[Cite as *State v. Byrd*, 2026-Ohio-3664.]

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
LUCAS COUNTY

State of Ohio — Court of Appeals No. {48}L-25-00260

Appellee — Trial Court No. CR0202402793

v.

Tywan Byrd — **DECISION AND JUDGMENT**

Appellant — Decided: September 18, 2026

* * * * *

Julia R. Bates, Lucas County Prosecuting Attorney, and
London Klucas, Assistant Prosecuting Attorney, for appellee.

Laurel A. Kendall, for appellant.

* * * * *

MAYLE, J.

{¶ 1} Defendant-appellant, Tywan Byrd, appeals the October 28, 2025 judgment of the Lucas County Court of Common Pleas, convicting him of carrying a concealed weapon. For the following reasons, we affirm the trial court judgment.

I. Background

{¶ 2} On December 18, 2024, then-19-year-old Tywan Byrd was indicted on one count of carrying a concealed weapon, a violation of R.C. 2923.12(A)(2) and (F)(1), a

fourth-degree felony. After filing an unsuccessful motion to dismiss the indictment as violative of the Second Amendment to the U.S. Constitution, Byrd entered a plea of no contest to the charge, and the trial court found him guilty. Byrd appealed, assigning the following error for our review:

> The trial court committed plain error, or in the alternative, abused its discretion, when it denied Appellant's Motion to Dismiss the Indictment, based on Appellant's age at the time of the offense.

II. Law and Analysis

{¶ 3} Byrd argues that the trial court either plainly erred or abused its discretion when it denied his motion to dismiss the indictment. Before we address Byrd's specific arguments, we will briefly summarize Ohio's restrictions on the carrying of handguns by persons ages 18 to 20 years old, articulate the applicable standard of review, explain the trial court's judgment, summarize the U.S. Supreme Court case law that must be applied in evaluating the constitutionality of Ohio's CCW statutes, and describe how other Ohio appellate districts have analyzed and resolved the issue presented in this appeal.

A. Persons ages 18 to 20 years old may openly carry —but may not conceal—handguns.

{¶ 4} In Ohio, a person may *openly* carry a handgun in public unless otherwise prohibited by federal or state law. *Ohioans for Concealed Carry, Inc. v. Clyde,* 2008-Ohio-4605, ¶ 20, citing R.C. 9.68(A); *State v. Massingill,* 2021-Ohio-2674, ¶ 15 (8th Dist.). While open carry is generally permitted in Ohio, it is illegal under R.C. 2923.12(A)(2) to knowingly carry or have a *concealed* handgun. This prohibition does not apply if a person has a concealed handgun license. R.C. 2923.12(C)(2). But under

R.C. 2923.111(B)(1), a person who is a "qualifying adult" can carry a concealed handgun without a license. A "qualifying adult" is a person who is (1) 21 years old or older; (2) not legally prohibited from possessing or receiving a firearm under 18 U.S.C. 922(g)(1) to (9), R.C. 2923.13, or any other Revised Code provision; and (3) satisfies all of the criteria listed in R.C. 2923.125(D)(1)(a) to (j), (m), (p), (q), and (s). R.C. 2923.111(A)(2).

{¶ 5} Under R.C. 2923.111(A)(2), a person who is under 21 years old cannot be deemed a "qualifying adult" even if he or she satisfies all the other criteria set forth in the statute. A person under the age of 21 also cannot obtain a concealed handgun license. R.C. 2923.125(D)(1)(b). The practical effect of these statutes is that a person under age 21 may *openly* carry a legally-possessed handgun, but he or she may not carry a *concealed* handgun. Then-19-year-old Byrd was charged with carrying a concealed handgun.

B. Our review of Byrd's as-applied constitutional challenge is de novo.

{¶ 6} A party may challenge legislation as unconstitutional on its face or as applied. A facial challenge requires a party to show that the contested legislation is unconstitutional in all instances. *State v. Hacker,* 2023-Ohio-2535, ¶ 11, citing *Harrold v. Collier*, 2005-Ohio-5334, ¶ 37, citing *U.S. v. Salerno*, 481 U.S. 739, 745 (1987). A party raising an as-applied constitutional challenge must show that the contested legislation "is unconstitutional as applied to a specific set of facts." *Id.*, citing *Belden v. Union Cent. Life Ins. Co.*, 143 Ohio St. 329 (1944), paragraph six of the syllabus. A holding that a

statute is unconstitutional as applied "does not render the statute wholly inoperative"; rather, it "prevents future application of the statute in a similar context." (Citations omitted.) *McNalley v. Keiser,* 2025-Ohio-5561, ¶ 10 (6th Dist.), *motion to certify and appeal allowed*, 2026-Ohio-1248, quoting *Simpkins v. Grace Brethren Church of Delaware, Ohio,* 2016-Ohio-8118, ¶ 20.

{¶ 7} Here, at the hearing on the motion to dismiss conducted by the trial court on May 8, 2025, Byrd claimed that he was challenging the Ohio statutes both on their face and as applied. On appeal, Byrd repeatedly states that his challenge is as applied, and reiterated this through counsel at oral argument. Accordingly, we will treat this as an as-applied challenge to the legislation.

{¶ 8} "Whether a statute is constitutional is a question of law that we review de novo." *Portage Cty. Educators Assn. for Dev. Disabilities-Unit B, OEA/NEA v. State Emp. Relations Bd.,* 2022-Ohio-3167, ¶ 7. Likewise, we review de novo a trial court's denial of a motion to dismiss based on a constitutional challenge to a statute. *State v. Storms*, 2024-Ohio-1954, ¶ 10 (1st Dist.). The standard here is not plain error or abuse of discretion, as posited by Byrd.

C. The trial court found the statute constitutional because it merely regulates the manner of carry.

{¶ 9} The issue on appeal centers around R.C. 2923.111(A)(2)'s definition of "qualifying adult," and specifically its exclusion from that definition of persons ages 18 to 20 years old. A person's age and status (or non-status) as a qualifying adult may impact the legality of transporting, buying, and manner of carrying a handgun. *See e.g.,*

R.C. 2923.111(A)(2) and 2923.12(B); R.C. 2923.16; R.C. 2923.21; R.C. 2923.211. Importantly, however, the *only* conduct for which Byrd has been convicted is his *carrying of a concealed weapon*.

