Gun Country Panel Discussion**, Chapel Hill, NC (Jan. 30, 2024)

## LEGAL WORK EXPERIENCE

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### **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.

### **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, mergers, acquisitions.
- Obtained special immigrant juvenile status in Bronx Family Court for pro bono client.

## BAR ADMISSIONS & OTHER PROFESSIONAL ACTIVITIES

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*Bar Admissions:*

- New York
- North Carolina (inactive status)

*Miscellaneous Professional Activities:*

- Endorser for LINDA MULLENIX, *OUTGUNNED: THE NEW ERA OF FIREARMS ACCOUNTABILITY* (forthcoming)
- Referee / Peer Reviewer, *YALE LAW JOURNAL*
- Manuscript Reviewer for Bloomsbury Academic
- External Scholarship Reviewer for Professor Brandon Beck's Promotion and Tenure Review Committee, Texas Tech University School of Law