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VENTURA COUNTY SHERIFF'S OFFICE  
7 *(erroneously sued as Ventura County Sheriffs*  
8 *Department)*

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11  
12 SIGITAS RAULINAITIS,  
13 Plaintiff,  
14 v.  
15 VENTURA COUNTY SHERIFFS  
16 DEPARTMENT,  
17 Defendant.

CASE NO. CV13-02605-MAN

**DEFENDANT'S RESPONSIVE  
BRIEF; MEMORANDUM OF  
POINTS AND AUTHORITIES;  
DECLARATION OF DANIEL  
GONZALES AND EXHIBITS IN  
SUPPORT THEREOF**

[No Hearing Date Set Pursuant to  
5/31/13 Order Adopting Section V of  
Joint Case Management Statement]

18  
19  
20 Defendant VENTURA COUNTY SHERIFF'S OFFICE hereby responds to  
21 plaintiff's motion for summary judgment.

22  
23 DATED: June 14, 2013

WISOTSKY, PROCTER & SHYER

24  
25 By: 

26 Alan E. Wisotsky  
James N. Procter II  
Jeffrey Held  
27 Attorneys for Defendant,  
VENTURA COUNTY SHERIFF'S OFFICE  
28

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **LEGAL ISSUES**

4 1. Did the Ventura County Sheriff's Office correctly ascertain that the  
5 plaintiff did not satisfy the residency requirement of Penal Code §26150(a)(3) as a  
6 condition for issuance of a license to carry a concealed weapon?

7 2. If the determination was incorrect, should the Sheriff's Office be  
8 permitted to continue processing plaintiff's concealed weapon permit application to  
9 determine whether the three remaining statutory criteria (good moral character, good  
10 cause, and completion of a training course) are satisfied?

11 **II.**

12 **MINIMAL CONTACTS WITH THE ISSUING**  
13 **COUNTY WOULD SUFFICE ONLY IF THE**  
14 **APPLICANT'S MAIN WORKSITE WERE THERE**

15 Basic canons of statutory construction resolve the parties' dispute. The  
16 California Court of Appeal stated, "The best place to find legislative intent is in the  
17 language of the statute." *Astenius v. State*, 126 Cal.App.4th 472, 476 (2005).  
18 Essentially to the same effect is the United States Supreme Court's observation that  
19 "The interpretation of a treaty, like the interpretation of a statute, begins with its  
20 text." *Medellin v. Texas*, 552 U.S. 491, 506 (2008).

21 The relevant statute governing an application for a license to carry a concealed  
22 weapon is Penal Code §26150. Subdivision (a)(3) provides as follows:

23 When a person applies for a license to carry a pistol,  
24 revolver, or other firearm capable of being concealed on  
25 upon the person, the sheriff of a county may issue a license  
26 to that person upon proof of all of the following:

27 . . . .

28 ///

1           The applicant is a resident of the county or a city  
2           within the county, or the applicant's principal place of  
3           employment or business is in the county or a city within the  
4           county and the applicant spends a substantial period of time  
5           in that place of employment or business.

6           The statutory subdivision provides that there are two methods by which the  
7           applicant can be deemed a county resident. One is if the applicant's principal place  
8           of employment is within the county and the applicant spends a substantial amount of  
9           time there. The second means of attaining county residency for purposes of this  
10          statutory subdivision occurs when the applicant is a resident of the county.

11          When the two means of attaining residency are contrasted, it is apparent that  
12          one is very specific, while the other is quite general. It is logical to conclude that the  
13          two juxtaposed conditions for defining residency speak to opposite ends of the  
14          spectrum. The specific definition allows someone who works for a significant  
15          amount of time in the county to be a county resident for concealed weapon issuance  
16          purposes. In contrast, the other means of attaining county residency is the other  
17          extreme – spending a majority of a person's time for all purposes within the issuing  
18          county.

19          The more specific method is an exception to the initial statement of attaining  
20          residency. Why articulate a specific means if there are other means of attaining  
21          residency? The initial statement is sweeping, general, and all-inclusive: You must  
22          be a resident to qualify for concealed weapons privilege.

23          Common sense suggests that a residence is where a person spends most of his  
24          or her time. California Government Code §244 concurs:

25                   In determining the place of residence, the following  
26                   rules shall be observed:

27                   (a) It is the place where one remains when not  
28                   called elsewhere for labor or other special or temporary

1 purpose, and to which he or she returns in seasons of  
2 repose.