{¶ 10} The trial court summarized the issue before it as follows: whether Ohio's restriction on the manner of carry of handguns for 18- to 20-year-olds is constitutional under the Second Amendment. Citing the U.S. Supreme Court's decision in *New York State Rifle & Pistol Assn. v. Bruen*, 597 U.S. 1, 59 (2022), the trial court observed that states may "'lawfully eliminate one kind of public carry—concealed carry—so long as they le[ave] open the option to carry openly.'" The trial court concluded that because Ohio permits adults under age 21 in lawful possession of a handgun to openly carry that weapon, the prohibition against concealed carry for 18- to 20-year-olds does not violate the Second Amendment. The court did not rule out the possibility that the statutes could be deemed unconstitutional on some other basis not raised by Byrd, such as Equal Protection.

D. The U.S. Supreme Court clarified the test that must be applied.

{¶ 11} The Second Amendment to the U.S. Constitution provides that "[a] well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." In *D.C. v. Heller,* 554 U.S. 570 (2008), the U.S. Supreme Court considered the constitutionality of the District of Columbia's attempt to ban handguns, and it concluded that "the right of the people to keep and bear Arms" guarantees "the individual right to possess and carry weapons in case of confrontation"

regardless of service in the militia. *Id.* at 592. Later, in *Bruen,* it considered the constitutionality of regulations restricting the right to publicly *carry* handguns.

{¶ 12} In *Bruen,* New York state law required a license to possess or carry a firearm. To obtain a license to possess a firearm *at home*, the applicant had to convince a licensing officer that "among other things, he is of good moral character, has no history of crime or mental illness, and that 'no good cause exists for the denial of the license.'" *Bruen* at 12, quoting N.Y. Penal Law Ann. § 400.00(1)(a)-(n). To carry a firearm *outside the home*, a person had to obtain "an unrestricted license to 'have and carry' a concealed 'pistol or revolver.'" *Id.,* quoting § 400.00(2)(f). To obtain that license, the applicant had to prove the existence of "proper cause"—an undefined term. Without proper cause, an applicant could receive only a "restricted" license for public carry, permitting a firearm to be carried for "a limited purpose, such as hunting, target shooting, or employment." *Id.*

{¶ 13} While "proper cause" was undefined, New York courts interpreted it to mean "'a special need for self-protection distinguishable from that of the general community.'" *Id.* at 12, quoting *In re Klenosky*, 428 N.Y.S.2d 256, 257 (1980). Evidence that one lived or worked in a high-crime area was generally deemed insufficient. An applicant could seek review of a denial of a license in the New York courts, but the standard of review was highly deferential.

{¶ 14} The Court described New York as a "may-issue" jurisdiction, where "authorities have discretion to deny concealed-carry licenses even when the applicant

satisfies the statutory criteria, usually because the applicant has not demonstrated cause or suitability for the relevant license." *Id.* at 14-15. By the Court's count, six states and the District of Columbia were "may-issue" jurisdictions. It counted that 43 states were "shall-issue" jurisdictions, "where authorities must issue concealed-carry licenses whenever applicants satisfy certain threshold requirements, without granting licensing officials discretion to deny licenses based on a perceived lack of need or suitability." *Id.* at 13.

{¶ 15} In *Bruen*, the two petitioners wished to carry handguns for self-defense, but did not claim any unique danger to justify their requests. They were granted only restricted licenses for recreational activities. Petitioners sued the superintendent of the New York State Police and a New York Supreme Court justice, alleging that their Second and Fourteenth Amendment rights were violated when their applications for unrestricted licenses were denied for failure to show proper cause. The district court dismissed petitioners' complaint, and the court of appeal affirmed. The U.S. Supreme Court granted certiorari to determine whether the denial of petitioners' application violated the Constitution.

{¶ 16} Up to that point, federal courts had been conducting a two-part inquiry when considering Second Amendment challenges to gun regulations: (1) whether "the challenged law regulates activity falling outside the scope of the right as originally understood;" and (2) "how close the law comes to the core of the Second Amendment right and the severity of the law's burden on that right." (Internal citations and quotations

omitted.) *Id.* at 18. The Court expressly rejected that two-part inquiry and devised its own analysis.

{¶ 17} Under the analysis adopted by the Court, courts must first consider whether "the Second Amendment's plain text covers an individual's conduct[.]" *Bruen* at 17. If it does, "the Constitution presumptively protects that conduct," and the government may not justify its regulation by "simply posit[ing] that the regulation promotes an important interest." *Id.* Instead, to overcome the presumption of constitutional protection, "the government must demonstrate that the regulation is consistent with this Nation's historical tradition of firearm regulation." *Id.* "Only if a firearm regulation is consistent with this Nation's historical tradition may a court conclude that the individual's conduct falls outside the Second Amendment's 'unqualified command.'" *Id.,* quoting *Konigsberg v. State Bar of Cal.*, 366 U.S. 36, 50, fn. 10 (1961). Put another way, the Court concluded that "the government must affirmatively prove that its firearms regulation is part of the historical tradition that delimits the outer bounds of the right to keep and bear arms." *Id.* at 19.

{¶ 18} In centering the analysis around the Nation's historical gun-rights tradition, the Court intentionally rejected means-end scrutiny, reasoning that historical analysis, while difficult, is "more legitimate" given that "[t]he Second Amendment 'is the very *product* of an interest balancing by the people.'" (Emphasis in original.) *Id.* at 25-26, quoting *Heller,* 554 U.S. at 635. The Court posited that the Second Amendment "'surely

elevates above all other interests the right of law-abiding, responsible citizens to use arms' for self-defense." *Id.* at 26, quoting *Heller* at *id*.

{¶ 19} The Court explained that the analysis of the Nation's historical tradition "requires courts to assess whether modern firearms regulations are consistent with the Second Amendment's text and historical understanding." *Id.* It observed that sometimes "that inquiry will be fairly straightforward." *Id.* For example, "when a challenged regulation addresses a general societal problem that has persisted since the 18th century," its unconstitutionality may be suggested by (1) the absence of a historical regulation addressing the problem; (2) earlier generations' use of materially different means to address the problem; or (3) the rejection on constitutional grounds of previous attempts to enact analogous regulations. *Id.*

{¶ 20} In *Heller,* the Court had undertaken a review of gun rights spanning from the late 1600s through the nineteenth century before ultimately concluding that the handgun ban violated the Second Amendment. It observed that New York's proper-cause requirement concerned the same societal problem that the District of Columbia sought to remedy with its handgun ban: handgun violence in urban areas. It announced that as it did in *Heller,* it would consider "whether 'historical precedent' from before, during, and even after the founding evinces a comparable tradition of regulation.'" *Bruen* at 27, quoting *Heller* at 631.

