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FILED
DEC 07 2010
FRESNO COUNTY SUPERIOR COURT
By _____

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

11 SHERIFF CLAY PARKER, TEHAMA)
COUNTY SHERIFF; HERB BAUER)
12 SPORTING GOODS; CALIFORNIA RIFLE)
AND PISTOL ASSOCIATION)
13 FOUNDATION; ABLE'S SPORTING,)
INC.; RTG SPORTING COLLECTIBLES,)
14 LLC; AND STEVEN STONECIPHER,)

15 Plaintiffs and Petitioners,

16 vs.

17 THE STATE OF CALIFORNIA; JERRY)
18 BROWN, IN HIS OFFICIAL CAPACITY)
AS ATTORNEY GENERAL FOR THE)
19 STATE OF CALIFORNIA; THE)
CALIFORNIA DEPARTMENT OF)
20 JUSTICE; and DOES 1-25,)

21 Defendants and Respondents.
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CASE NO. 10CECG02116

DECLARATION OF CLAY PARKER,
TEHAMA COUNTY SHERIFF IN
SUPPORT OF MOTION FOR
SUMMARY JUDGMENT OR IN THE
ALTERNATIVE FOR SUMMARY
ADJUDICATION AND TRIAL

Date: January 18, 2011
Time: 8:30 a.m.
Location: Dept. 402
Judge: Hon. Jeff Hamilton

Date Action Filed: June 17, 2010

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. I also do not know which types of ammunition are exempt from these laws as ammunition "designed and intended to be used in 'antique firearms'" manufactured before 1898, because many types of ammunition used in firearms manufactured before 1898 are also used in firearms manufactured after 1898.

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 equitably because I do not know what types of ammunition are "handgun ammunition."

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

Dated: November 24, 2010


Clay Parker
Sheriff, Tehama County

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF FRESNO

I, Claudia Ayala, am employed in the City of Long Beach, Los Angeles County, 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.

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

**DECLARATION OF CLAY PARKER, TEHAMA COUNTY SHERIFF
IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT OR IN THE
ALTERNATIVE FOR SUMMARY ADJUDICATION AND TRIAL**

on the interested parties in this action by placing

☐ the original

☒ a true and correct copy

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

Edmund G. Brown, Jr.
Attorney General of California
Zackery P. Morazzini
Supervising Deputy Attorney General
Peter A. Krause
Deputy Attorney General
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

— (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and 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, 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 date of deposit for mailing an affidavit.

Executed on December 6, 2010, at Long Beach, California.

— (PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee.

Executed on December 6, 2010, at Long Beach, California.

X (VIA OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for overnight delivery by UPS/FED-EX. Under the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for receipt on the same day in the ordinary course of business. Such envelope was sealed and placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for in accordance with ordinary business practices.

Executed on December 6, 2010, at Long Beach, California.

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

CLAUDIA AYALA