3 (b) There can only be one residence.

4 (c) A residence cannot be lost until another is  
5 gained.

6 Government Code §244 is in a series of general statutes defining citizenship  
7 and residency. It is therefore suitable to utilize in fortifying the plain meaning of  
8 Penal Code §26150(a)(3).

9 Government Code §244 clearly states that "There can only be one residence"  
10 (subd. (b)) and that a person can only have one residence at a time.

11 If the average person were asked what it means to be a resident of a county, he  
12 or she would intuitively respond that it is the location where you live most of your  
13 life. The average person would not define "residing in a county" as "owning one of  
14 many homes there" or "planning to vote there in the future."

15 A glaring fallacy of plaintiff's perspective is that if home ownership were a  
16 *sine qua non* of residency, a wealthy person could theoretically purchase a home in  
17 all 58 counties, buy some personal effects to place in the homes, and pay for the  
18 utilities and maintenance of the homes. By plaintiff's definition, that would be suffi-  
19 cient to make such a wealthy individual a resident of all 58 counties simultaneously.  
20 The concept of being a resident of every county in the state simultaneously would  
21 draw instinctive guffaws from the average person, as well it should.

22 There is a certain logic behind the statutory condition of being a county  
23 resident as a condition precedent to issuance of a license to walk around with a gun  
24 under your coat. Different counties in different areas of the state have very different  
25 lifestyles, populations, recreational activities, and mores. The statute vests the sheriff  
26 of each of the 58 counties with making the determination whether prevailing attitudes  
27 within that jurisdiction reasonably tolerate and warrant an armed versus an unarmed  
28 society.

1 In a northern California county, such as Humboldt or Del Norte, populations  
2 are relatively low and dispersed. This demographic fact means that there would be a  
3 much longer waiting time for the arrival of law enforcement in the event of an attack  
4 on a citizen. Self-help may be more desirable in those areas.

5 In these counties, predominantly rural, with many areas of unspoiled wilder-  
6 ness, hunting, fishing, and camping are recreational activities pursued by many of the  
7 inhabitants. Hunting, camping, or fishing in a remote area leaves one defenseless  
8 without being properly armed against any attack.

9 In heavily urbanized centers, such as San Diego, Los Angeles, and San  
10 Francisco, however, the populations are extremely large. The number of law  
11 enforcement officers is based upon the number of citizens. So in those counties there  
12 is a much greater number of law enforcement officers. Roads and highways take law  
13 enforcement officers almost everywhere in those counties, whereas roads and  
14 highways frequently do not exist in the more remote or rural areas of this state.

15 Citizens in highly urbanized areas generally do not recreate by hunting, fishing,  
16 and camping in remote areas. Inhabitants of highly urbanized areas are more exposed  
17 to the senseless attacks of random gunmen.

18 It is therefore not at all inconceivable that the sheriff of a rural northern county  
19 might be much more lenient in issuing a concealed weapons permit, whereas a sheriff  
20 in a highly urbanized county would not. Plaintiff's argument that a person can be a  
21 resident of all counties simultaneously would defeat the logic behind this reasoning  
22 which undergirds Penal Code §26150(a)(3).

### 23 **III.**

### 24 **STATEMENT OF FACTS**

25 The facts described under this point heading are drawn from two sources. One  
26 is the joint case management statement, as adopted as the order of the Court in the  
27 May 31, 2013, case management conference order, page 1, lines 22-28, and page 2,  
28 lines 1-2. The other source of facts is the declaration of Daniel Gonzales, the deputy

1 sheriff who is in charge of the vetting of concealed weapons permits for the Ventura  
2 County Sheriff's Office (and exhibits appended thereto).

3 1. Deputy Gonzales conducted an investigation which revealed that  
4 Mr. Raulinaitis was not a Ventura County resident. Since plaintiff did not pass the  
5 residence requirement, Deputy Gonzales concluded the investigation with that step.

6 Deputy Gonzales recorded the February 20, 2013, interview with  
7 Mr. Raulinaitis, a correct photocopy of which is attached to Deputy Gonzales's  
8 declaration as Exhibit C.

9 Deputy Gonzales: I will be frank with you. Some of  
10 the things that we've learned at this stage in the  
11 investigation suggest that you spend more time in Santa  
12 Clarita than you do here.