{¶ 21} Before undertaking its analysis, the Court acknowledged that modern challenges in regulating firearms "are not always the same as those that preoccupied the

Founders in 1791 or the Reconstruction generation in 1868." *Id.* It expressed that while the meaning of the Second Amendment "is fixed according to the understandings of those who ratified it, the Constitution can, and must, apply to circumstances beyond those the Founders specifically anticipated." *Id.* at 27-28. So, it explained, while modern regulations may not have been imaginable at the founding, courts must employ "reasoning by analogy." *Id.* at 28. The Court instructed that reasoning by analogy requires courts to determine "whether a historical regulation is a proper analogue for a distinctly modern firearm regulation," which, in turn "requires a determination of whether the two regulations are 'relevantly similar.'" *Id.* at 29, quoting C. Sunstein, On Analogical Reasoning, 106 Harv. L. Rev. 741, 773 (1993).

{¶ 22} To assist courts, the Court pointed to two metrics for determining whether regulations are "relevantly similar" under the Second Amendment: "how and why the regulations burden a law-abiding citizen's right to armed self-defense." *Id.* The Court identified individual self-defense as "'the *central component*' of the Second Amendment right," and emphasized that "whether modern and historical regulations impose a comparable burden on the right of armed self-defense and whether that burden is comparably justified are *central* considerations when engaging in an analogical inquiry." (Internal quotations omitted. Emphasis in original.) *Id.* at 29, citing *McDonald v. City of Chicago, Ill.,* 561 U.S. 742, 767 (2010), quoting *Heller* at 599. It cautioned, however, that "analogical reasoning under the Second Amendment is neither a regulatory straightjacket nor a regulatory blank check." *Id.* at 30. It advised that "courts should not

'uphold every modern law that remotely resembles a historical analogue,'" but neither should it insist upon a "historical twin" when identifying representative historical precursors. *Id.*, quoting *Drummond v. Robinson*, 9 F.4th 217, 226 (3d Cir. 2021).

{¶ 23} As an example, the Court pointed to laws prohibiting the carrying of firearms in "sensitive places," such as schools, polling places, legislative assemblies, courthouses, and government buildings. *Id.* It recognized that "[a]lthough the historical record yields relatively few 18th- and 19th-century 'sensitive places' where weapons were altogether prohibited," it was "aware of no disputes regarding the lawfulness of such prohibitions." *Id.* From this it concluded that (1) it may be assumed "that these locations were 'sensitive places' where arms carrying could be prohibited consistent with the Second Amendment;" and (2) "courts can use analogies to those historical regulations of 'sensitive places' to determine that modern regulations prohibiting the carry of firearms in *new* and analogous sensitive places are constitutionally permissible." (Emphasis in original.) *Id.*

{¶ 24} Against that backdrop, the Court performed the test it had adopted. Under the first part of that inquiry—whether the Second Amendment's plain text covers the individual's conduct—the Court found that the plain text of the Second Amendment protects the petitioners' proposed conduct, which was to carry handguns publicly for self-defense. Turning to the second inquiry—whether the government has demonstrated that the regulation is consistent with this Nation's historical tradition of firearm regulation—the Court undertook a 50-page analysis of the history of public-carry rights, but not

before cautioning that "when it comes to interpreting the Constitution, not all history is created equal." *Id.* at 34.

{¶ 25} The Court recognized that the Second Amendment had been adopted in 1791. *Id.* To that end, while the State had offered historical sources spanning from the 1200s to the early 1900s, the Court suggested that the focus in interpreting the Constitution should be on the English common law and British institutions as they existed at the time the instrument was framed and adopted—not as they existed during the Middle Ages. *Id.* at 39. On the other end of the spectrum, it warned that reliance on late-nineteenth century evidence should also be avoided due to its "temporal distance from the founding" among other "serious flaws." *Id.* at 66.

{¶ 26} Nevertheless, the Court summarized approximately 600 years of public-carry laws. Along the way, it made qualitative judgments about which ones should be afforded more or less weight for various reasons—some were deemed "outliers," some affected only small populations, some were characterized as "temporary," "improvised," or "unprecedented," some had never been properly scrutinized, and some had been struck down as unconstitutional. *Id.* at 65-68. Ultimately, the Court concluded that "apart from a handful of late-19th-century jurisdictions, the historical record compiled by respondents does not demonstrate a tradition of broadly prohibiting the public carry of commonly used firearms for self-defense." *Id.* at 38. Likewise, it found no historical tradition "limiting public carry only to those law-abiding citizens who demonstrate a special need for self-defense." *Id.* As such, the Court held that the government had "failed to meet

[its] burden to identify an American tradition justifying New York's proper-cause requirement," and it invalidated the proper-cause requirement as unconstitutional. *Id.* at 38-39.

{¶ 27} Important to the present case, in analyzing antebellum-era law, the Court recognized that "*the manner* of public carry" had been subject to "reasonable regulation" during that period. (Emphasis in original.) *Id.* at 59. It observed that states had been permitted to "lawfully eliminate one kind of public carry—concealed carry—so long as they left open the option to carry openly." *Id.* The Court remarked that "[n]one of these historical limitations . . . operated to prevent law-abiding citizens with ordinary self-defense needs from carrying arms in public for that purpose." *Id.* at 60.

E. Ohio courts have considered this precise issue and are split.

{¶ 28} Although not addressed by Byrd and barely acknowledged by the State, the First and Second District Courts of Appeal have applied *Bruen* in considering the constitutionality of prohibiting the concealed carry of handguns by persons ages 18 to 20 years old. There is a split between those districts as to the constitutionality of the legislation.[1]

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[1] This issue was before us in *State v. Robinson,* 2025-Ohio-1431, ¶ 15 (6th Dist.), however, we did not address the merits because the record contained no sworn testimony or stipulation of facts. Instead, we remanded the matter to the trial court for further proceedings. The Fourth District was also presented with this issue in *State v. Lawson*, 2025-Ohio-2650 (4th Dist.), but it too remanded the matter to the trial court because the trial court failed to conduct a *Bruen* analysis.

