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FILED

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In Pro Per

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CLERK OF DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

BY: 

**United States District Court  
Central District of California**

Charles Nichols,  
PLAINTIFF,  
vs.  
KAMALA D. HARRIS, Attorney  
General, in her official capacity as  
Attorney General of California, CITY  
OF REDONDO BEACH and DOES 1  
to 10,  
Defendants.

**Case No.: CV-11-9916 SJO (SS)**

**NOTICE OF MOTION AND  
MOTION FOR A PRELIMINARY  
INJUNCTION**

Date: May 20, 2013  
Time: 10:00 a.m.  
Location: United States Courthouse  
312 North Spring Street  
Los Angeles, CA 90012-4701  
Courtroom: 1 - 2nd Floor  
Judge: Samuel James Otero  
Date Action Filed: November 30, 2011

**PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR A PRELIMINARY  
INJUNCTION**

**TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:**

Notice is hereby given that on May 20, 2013, at 10:00 a.m., or as soon thereafter as counsel may be heard by the above-entitled Court, located at 312 North Spring Street Los Angeles, CA 90012-4701 California, in the courtroom of the Honorable Judge Samuel James Otero, Plaintiff Charles Nichols will and hereby does move for a preliminary injunction pursuant to Rule 65(a) of the Federal Rules of Civil Procedure.

Plaintiff will seek an order preliminarily enjoining Defendant KAMALA D. HARRIS, Attorney General, in her official capacity as Attorney General of California, her officers, agents, servants, employees, attorneys, and all other persons who are in active concert or participation with her and who receive actual notice of the injunction from:

1. Enforcing California Penal Code section 25850(a) to the extent it penalizes, prohibits, or infringes on the right of PLAINTIFF and similarly situated individuals, who are not prohibited from possessing firearms, from openly carrying loaded firearms; in non-sensitive public places, on private residential property and inside or on a motor vehicle for the purpose of self-defense and for other lawful purposes.

2. Enforcing California Penal Code section 25850(b).

3. Enforcing California Penal Code section 26350.

4. Enforcing California Penal Code section 26400.

**PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR A PRELIMINARY  
INJUNCTION**

1 This Motion will be made on the grounds that immediate and irreparable  
2 injury will result to Plaintiff and similarly situated individuals unless the laws  
3 described above are enjoined pending resolution of this action. Plaintiff is likely to  
4 succeed on the merits because these laws violate Plaintiff's and similarly situated  
5 individuals right to openly carry firearms for the purpose of self-defense and for  
6 other lawful purposes under the Second Amendment and, in particular, his right to  
7 "possess and carry firearms in case of confrontation" as well as his right under the  
8 Fourth Amendment to be free from unlawful searches and seizures at the hands of  
9 California police officers and his Fourteenth Amendment right to Equal Protection  
10 under the law.

11  
12 Further, this motion will be based on this notice of motion and motion, the  
13 accompanying memorandum of points and authorities, the declaration and  
14 materials filed concurrently herewith, any matters of which the court may or is  
15 required to take judicial notice, the papers on file, and upon any further matters the  
16 Court deems appropriate.

17  
18  
19  
20 Dated: April 8, 2013

Respectfully submitted,

21  
22  
23 

24 By: Charles Nichols  
25 PLAINTIFF in Pro Per  
26 PO Box 1302  
27 Redondo Beach, CA 90278  
28 Voice: (424) 634-7381  
E-Mail:  
CharlesNichols@Pykrete.info

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**PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR A PRELIMINARY**  
**INJUNCTION**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of **NOTICE OF MOTION AND MOTION FOR A PRELIMINARY INJUNCTION** was served via United States Mail, postage prepaid, on this 9, day of April, 2013; on the following:

KAMALA D. HARRIS  
Attorney General of California  
PETER K. SOUTHWORTH  
Supervising Deputy Attorney General  
JONATHAN M. EISENBERG  
Deputy Attorney General  
State Bar No. 184162  
300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
Attorneys for Defendant California Attorney General Kamala Harris

AND

T. PETER PIERCE  
LISA BOND  
AARON C. O'DELL  
RICHARDS WATSON & GERSHON  
A Professional Corporation  
355 South Grand Avenue, 40<sup>th</sup> Floor  
Los Angeles, California 90071-3101  
Attorney for Defendants:  
CITY OF REDONDO BEACH and DOES 1 to 10



Charles Nichols  
Plaintiff, In Pro Per  
Case No. CV-11-9916 SJO (SS)