13 Mr. Raulinaitis: Well, I would say over the last four  
14 months that's true . . . probably literally four months almost  
15 all the time.

16 Exhibit C to Gonzales declaration, p. 6:9-13.

17 2. Santa Clarita is a city in Los Angeles County. (Gonzales declaration,  
18 p. 2:22.) This was a frank concession by the plaintiff that he had been living in  
19 another county for virtually all of the previous four months.

20 3. During the investigation, Deputy Gonzales discovered that  
21 Mr. Raulinaitis's driver's license reflected that his address was in Burbank at  
22 142 West Verdugo Avenue. Burbank is a city in Los Angeles County. This turned  
23 out to be plaintiff's place of business. A correct photocopy of the driver's license  
24 which Mr. Raulinaitis submitted along with his application to carry a concealed  
25 weapon is attached to Deputy Gonzales's declaration as Exhibit D. (Gonzales  
26 declaration, ¶11.)

27 4. In the course of his investigation of the plaintiff's residence, Deputy  
28 Gonzales requested that the sheriff's records technicians perform a DMV registration



1 check. This check of DMV records revealed that Mr. Raulinaitis had four vehicles.  
 2 Two of them were registered to his residence address in Santa Clarita (Los Angeles  
 3 County), and the other two were registered to his work address in Burbank (also in  
 4 Los Angeles County). Photocopies of those DMV printouts are appended as Exhibits  
 5 E through H to the Gonzales declaration. (Gonzales declaration, ¶12.)

6 5. The plaintiff's concealed weapons permit application listed his business  
 7 address as 142 West Verdugo Avenue in Burbank. A correct copy of the concealed  
 8 weapons permit application is attached as Exhibit I to Deputy Gonzales's declaration.  
 9 (Gonzales declaration, ¶13.)

10 6. The plaintiff's application to carry a concealed weapon listed his wife's  
 11 residence address as 19614 Sunrise Summit in Santa Clarita. While not determina-  
 12 tive of the applicant's residence address in and of itself, the fact that the individual's  
 13 spouse resided in another county suggested a connection with spending time in that  
 14 other county. (Gonzales declaration, ¶14.)

15 7. During his investigation, Deputy Gonzales learned that Mr. Raulinaitis  
 16 had sued Los Angeles County for denying him a concealed weapons permit about a  
 17 year and a half earlier. The plaintiff would have needed to have claimed Los Angeles  
 18 County residency in order to qualify for a concealed weapons permit in that county.  
 19 (Gonzales declaration, ¶15.)

20 8. Deputy Gonzales conducted a surveillance of Mr. Raulinaitis's wife's  
 21 home from a public street on January 28, 2013. Parking outside the home, he had a  
 22 clear view of the home listed by Mr. Raulinaitis as his wife's residence. (Gonzales  
 23 declaration, ¶¶16, 17.)

24 9. Deputy Gonzales arrived at the Raulinaitis home at 19614 Sunrise  
 25 Summit in Santa Clarita at 6:15 a.m. At 6:43 a.m., he saw Mr. Raulinaitis leave from  
 26 that house – he recognized Mr. Raulinaitis from the DMV photo obtained from a  
 27 statewide database called Cal-Photo. A copy of that photograph is appended to  
 28 Deputy Gonzales's declaration as Exhibit J. (Gonzales declaration, ¶18.)

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10. Deputy Gonzales saw Mr. Raulinaitis enter his silver Infiniti, with customized plates reading "SIG ESQ," and load a blue cooler onto the passenger seat of the vehicle. Mr. Raulinaitis then drove away. (Gonzales declaration, ¶19-22.)

11. Deputy Gonzales then followed Mr. Raulinaitis to 142 West Verdugo Avenue in Burbank, which the plaintiff had listed in the concealed weapons permit application as his business address and which his driver's license listed as his address. (Gonzales declaration, ¶23.) Deputy Gonzales directed his fellow investigator, Ed Jones, to conduct a follow-up surveillance. (Gonzales declaration, ¶24.)

12. Reserve Deputy Jones reported to Deputy Gonzales that he saw Mr. Raulinaitis leave the home in Santa Clarita at 19614 Sunrise Summit and walk to the same silver Infiniti. Reserve Deputy Jones's observations were made on February 1, 2013, at 6:42 a.m. (Gonzales declaration, ¶¶24-27.)

