

1 C.D. Michel – SBN 144258  
Glenn S. McRoberts – SBN 144852  
2 Sean A. Brady - SBN 262007  
cmichel@michellawyers.com  
3 MICHEL & ASSOCIATES, P.C.  
180 E. Ocean Blvd., Suite 200  
4 Long Beach, CA 90802  
Telephone: (562) 216-4444  
5 Facsimile: (562) 216-4445  
www.michellawyers.com  
6

7 Attorneys for Plaintiffs / Petitioners

8 **IN THE UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **SOUTHERN DIVISION**

11 DOROTHY McKAY, DIANA  
12 KILGORE, PHILLIP WILLMS,  
13 FRED KOGEN, DAVID WEISS, and  
THE CRPA FOUNDATION,

14 Plaintiffs,

15 v.

16 SHERIFF SANDRA HUTCHENS,  
17 individually and in her official  
capacity as Sheriff of Orange County,  
18 California, ORANGE COUNTY  
SHERIFF-CORONER  
19 DEPARTMENT, COUNTY OF  
ORANGE, and DOES 1-10,

20 Defendants.  
21  
22  
23  
24  
25  
26  
27  
28

**CASE NO: SACV 12-1458JVS (JPRx)**

**DECLARATION OF DAVID WEISS  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTION**

Date: October 15, 2012

Time: 1:30 p.m.

Location: Ronald Reagan Federal  
Building  
411 West Fourth Street  
Room 1053  
Santa Ana, CA 92701

Courtroom: 10C

Judge: James V. Selna

Date Action Filed: September 5, 2012

**DECLARATION OF DAVID WEISS**

1  
2  
3  
4 1. I, David Weiss, submit this declaration in support of Plaintiffs' Motion  
5 for a Preliminary Injunction. I make this declaration of my own personal  
6 knowledge and, if called as a witness, I could and would testify competently to the  
7 truth of the matters set forth herein.

8 2. I am a resident of Orange County, California and a United States Citizen  
9 over 21 years of age.

10 3. I am not prohibited under federal or California law from receiving or  
11 possessing firearms.

12 4. I am a Pastor who frequently visits parishioners of my own church both  
13 on and off my church's property within Orange County. I also frequently visit  
14 various churches all over the state, and meet with their members in private off  
15 those churches' property. I often travel very early morning or late evening for these  
16 visits. My obligations as a pastor often take me to unknown locations or to  
17 situations of crisis where emotions may run high.

18 5. I own a handgun and would carry a handgun in public for self-defense on  
19 occasions I deem appropriate, but do not do so because I fear prosecution since I  
20 do not possess a valid license to publicly carry a handgun pursuant to California  
21 Penal Code section 26150.

22 6. I submitted an official Department of Justice application to the Orange  
23 County Sheriff's Department for a license to publicly carry a handgun. Exhibit "1"  
24 that is attached hereto is a true and correct copy of the relevant pages of my  
25 completed application, which has been partially redacted by the Orange County  
26 Sheriff's Department.

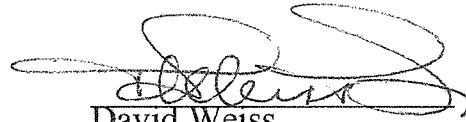
27 7. In my application for a license to publicly carry a handgun, my asserted  
28 "good cause" was based upon self-defense and defense of my spouse. In my

1 including the unusual times and unknown locations that I am required to travel, and  
2 the emergency situations that I am called upon to confront. See Exhibit "1".

3 8. In a letter dated March 21, 2012, my application for a Carry License was  
4 denied by the Orange County Sheriff's Department for lack of "good cause."  
5 Exhibit "2" that is attached hereto is a true and correct copy of the letter I received  
6 from the Orange County Sheriff's Department, which they have partially redacted.

7 I declare under penalty of perjury, under the laws of the United States and of  
8 the state of California, that the foregoing is true and correct.

9 Executed in the United States on September 6, 2012.

10  
11   
12 David Weiss  
13 Plaintiff  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28