1. The First District has found the challenged regulations constitutional.

{¶ 29} The First District upheld the constitutionality of statutes prohibiting 18- to-20-year-olds from carrying concealed handguns in *State v. Reed*, 2025-Ohio-4708 (1st Dist.), *appeal allowed,* 2026-Ohio-667, *State v. Stonewall,* 2025-Ohio-4974 (1st Dist.), *appeal allowed,* 2026-Ohio-475*,* and *State v. Baxter,* 2025-Ohio-5722 (1st Dist.). We will summarize its decisions in *Reed* and *Stonewall.*

a. *Reed*

{¶ 30} In *Reed,* the court issued a short per curiam decision, simply concluding that "the Second Amendment, as construed in . . . *Bruen* [597 U.S. 1] and . . . [*U.S. v.*] *Rahimi*, 602 U.S. 680 [2024]. . . does not preclude the State's prosecution of Reed for carrying a concealed weapon." *Reed* at ¶ 5. It held that "[t]he State has adequately demonstrated that, as applied to Reed, R.C. 2923.12 is relevantly similar to laws that our tradition is understood to permit." (Internal quotations omitted.) *Id.,* quoting *Rahimi* at 692, quoting *Bruen* at 29. More in-depth analysis is contained in the concurring and dissenting opinions.

{¶ 31} In her concurring opinion, Judge Crouse explained that the regulatory tradition convinced her that "founding-era limitations on firearm rights were imposed not because of any judgment that those under 21 years of age were dangerous with arms, but because those under 21 were under the legal limitations inherent in minority, and under the legal care and protection of a guardian or parent." *Id.* at ¶ 17 (Crouse, P.J., concurring). She reasoned as follows:

> *First*, . . . no state prior to the 1880s prohibited infants from possessing guns. While it may have been difficult for founding-era 18-to-20-year-olds to obtain weapons, they were generally permitted to have them if they could get them. This suggests that the line drawn at 21 was not a categorical determination of dangerousness, but an incidental effect of legal minority and restrictions on economic rights.
>
> *Second*, numerous legal writers in the 18th- and 19th-centuries emphasized that the 21-year threshold for legal majority was not rooted in hard-nosed assessments of danger with firearms. Instead, they acknowledged the somewhat arbitrary product of tradition. . . . In fact, modern legal historians have suggested that the common law shifted the age of majority from 14 or 15 years to 20 or 21 years during the medieval period, not because of shifting conceptions of maturity, but in order to accommodate the "weight of the arms" worn by adult knights. *See* James, *The Age of Majority*, 4 Am. J. Legal Hist. 22, 30 (1960); *see also Hamilton*, 91 Tul. L. Rev. at 63-64.
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> *Third*, a close examination of the Uniform Militia Act of 1792 . . . and accompanying state laws further reinforces that any firearms disabilities experienced by those under 21 were not safety-related, but were legal incidents of infancy. . . . Compulsory enrollment of those under 21 suggests that the Second Congress believed 18-to-20-year-olds could, at least in certain circumstances, be trusted to keep and carry weapons. And this generally meant trusting them to keep those arms in their homes, as militia weapons were generally furnished, kept, and maintained by the individual militiamen. . . .

Id. at ¶ 18-21.

{¶ 32} Given that the age of majority is now 18, Judge Crouse emphasized that 18- to 20-year-olds are not minors. Rather, they "enjoy effectively full legal rights and autonomy." *Id.* at ¶ 24. She, therefore, rejected the State's position that the Nation's historical tradition empowers states to fully disarm 18- to 20-year-olds based on age alone.

{¶ 33} Nevertheless, Judge Crouse went on to agree that Ohio's statute should be upheld as constitutional. She observed that historically, several states restricted all citizens from carrying concealed firearms "to reduce the risk of surprise shootings with hidden arms." *Id.* at ¶ 27, citing *State v. Hall*, 2025-Ohio-1644, ¶ 89, 103-105. As such, she remarked, "history shows that states could (and can) prohibit all concealed carry, so long as they allowed open carry for personal self-defense." *Id.*, citing *Hall* at ¶ 79-80. Judge Crouse concluded, therefore, that "states today may impose concealed-carry restrictions on subsets of that group for the same reason, so long as open carry remains available, and the statutory classifications do not offend some other constitutional provision, like the Equal Protection Clause." *Id.,* citing *Hall* at ¶ 101-103, 108-109. Because Reed had not raised an Equal-Protection challenge and remained free to carry openly, Judge Crouse agreed with the per curiam decision that "the age-based application of R.C. 2923.12(C)(2) to Reed falls within our Nation's broader tradition of restricting manner of carry." *Id.*

{¶ 34} Judge Bock dissented and would have found the statute unconstitutional. She agreed that infants' rights were restricted in some respects, but disagreed that there had been a historical tradition of regulating infants' rights to bear arms. *Id.* at ¶ 34 (Bock, J., concurring, in part, and dissenting, in part). But she emphasized that (1) under current law, Reed is not an infant, and (2) the *Bruen* test requires the court to evaluate the "why" behind a firearm regulation.

{¶ 35} According to Judge Bock, "by permitting most Ohioans to carry concealed weapons with no training and no permit, Ohio has made the unequivocal judgment that carrying a concealed weapon is not, in itself, a dangerous act." *Id.* at ¶ 44, citing *State v. Barber,* 2025-Ohio-1193, ¶ 55 (1st Dist.). To the contrary, "Ohio has indicated that it believes responsible adults have a constitutional right to carry a concealed firearm," and it only regulates "*specific people*'s right to carry a concealed weapon" based on its belief that "certain people are more dangerous than other people[.]" (Emphasis in original.) *Id.* at ¶ 44-45. In Reed's case, his right to bear arms was burdened because he was under 21. Judge Bock concluded that there was no historical support for restricting the right of a legal adult to bear arms and no basis for determining that Reed's age alone rendered him "the kind of 'dangerous' person that may be permissibly disarmed under the Second Amendment." *Id.* at ¶ 46.

b. *Stonewall*

{¶ 36} In *Stonewall,* the First District reached the same conclusion in another split decision. In that case, then-19-year-old Stonewall—a gainfully-employed, high-school graduate with no felony record—was charged with carrying a concealed handgun, a violation of R.C. 2923.12(A)(2), and improperly handling a firearm in a motor vehicle, a violation of R.C. 2923.16. Like Byrd, he argued that these statutes were unconstitutional as applied, "because they prohibited him from carrying a concealed weapon in violation of his right to bear arms," and he moved to dismiss the charges. *Id.* at ¶ 6. The trial court

denied his motion. Stonewall entered a no-contest plea, was convicted, and appealed his conviction.

