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FILED
SEP 07 2010

FRESNO COUNTY SUPERIOR COURT
By _____
TLC - DEPUTY

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF FRESNO
10

11 SHERIFF CLAY PARKER, TEHAMA	)	CASE NO. 10CECG02116
12 COUNTY SHERIFF; HERB BAUER)	
13 SPORTING GOODS; CALIFORNIA RIFLE	)	DECLARATION OF CLAY PARKER,
14 AND PISTOL ASSOCIATION	)	TEHAMA COUNTY SHERIFF, IN SUPPORT
15 FOUNDATION; ABLE'S SPORTING,	)	OF MOTION FOR PRELIMINARY
16 INC.; RTG SPORTING COLLECTIBLES,	)	INJUNCTION
17 LLC; AND STEVEN STONECIPHER,)	
	)	Date: September 29, 2010
18 Plaintiffs and Petitioners,	)	Time: 3:30 p.m.
	)	Location: Dept. 97E
19 vs.	)	Judge: Hon. Jeff Hamilton
	)	Date Action Filed: June 17, 2010
20 THE STATE OF CALIFORNIA; JERRY	)	Trial Date:
21 BROWN, IN HIS OFFICIAL CAPACITY)	
22 AS ATTORNEY GENERAL FOR THE)	
23 STATE OF CALIFORNIA; THE)	
24 CALIFORNIA DEPARTMENT OF)	
25 JUSTICE; and DOES 1-25,)	
26)	
27)	
28)	
Defendants and Respondents.)	

FILED BY FAX

DECLARATION OF CLAY PARKER

I, Clay Parker, declare as follows:

1. I am the duly elected Sheriff for the County of Tehama, California. I have been a law enforcement officer since 1981, and am a graduate of the Federal Bureau of Investigation National Academy. I was originally elected Sheriff of Tehama County in 1998 and have been reelected to that position three times. I am the immediate-past President of the California State Sheriffs' Association, and am a former President of the Western States' Sheriffs' Association.

2. I am responsible for enforcing federal, state, and local laws within the County of Tehama, including Penal Code sections 12060, 12061, and 12318.

3. I am responsible for determining the policies of the Tehama County Sheriff's office, including a determination of what ammunition is regulated as "handgun ammunition" under California Penal Code sections 12060, 12061, and 12318.

4. I do not know what types of ammunition are principally for use in a handgun.


5. Without any further guidelines as to what types of ammunition are "handgun ammunition" under Penal Code sections 12060, 12061, and 12318, I am unable to enforce these laws because I do not know what types of ammunition are "handgun ammunition."

6. I do not know whether the principally for use in a handgun standard means that a particular type of ammunition will be considered "handgun ammunition" under California Penal Code sections 12060, 12061, and 12318 if that caliber is used more often in a handgun than in a rifle.

7. I do not know, and I am unable to determine, which types of ammunition are used more often in a handgun than in a long-gun.

I declare under penalty of perjury that the foregoing is true and correct.

Executed within the United States this 2 day of September, 2010


Clay Parker
Sheriff, Tehama County

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA

3 COUNTY OF FRESNO

4 I, Valerie Pomella, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
business address is 180 East Ocean Blvd., Suite 200, Long Beach, California 90802.

6 On September 7, 2010, I served the foregoing document(s) described as

7 **DECLARATION OF CLAY PARKER, TEHAMA COUNTY SHERIFF, IN SUPPORT OF**
8 **MOTION FOR PRELIMINARY INJUNCTION**

on the interested parties in this action by placing

9 ☐ the original

☒ a true and correct copy

10 thereof enclosed in sealed envelope(s) addressed as follows:

11 Edmund G. Brown, Jr.
12 Attorney General of California
13 Zackery P. Morazzini
14 Supervising Deputy Attorney General
15 Peter A. Krause
Deputy Attorney General (185098)
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

16 (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
17 processing correspondence for mailing. Under the practice it would be deposited with the
U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
18 California, in the ordinary course of business. I am aware that on motion of the party
served, service is presumed invalid if postal cancellation date is more than one day after
19 date of deposit for mailing an affidavit.
Executed on September 7, 2010, at Long Beach, California.

20 X (PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of the
addressee.
21 Executed on September 7, 2010, at Long Beach, California.

22 (VIA FACSIMILE TRANSMISSION) As follows: The facsimile machine I used
23 complies with California Rules of Court, Rule 2003, and no error was reported by the
machine. Pursuant to Rules of Court, Rule 2006(d), I caused the machine to print a
24 transmission record of the transmission, copies of which is attached to this declaration.
Executed on September 7, 2010, California.

25 X (STATE) I declare under penalty of perjury under the laws of the State of California that
26 the foregoing is true and correct.

27 
28 VALERIE POMELLA