13. Deputy Gonzales's personal surveillance of the address given by Mr. Raulinaitis as his wife's, combined with the report of his partner, Reserve Deputy Jones, confirmed that Mr. Raulinaitis stayed at the Santa Clarita residence from which he departed for work on the two mornings of the surveillance. (Gonzales declaration, ¶28.)

14. Mr. Raulinaitis's only real claim to a Ventura County residency was that he owned a condo in Oxnard. (Gonzales declaration, ¶29.) Deputy Gonzales interviewed the property manager, who stated that she had spoken with Mr. Raulinaitis' wife, Rima. Rima had stated that they were renting the condominium to their son, Justin. (Gonzales declaration, ¶30.)

14. Mr. Raulinaitis submitted his application for a concealed weapons permit on January 15, 2013. It was not until the date of his interview with Deputy Gonzales, February 20, 2013, that he actually registered to vote in Ventura County. Before that date, Mr. Raulinaitis was not registered to vote in Ventura County. Deputy Gonzales confirmed this by interviewing an employee at Voter Registration. (Gonzales declaration, ¶31.)



#### IV.

The Ventura County Sheriff's Office receives between 20 and 40 new concealed weapons applications monthly (excluding additional renewal applications). (Gonzales declaration, ¶7.) Deputy Gonzales is the only full-time investigator assigned to evaluating concealed weapon permit applications. (Gonzales declaration, ¶7.) He is allowed two assistants. One works modified/light duty, while the other is a reserve deputy who serves part time. (Gonzales declaration, ¶7.)

Because of the staffing restrictions, the Sheriff's Office is constrained to use the most efficient means possible of vetting applicants for concealed weapons. (Gonzales declaration, ¶7.) In order to keep the processing of concealed weapons applications moving expeditiously, Deputy Gonzales examines the residency requirement first. (Gonzales declaration, ¶8.) If the applicant clears that hurdle, Deputy Gonzales then proceeds to devote the necessary time to investigating the other required aspects of concealed weapons permit issuance, such as the applicant's moral character and good cause. (Gonzales declaration, ¶8.)

8

1 But if the concealed weapons applicant does not pass the residency require-  
2 ment, Deputy Gonzales is able to save a great deal of time and unnecessary work by  
3 avoiding investigation of whether the applicant has good cause to carry a concealed  
4 firearm and whether he or she has good moral character. (Gonzales declaration, ¶8.)  
5 Once the investigation determined that Mr. Raulinaitis was not a Ventura County  
6 resident, the good cause, moral character, and firearms training course criteria of the  
7 statute were not necessary to investigate. (Gonzales declaration, ¶¶9, 32.)

8 All four elements are statutory criteria – Penal Code §26150(a) requires that all  
9 four criteria be satisfied before a person can be issued a license to carry a concealed  
10 weapon. Subdivision (1) requires that the applicant be of good moral character.  
11 Subdivision (2) requires good cause. Subdivision (4) requires completion of a  
12 training course.

13 There is no statutory or appellate invocation of a waiver or a forfeiture  
14 doctrine. If the sheriff determines that one of the four criteria is not satisfied, and that  
15 turns out to be incorrect, there is no automatic satisfaction provision of the other three  
16 elements.

17 Carrying a concealed firearm is an extremely potent and potentially dangerous  
18 right. The unseen presence of a handgun can surprise police officers as well as  
19 innocent citizens. The issuance of a permit to carry a concealed weapon is an  
20 extremely important matter, one that a plaintiff in a civil suit should not be able to  
21 obtain by the expedient of forfeiture or waiver.

22 Hypothetically speaking, if a vicious armed robber had served his term and  
23 applied for a concealed weapon, the fact that the Sheriff's Office turned out to be  
24 mistaken about its interpretation of the legal residency requirement should not allow  
25 such a person to carry a concealed weapon. If the applicant wished to carry the  
26 weapon for an illegal purpose, a misunderstanding or misinterpretation of a vague  
27 statutory term should not work a forfeiture. The right to be conferred by automatic  
28 forfeiture carries too great a danger to society to be won by default as civil damages.