{¶ 37} As we have done above, the majority summarized *Bruen* in detail and recited the test devised by the U.S. Supreme Court. As to the first prong of that test, the State conceded that the conduct regulated by the statutes "is covered by the plain text of the Second Amendment." *Id.* at ¶ 7. The parties disputed only the second prong of the *Bruen* test. The court separated its discussion of the constitutionality of the CCW statute and the improper-handling statute.

{¶ 38} With respect to the CCW statute, Stonewall argued that "the State failed to demonstrate that the statute is consistent with the Nation's historical tradition of disarming those like Stonewall." *Id.* at ¶ 21. The court pointed out that both *Bruen* and *Heller* had recognized that in the early to mid-nineteenth century, some States enacted laws prohibiting the concealed carry of pistols and other small weapons, and the majority of nineteenth-century courts that considered the constitutionality of these prohibitions found no violation of the Second Amendment so long as open carry remained available. *Id.* at ¶ 22-23, citing *Bruen* at 52, citing *Heller,* 554 U.S. at 626. It cited numerous cases illustrating this point.[2] The court also observed that the purpose behind the historical ban

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[2] Specifically, the court cited the following:

> *State v. Reid*, 1 Ala. 612, 616, 619-621 (1840) (holding that the statute merely regulated "the manner in which arms shall be borne" and did not "inhibit the citizen from bearing arms openly" and noting that there was no evidence "tending to show that the defendant could not have defended himself as successfully, by carrying the pistol openly, as by secreting it

on concealed carry was to prevent surprise attacks, while still permitting citizens to openly carry handguns for self-defense. *Id.* at ¶ 24, quoting *Hall*, 2025-Ohio-1644, at ¶ 57 (1st Dist.).

{¶ 39} Because (1) states had historically prohibited the carrying of concealed firearms, (2) courts had upheld those prohibitions, and (3) open carry remained permissible, the First District concluded that regulating this manner of carry fit within our historical tradition and is constitutional. In doing so, it emphasized that Stonewall remained free to own, possess, purchase, and publicly carry a firearm, but it found that prohibiting Stonewall from carrying a concealed weapon until age 21 did not prevent him from exercising his Second Amendment right to carry a handgun in public.

> about his person."); *State v. Chandler*, 5 La. Ann. 489, 490 (1850) (Louisiana law criminalizing carrying a concealed weapon "interfered with no man's right to carry arms (to use its words) 'in full open view,' which places men upon an equality"); *Nunn v. State*, 1 Ga. 243 (1846) (Georgia's law prohibiting concealed carry was deemed constitutional, but to the extent the law also prohibited "bearing arms openly," that part of the statute was unconstitutional.); *State v. Jumel*, 13 La. Ann. 399 (1858) (The statute barring carrying concealed weapons "does not infringe the right of the people to keep or bear arms. It is a measure of police, prohibiting only a particular mode of bearing arms which is found dangerous to the peace of society."). Both Indiana and Arkansas determined that concealed-carry prohibitions were constitutional. *Bruen* at 53, fn. 20, 142 S.Ct. 2111. New Mexico's Constitution provides that "[t]he people have the right to bear arms for their security and defense, but nothing herein shall be held to permit the carrying of concealed weapons." N.M. Const., art. II, § 6 (1911).

Stonewall at ¶ 23.

{¶ 40} With respect to the improper-handling statute, Stonewall argued that the statute "violates his right to bear arms by prohibiting him from carrying a loaded handgun in a motor vehicle for defensive purposes." *Id.* at ¶ 27. The court acknowledged that because Stonewall was not a "qualifying adult," he was prohibited from "knowingly transport[ing] or hav[ing] a loaded firearm in a motor vehicle in such a manner that the firearm is accessible . . . without leaving the vehicle." Rather, persons who are not qualifying adults may transport an unloaded firearm in a vehicle in "a closed package, box, or case," "in a compartment that can be reached only by leaving the vehicle," or "in plain sight and secured in a rack or holder made for the purpose." R.C. 2923.16(C)(1) to (3).

{¶ 41} The First District looked to treatises and the case law of other jurisdictions, which explained that the founding generation believed that minors—i.e., "infants"—"lacked the reason and judgment necessary to be trusted with legal rights." *Id.* at ¶ 28. Historically, it noted, an "infant" was a person under age 21. The court explained that at the time of the founding, parents had the power "to limit their children's rights of association, to control their estates during infancy, to profit from their labor, to prohibit marrying without parental consent, and to limit their right to contract." *Id.* at ¶ 29. Moreover, standing in loco parentis, many colleges and universities banned youths from carrying firearms both on and off campus.

{¶ 42} The court observed that "[b]y the end of the 19th century, nineteen States and the District of Columbia had enacted laws expressly restricting the ability of persons

under 21 to purchase or use firearms." *Id.* at ¶ 30. It recognized that several courts had found laws prohibiting the purchase or possession of firearms by minors to be constitutional because they contained exceptions allowing juveniles to possess handguns for legitimate purposes, like hunting, national guard duty, and defense against home invasion. The court described that courts upholding the constitutionality of such laws had recognized that prohibitions against juveniles' purchase or possession of handguns reflected concerns that "'juveniles lacked the judgment necessary to safely possess deadly weapons, and that juvenile access to such weapons would increase crime.'" *Id.* at ¶ 32, quoting *U.S. v. Rene E.,* 583 F.3d 8, 15-16 (1st Cir. 2009). These courts believed that the founders "'would have shared the view that public-safety-based limitations of juvenile possession of firearms were consistent with the right to keep and bear arms.'" *Id.* at ¶ 32, quoting *Rene E* at *id.*

{¶ 43} Ultimately, the First District concluded that restrictions burdening 18- to 20-year-olds were part of the historical tradition of our Nation and stemmed from beliefs by state legislatures that this age group lacks "the reason and judgment necessary to be trusted with legal rights" and is "too dangerous to be able to safely or responsibly bear arms." (Citations omitted.) *Id.* at ¶ 35.

{¶ 44} Regarding the metrics identified by the *Bruen* court for determining whether regulations are "relevantly similar" under the Second Amendment—i.e., the "how" and "why" for the regulations—the court adopted the rationale of the Superior Court of Pennsylvania: "The restrictions burden the right to access and possess firearms

(the 'how') because the defined group—here, 18- to 20-year-olds—has been judged too dangerous to allow such access (the 'why')." *Id.* at ¶ 37, quoting *Commonwealth v. Williams,* 2025 PA Super 137 (Pa. Super. Ct.), *appeal granted in part,* 352 A.3d 455 (Pa. 2026). The court found that while "Ohio's statute regulates the manner in which a person under 21 may carry a firearm in a motor vehicle," it does not deprive Stonewall "of the 'right to carry a handgun for self-defense outside the home.'" *Id.* at ¶ 39, quoting *Bruen* at 10.

