

# Merrick Garland heard Trump campaign manager's appeal over gun in 2003

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WASHINGTON — Long before they made headlines, President Obama's embattled Supreme Court nominee and Donald Trump's beleaguered campaign manager had a legal altercation over a gun.

Merrick Garland was one of three federal appeals court judges who denied Corey Lewandowski's effort to get his pistol back after his arrest in 1999 for carrying it into a House office building.

Garland, who is under fire from gun-rights groups for two other rulings that supporters say have been misrepresented, was joined in ruling against Lewandowski in 2003 by two conservative judges.

Lewandowski [was charged with battery this week](#) for grabbing a female reporter while she was trying to ask Trump a question. That prompted media reports that cited his earlier brush with the law.

Seventeen years ago while working for former Republican congressman Robert Ney, Lewandowski was arrested for carrying what [court records](#) say was a loaded pistol, three magazines, a holster and several rounds of ammunition in an overnight bag into the Longworth House Office Building.

He was charged with a misdemeanor, claimed it was an accident, and the charges eventually were dismissed. Then for four years he fought to get the gun back, filing lawsuits in four District of Columbia and federal courts.

After losing in two D.C. courts, Lewandowski tried to recover the gun from the police department and was again denied. He filed a federal lawsuit for loss of property and mental anguish, seeking \$50,000 in damages, but the judge ruled it was "simply an attempt to sue the government again." That prompted the appeal to the U.S. Court of Appeals for the D.C. Circuit — Garland's court.

In May 2003, a panel composed of Garland and conservative Judges Douglas Ginsburg and David Sentelle became the fourth court to deny Lewandowski's effort to recover the gun in a brief, unsigned opinion.

Garland, nominated earlier this month by President Obama for the Supreme Court seat left vacant by the death of Justice Antonin Scalia, has been denounced by the National Rifle Association over two more substantive cases.

In 2007, he was among several judges who sought to reconsider a three-judge panel's decision striking down the District of Columbia's handgun ban. Conservative critics say that shows he favored the ban. Supporters note that judges often seek rehearings simply because of an issue's importance, not because they disagree with the earlier ruling.

In 2000, Garland was on a panel that upheld the Justice Department's maintenance of background check data for six months. The NRA had challenged the policy as constituting a national gun registry.