1 There is no time deadline in the statute or in any other provision of law  
 2 governing this issue. It is not as though the time within which to rule on the  
 3 concealed weapons application has expired, because there is no time limit.  
 4 Therefore, plaintiff would in no way be harmed if the matter were remanded to the  
 5 administrative agency to conduct an inquiry into the remaining three elements of the  
 6 concealed weapons permit application.

7 Allowing the Sheriff's Office to continue processing the plaintiff's application  
 8 could be conditioned upon completing the entirety of the investigation of the  
 9 remaining three elements within some stated period of time, such as 30 days. It is a  
 10 long-accepted equitable maxim that "The law abhors a forfeiture." *Superior Oil v.*  
 11 *Devon*, 604 F.2d 1063, 1069 (8th Cir. 1979).

12 V.

13 **CONCLUSION.**

14 Based upon the foregoing reasons and authorities, it is respectfully requested  
 15 that the Court rule that the Sheriff's Office's determination that the plaintiff was not a  
 16 county resident within the meaning of Penal Code §26150(a)(3) was correct and  
 17 warranted the denial of his concealed weapon application. Alternatively, if the Court  
 18 disagrees with this requested ruling, defendant requests that the matter be remanded  
 19 to the defendant to complete the investigation of the other three elements (good moral  
 20 character, good cause, and completion of a training course) within 30 days after  
 21 remand.

22  
 23 DATED: June 14, 2013

WISOTSKY, PROCTER & SHYER

24  
 25 By: 

Alan E. Wisotsky

James N. Procter II

Jeffrey Held

Attorneys for Defendant

VENTURA COUNTY SHERIFF'S OFFICE

1 Re: *Raulinaitis v. Ventura County Sheriffs Department*  
2 USDC Case No. CV13-02605-MAN

3 **DECLARATION OF DANIEL GONZALES**

4 **IN SUPPORT OF DEFENDANT'S**

5 **SUMMARY JUDGMENT MOTION**

6 I, Daniel Gonzales, declare as follows:

7 1. I make this declaration of facts based upon information which is  
8 personally known to me. If called to testify as a witness to the facts contained in this  
9 declaration, I would competently and accurately do so under penalty of perjury of the  
10 laws of the United States of America.

11 2. I am a deputy sheriff employed by the Ventura County Sheriff's Office.  
12 I was employed by the Ventura County Sheriff's Office from January of 2000  
13 through May of 2008 and again from December of 2008 through the present.

14 3. My current assignment is concealed weapons investigation. I am a full-  
15 time sworn law enforcement officer for the Ventura County Sheriff's Office in that  
16 assignment. I have held that position since June of 2012.

17 4. On January 15, 2013, the Ventura County Sheriff's Office received an  
18 application to carry a concealed weapon from plaintiff, Sigitas Raulinaitis. It was my  
19 job responsibility to investigate the application.

20 5. California Penal Code Section 26150(a)(3) establishes a residency  
21 requirement that the concealed weapons applicant must be a resident of the county or  
22 of a city within the county or have a principal place of business in one of the two.

23 6. The Ventura County Sheriff's Office's policy, page 1, section 2A, also  
24 makes it mandatory that the applicant must be a resident of Ventura County. A  
25 correct copy of the entire policy is attached as Exhibit B.

26 7. The Ventura County Sheriff's Office receives between 20 and 40 new  
27 concealed weapons applications monthly (plus additional renewal applications). I am  
28 the only investigator assigned to that position full time (for an anticipated two-year

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1 commitment). I am allowed two assistants. One works modified/light duty. The  
2 other is a reserve deputy. The services of the reserve deputy are part time. Therefore,  
3 the concealed weapons permit investigation and licensure unit is constrained to use  
4 the most efficient means possible of vetting applicants for concealed weapons.

5 8. In order to keep the processing of concealed weapons applications  
6 moving expeditiously, I examine the residency requirement first. If the applicant  
7 clears that hurdle, then I proceed to process the application by investigating the other  
8 required aspects of concealed weapons permit issuance, such as moral character and  
9 good cause. But if the concealed weapons applicant does not pass that residency  
10 requirement, I am able to save a great deal of time and unnecessary work by avoiding  
11 investigation of whether the applicant has good cause to carry a concealed firearm  
12 and whether he or she has good moral character.

13 9. In Mr. Raulinaitis's case, he did not pass the residency requirement,  
14 so my investigation concluded with that step. For many reasons my investigation  
15 revealed that Mr. Raulinaitis was not a Ventura County resident.