{¶ 45} The dissenting judge observed that the federal circuit courts are split concerning the extent to which the government may restrict the Second Amendment rights of young adults, and the U.S. Supreme Court had declined to resolve this split by denying a petition for certiorari in an Eighth Circuit case. She emphasized that "reasonable jurists can and do disagree as to the proper application of *Bruen* to restrictions on young adults' purchase, possession, and usage of firearms." *Id.* at ¶ 46 (Kinsley, P.J., dissenting).

{¶ 46} The dissent performed its own *Bruen* analysis and reached the opposite conclusion of the majority. It began by observing that 18- to-20-year-olds may openly carry firearms outside the home, thus Ohio law "entrusts young adults with the responsibility of publicly possessing and displaying loaded guns, but denies them the ability to transport those weapons in handbags, pockets, or the passenger areas of cars." *Id.* at ¶ 53. The dissent questioned why the legislature would deem this group to be untrustworthy with firearms—which was the justification asserted by the State—yet still

permit them to openly carry loaded firearms. It criticized the State for failing to explain this incongruency, especially given that it had the burden.

{¶ 47} The dissent examined the limited justifications that the State did offer. The first centered on the disarmament of individuals thought to be dangerous. The State argued that "because founding-era statutes permitted the temporary disarmament of dangerous people, the government today may assume that young adults, as a category, are more prone to violence and may disarm them as a result." *Id.* at ¶ 68. The dissent found this justification problematic because "[t]he founding-era tradition cited by the State involved periods of total disarmament based on an individualized determination of dangerousness," whereas the laws in Stonewall's case "permit[] young adults to openly carry firearms, while prohibiting them from doing so in a concealed manner or in a vehicle." *Id.* at ¶ 69. "In other words," it found, "there is no underinclusive historic analogue." *Id.* The dissent also pointed out that there was no evidence that the legislature relied on a dangerousness justification in enacting R.C. 2923.12 and R.C. 2923.16.

{¶ 48} The second justification offered by the State was "the historic treatment of young adults as 'infants' under the control of their parents as a basis for limiting their access to guns today." *Id.* at ¶ 71. The State had argued that "because 18-to-20-year-olds were treated as immature in the founding era, its current laws advance a public safety rationale, as immature individuals can be presumed to be untrustworthy with guns." *Id.* The dissent believed that historical infancy laws suffered from the same problems as the

founding-era dangerousness statutes in that (1) the legislature did not rely on this justification in enacting the statutes, and (2) the burdens under the current laws are underinclusive, and (3) historical infancy laws regulated status, not firearms, so they were not really analogous.

{¶ 49} "In sum," the dissenting judge concluded, there is "no historical analogue for Ohio's idiosyncratic gun laws as applied to young adults like Stonewall." *Id.* at ¶ 75.

2. The Second District has found the challenged regulation unconstitutional.

{¶ 50} Contrary to the First District, the Second District accepted as-applied challenges to the CCW statute in *State v. Matosky,* 2025-Ohio-5658, ¶ 6 (2d Dist.), *motion to certify allowed,* 2026-Ohio-1248, and *appeal allowed,* 2026-Ohio-1248, *State v. Reid-Payne*, 2026-Ohio-672 (2d Dist.), and *State v. Dorsey,* 2026-Ohio-581, ¶ 6 (2d Dist.), *appeal allowed,* 2026-Ohio-2109 (Ohio). We will summarize its decision in *Matosky.*

{¶ 51} In *Matosky,* the trial court granted Matosky's motion to dismiss charges of carrying a concealed weapon and improper handling of a firearm, finding that R.C. 2923.12(A)(2) and 2923.16 were unconstitutional under the Second Amendment as applied to then-20-year-old Matosky. The State appealed.

{¶ 52} The parties agreed that only one factor prevented Matosky from being a "qualifying adult": she was ten weeks shy of her twenty-first birthday. The parties also agreed that the Second Amendment covered Matosky's conduct. At issue was the second part of the *Bruen* test—"whether Ohio's age restriction on carrying concealed weapons is

consistent with the Nation's historical tradition of firearm regulation." *Id.* at ¶ 18. Applying the historical-tradition analysis, the Second District considered "whether similar age-based restrictions were imposed during the founding era for similar reasons." *Id.*

{¶ 53} Like the dissent in *Stonewall,* the court began by recognizing that the federal appellate courts that have applied *Bruen's* historical-tradition analysis to contemporary age-based firearm restrictions have reached conflicting conclusions. It acknowledged that those federal cases did not specifically address age restrictions on the concealed carry of firearms, but it found that those cases "provide[]d an abundance of relevant information regarding historical age-based firearm regulations." *Id.* at ¶ 20. The court recognized that those cases demonstrate that the English law set the age of majority at age 21 because younger individuals were believed to lack maturity and judgment. The American colonies went on to adopt age 21 as the age of majority, and this remained the case at the time the Nation was founded. Persons under age 21 were severely burdened from buying goods—including firearms—and participating in the legal and economic life of the community.

{¶ 54} The court observed that soon after the Second Amendment was adopted, the Uniform Militia Act of 1792 was passed, requiring 18-year-olds to enroll in the militia. Militia members were required to provide their own weapons, thus precipitating laws requiring parents to provide minors with firearms for militia service. Continuing into the mid-to-late-nineteenth century, persons under age 21 remained unable to

purchase firearms, and "in the second half of the nineteenth century, 20 jurisdictions enacted laws that restricted access to arms for minors" and prohibited furnishing firearms to individuals under age 21. *Id.* at ¶ 24.

{¶ 55} The Second District concluded that this history "indicates that the Nation has a historical tradition of restricting or burdening the ability of minors to access and purchase firearms." *Id.* at ¶ 25. It agreed with Judge Crouse's conclusion in *Reed,* 2025-Ohio-4708 (1st Dist.), that restrictions were not placed on 18- to 20-year-olds because the founders deemed them too dangerous. And while "there may be a historical tradition of restricting minors' access to firearms," the court emphasized that "Matosky was not a minor at the time of the charged offenses." *Id.* at ¶ 28. "Rather, Matosky was at the age of majority—a legal adult—and there is no analogous historical tradition of restricting a legal adult's right to bear arms based solely on the adult's age." *Id.*

{¶ 56} The court acknowledged that the First District reached a contrary conclusion in *Stonewall*, 2025-Ohio-4974 (1st Dist.), reasoning "there is a historical tradition of prohibiting the concealed carry of weapons so long as open carry is not similarly prohibited." *Matosky* at ¶ 29, *citing* Stonewall at ¶ 23 -24, citing *Bruen*, 597 U.S. at 52-55. It further recognized that the First District had found that "the purpose behind the historical tradition of banning concealed carry of weapons 'was to reduce the risk of surprise attacks from hidden weapons, while leaving untouched the right to carry openly for self defense.'" *Id.,* quoting *Stonewall* at *id.,* citing *Hall*, 2025-Ohio-1644, at ¶ 57 (1st Dist.).

{¶ 57} The court agreed that "there is a historical tradition of prohibiting the concealed carry of weapons," and that "*Bruen* explained that historical evidence established 'the manner of public carry was subject to reasonable regulation' and that 'States could lawfully eliminate . . . concealed carry—so long as they left open the option to carry openly.'" *Id.* at ¶ 30, quoting *Bruen* at 59. But the court looked at the "how" and "why" of the historical regulations. It observed that "'if modern day laws do not regulate firearms for relevantly similar reasons, those laws are unconstitutional under *Bruen* and *Rahimi*[, 602 U.S. 680].'" *Id.,* quoting *Reed* at ¶ 42 (Bock, J., concurring in part and dissenting in part).

{¶ 58} The court recognized that individuals under age 21 may openly carry loaded firearms, but are not entrusted to carry concealed firearms. It noted that other categories of individuals are prohibited from carrying concealed weapons, such as fugitives, certain felons and misdemeanants, individuals deemed by court order to be mentally ill, and others who are not "qualifying adults" under R.C. 2923.111(A)(2). Like the dissenting judge in *Reed,* the court deduced that "'Ohio does not regulate the right to carry a concealed gun because it views doing so as dangerous; rather, it regulates *specific people's* right to carry a concealed weapon based on the State's belief that certain people are more dangerous than other people and therefore are not safe to carry a concealed weapon.'" (Emphasis in original.) *Id.* at ¶ 32, quoting *Reed* at ¶ 45. In other words, the "why" behind the age-based restriction is "a presumption that individuals under 21 are more dangerous and cannot be trusted to carry concealed weapons." *Id.* at ¶ 33. "This,"

it found, "is markedly different from the 'why' behind the historical bans on concealed carry of weapons, which was to reduce the risk of surprise attacks from hidden weapons carried by anyone." *Id.* "Accordingly," the court concluded, "the 'why' behind Ohio's age-based restriction on the concealed carry of weapons goes beyond the historical tradition in that it bans concealed carry of weapons based on the perception of a category of people as dangerous, not because the act of carrying concealed weapons is dangerous." *Id.*

{¶ 59} Because the justification for the regulations was not relevantly similar to the reasons for the historical laws, the court found that "'[n]o historic tradition supports presuming a category of persons to be dangerous and nonetheless allowing them access to firearms, but limiting the methods by which they may bear them'"—i.e., there is no historical analogue. *Id.* at ¶ 34, quoting *Stonewall* at ¶ 69 (Kinsley, P.J., dissenting). Moreover, it concluded, the State failed to present evidence establishing that persons ages 18 to 20 years old "simply as a general age group, present a credible threat to the physical safety of others," thus "the ban on carrying concealed weapons for this age group cannot be justified based on the dangerousness rationale in *Rahimi*." *Id.* at ¶ 35.

{¶ 60} The Second District held that the State failed to demonstrate that Ohio's age-based restriction on carrying concealed weapons is consistent with the Nation's historical tradition of firearm regulation. It found the concealed-carry statutes unconstitutional as applied to Matosky. It unanimously reached the same conclusion in

State v. Reid-Payne, 2026-Ohio-672 (2d Dist.) and *State v. Dorsey,* 2026-Ohio-581, ¶ 6 (2d Dist.), *appeal allowed,* 2026-Ohio-2109 (Ohio).

F. The statutes do not violate Byrd's Second-Amendment rights.

{¶ 61} We now turn to the arguments in the present case. Byrd claims that R.C. 2923.111 should be found unconstitutional as applied because (1) neither the text of the Second Amendment nor our National historical tradition of firearm regulations restrict "possession" or "ownership" of firearms based only on a person being between the ages of 18 and 20 years old; (2) the age restriction prohibiting "possession" by those ages 18 to 20 years old is analogous to the proper cause requirement in *Bruen* "because it deprives otherwise qualified citizens from exercising their Second amendment right to possess firearms for the purpose of self-defense;" and (3) Byrd is old enough to vote and serve in the military, has no criminal history, graduated from high school, aspires to be an over the road trucker, and carried a firearm for self-defense because he lived in a "rough part of town." Byrd asks that we find that the prohibition on his ability to "carry" a firearm rises to the level of a violation of his Second Amendment right to keep and bear arms. There are several problems with Byrd's arguments.

{¶ 62} First, Byrd fails to appreciate that he was convicted only of carrying a concealed handgun. Thus, when Byrd asks that we find that "the prohibition on his ability to 'carry'"—or "possess" or "own" or "receive"—"a firearm rises to the level of a violation of his Second Amendment right to keep and bear arms," he is asking us to find that the statutes under which he was convicted unconstitutionally prohibit conduct that

(1) is not even addressed by those statutes, and (2) does not form the basis for his conviction.

{¶ 63} Second, Byrd fails to explain how Ohio's statute prohibiting 18- to 20-year-olds from carrying concealed weapons is unconstitutional *as applied to him personally.* Rather, he appears to be mounting a facial challenge insofar as he opposes the age restriction generally. He does emphasize his own lack of record, his ability to vote and serve in the military, and his concern for safety in the "rough part of town" where he lives. But given that the statutes do not prohibit Byrd from carrying a legally-possessed handgun—just from concealing it while carrying it—he has identified no reason why *he* should be permitted to carry a concealed handgun while other 18- to 20-year-olds must openly carry them.

{¶ 64} Finally, Byrd interprets the age restriction here as a "proper-cause" requirement, like the New York law struck down in *Bruen.* He endeavors to show that in violation of *Bruen,* Ohio has in effect established a heightened burden, "arguably" requiring persons under age 21 to demonstrate a special need for self-protection before allowing them "access" to firearms. In fact, the laws at issue here do not address "access" to firearms or require a young adult to demonstrate special need; they merely regulate the manner in which he or she may carry a handgun. Nevertheless, despite these shortcomings, *the State* bears the burden of establishing that the Ohio statutes do not unconstitutionally limit Byrd's Second-Amendments right to bear arms. *Rahimi*, 602

U.S. at 691. We, therefore, focus on the State's arguments in favor of the constitutionality of the statutes.

{¶ 65} According to the State, *Bruen* itself supports the constitutionality of Ohio's statutes because it recognizes that bans on concealed carry may be imposed so long as open carry remains available, which Ohio allows. It maintains that historical tradition shows longstanding regulation of the manner of carry, including broad prohibitions on concealed weapons that are applicable to all ages, which the Ohio Supreme Court found constitutional in *Klein v. Leis,* 2003-Ohio-4779.

{¶ 66} The State further contends that even if it is necessary to perform a *Bruen* analysis focusing on age-based limitations, historical sources reflect that there were Founding and Reconstruction-era restrictions on minors' access to arms, supporting limits for those under 21. It points out that in the nineteenth century, numerous jurisdictions enacted laws restricting selling, loaning, or giving dangerous weapons to persons under 21, often with criminal penalties. Similarly, it contends, courts have recognized a broad tradition permitting age-based firearm regulations and imposing minimum age requirements. The State emphasizes that Ohio courts—specifically, the First District in *Stonewall*—have upheld the CCW law against age-based challenges, citing founding-era views that minors lacked sufficient judgment until age 21. It does not acknowledge that the Second District has reached the opposite conclusion.

{¶ 67} Finally, the State maintains that there is no contrary historical consensus allowing 18- to 20-year-olds to carry concealed weapons, and historical analogues

support current restrictions. It insists that Ohio's scheme is constitutional because it aligns with historical traditions regulating concealed carry and minors' access to arms while preserving open carry. The State also highlights that R.C. 2923.12 imposes a lesser, temporary burden by regulating only concealed public carry by 18- to 20-year-olds—not possession or open carry.

{¶ 68} As more fully described above, the First and Second Districts differ in their conclusions as to the constitutionality of the statutes. The First District judges could not reach a consensus in any of the three cases it has decided. In fact, those judges differ on the reasons for the historical restrictions—i.e., because 18- to-20-year-olds were historically deemed "dangerous" or because they were historically deemed "infants"—or even that such restrictions existed at all. *See Reed* at ¶ 31 (Bock, J., concurring in part and dissenting in part) ("[S]tarkly absent from the State's historical evidence is a reference to anything demonstrating that infants were deprived of the right to bear arms.").

{¶ 69} Ultimately, however, we believe that Judge Crouse reached the correct conclusion in her concurrence in *Reed.* That is, regardless of the precise reasons for gun-related restrictions imposed on 18- to 20-year-olds, states can constitutionally prohibit all concealed carry as to all citizens so long as open carry remains available. As an extension of this, "states today may impose concealed-carry restrictions on subsets of that group for the same reason, so long as open carry remains available, and the statutory classifications do not offend some other constitutional provision, like the Equal

Protection Clause." *Id.* at ¶ 27, citing *Hall,* 2025-Ohio-1644, at ¶ 101-103, 108-109 (1st Dist.) (Crouse, P.J., concurring). Like the defendant in *Reed,* Byrd has not raised an equal-protection challenge, thus, to the extent that some other constitutional right may be implicated by Ohio's age-based restrictions, that issue is not before us. As to the only issue before the court—Byrd's Second-Amendment challenge—we conclude that the restrictions on Byrd's manner of carry did not violate his Second-Amendment right to bear arms.[3]

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[3] In *State v. Latham*, 2025-Ohio-495 (6th Dist.), this court addressed the State's appeal of a judgment granting the defendant's motion to dismiss an improper-handling charge as violative of the Second Amendment as applied. Under R.C. 2923.16(B), a person may not knowingly transport a loaded firearm in a motor vehicle if it is accessible without leaving the vehicle. However, this statute is inapplicable to a person who has been issued a valid concealed handgun license. Under R.C. 2923.111, "qualifying adults" have the right to carry a concealed handgun subject to the same restrictions applicable to a person who has been issued a concealed handgun license. Latham was not a "qualifying adult," however, because he had a criminal record consisting of two misdemeanor, attempted drug offenses. Thus, he was not legally permitted to carry a handgun in an automobile—what we described as "an absolute disqualification" while traveling in a motor vehicle. We found R.C. 2923.16 and 2923.111 unconstitutional as applied.

First, the State cited no precedent demonstrating a historical tradition of prohibiting someone like Latham from having a handgun in a motor vehicle. And although the State argued that under *Rahimi,* 602 U.S. at 697, states may enact laws banning the possession of guns by groups of people deemed by the legislature to present "a special danger of misuse," it conceded that Latham could legally possess a handgun. *Id.* at ¶ 28. Thus we found that Latham's lawful possession of a handgun when not in a vehicle "negates [any] argument that he belongs to a category of people who present 'a special danger of misuse.'" *Id.* at ¶ 32.

Latham is not applicable here. While R.C. 2923.16(B) prohibits non-"qualifying adults" from carrying a handgun while in a motor vehicle—"an absolute disqualification"—R.C. 2923.12 and 2923.111 merely regulate the manner of carry, permitting non-"qualifying adults" to openly carry, but not conceal, a handgun.

{¶ 70} We find Byrd's sole assignment of error not well-taken.

III. Conclusion

{¶ 71} R.C. 2923.111 and 2923.12's restrictions against the concealed carry of handguns by persons ages 18 to 20 years old do not violate Byrd's Second-Amendment right to bear arms. The statutes do not disarm Byrd or people like him; rather, they permissibly regulate the manner of carrying a handgun, limiting such manner to open carry. Accordingly, we find Byrd's assignment of error not well-taken. We affirm the October 28, 2025 judgment of the Lucas County Court of Common Pleas. Byrd is ordered to pay the costs of this appeal under App.R. 24.

Judgment affirmed.

A certified copy of this entry shall constitute the mandate pursuant to App.R. 27.

Thomas J. Osowik, P.J.

JUDGE

Christine E. Mayle, J.

JUDGE

Charles E. Sulek, J.
CONCUR.

JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at: http://www.supremecourt.ohio.gov/ROD/docs/.