16 10. Mr. Raulinaitis frankly conceded in my February 20, 2013, interview  
17 with him, a correct copy of which is attached as Exhibit C, that he had been living at  
18 his home in Santa Clarita for the past four months. *"...I will be frank with you. Some*  
19 *of the things that we've learned at this stage in the investigation suggest that you*  
20 *spend more time in Santa Clarita than you do here. Well, I would say over the last 4*  
21 *months that's true ... probably literally four months almost all the time."* (Exhibit C,  
22 p. 6:9-13, emphasis added). Santa Clarita is a city in Los Angeles County.

23 11. At the time of my investigation, Mr. Raulinaitis's driver's license  
24 reflected that his address was in Burbank (142 W. Verdugo Avenue). Burbank is a  
25 city in Los Angeles County. This turned out to be his place of business. A correct  
26 photocopy of the California driver's license which Mr. Raulinaitis submitted, along  
27 with his application for a concealed weapons permit, is attached as Exhibit D.

28 ///



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1           12. The California Department of Motor Vehicles registration checks which  
2 I requested that Ventura County Sheriff's Office's records technicians perform  
3 revealed that two of Mr. Raulinaitis's vehicles were registered to his residence  
4 address in Santa Clarita (Los Angeles County) and that the other two were registered  
5 to his work address in Burbank (also in Los Angeles County). Correct photocopies of  
6 those DMV printouts are appended hereto as Exhibits E through H.

7           13. Mr. Raulinaitis's concealed weapons permit application listed his  
8 business address as 142 W. Verdugo Avenue in Burbank (Los Angeles County). A  
9 correct photocopy of his concealed weapons permit application is attached hereto as  
10 Exhibit I.

11           14. The concealed weapons application lists his wife's residence address as  
12 19614 Sunrise Summit in Santa Clarita (Los Angeles County). While not determina-  
13 tive of the applicant's residence address in itself, the fact that the individual's spouse  
14 resided in another county suggested a connection with spending time in that other  
15 county.

16           15. During my investigation, I learned that Mr. Raulinaitis had sued Los  
17 Angeles County for denying him a concealed weapons permit about a year and a half  
18 earlier. He would have needed to have claimed Los Angeles County residency in  
19 order to qualify for a concealed weapons permit in that county.

20           16. In order to further ascertain Mr. Raulinaitis's residency, I conducted  
21 surveillance of the Santa Clarita address he listed in his concealed weapons permit  
22 application.

23           17. On January 28, 2013, I parked my unmarked police vehicle at the end of  
24 the cul-de-sac near the Santa Clarita address listed by Mr. Raulinaitis in his concealed  
25 weapons permit application as belonging to his wife - 19614 Sunrise Summit. From  
26 the end of the cul-de-sac, I had a clear, unobstructed view of the home listed by  
27 Mr. Raulinaitis as his wife's residence.

28 ///



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1 18. I arrived at 6:15 a.m. At 6:43 a.m., I saw Mr. Raulinaitis leave from that  
2 house. I recognized him from his DMV photograph which I obtained from a state-  
3 wide database called Cal Photo. A color copy of that photograph is attached as  
4 Exhibit J.

5 19. I saw Mr. Raulinaitis enter his silver Infiniti (with customized California  
6 plates reading "SIG ESQ") This vehicle was parked backed into the driveway.

7 20. The vehicle was parked next to his wife's Toyota SUV, also in the  
8 driveway.

9 21. Mr. Raulinaitis loaded a blue cooler onto the passenger seat of his car.

10 22. Mr. Raulinaitis then entered the driver's seat and drove away.

11 23. I, along with my partners, Ed Jones and Kevin Donoghue, followed  
12 Mr. Raulinaitis in his silver Infiniti to 142 W. Verdugo Avenue in Burbank (which he  
13 had listed in his concealed weapons permit application as his business address and  
14 which his driver's license, a copy of which he submitted pursuant to the concealed  
15 weapons permit application's requirement, listed as his address).

16 24. At my instruction, my fellow investigator, Ed Jones, conducted a follow-  
17 up surveillance and reported the results to me. Reserve Deputy Jones reported to me  
18 that he saw Mr. Raulinaitis leave the home in Santa Clarita (the same address at  
19 19614 Sunrise Summit which his application listed as his wife's residence).

20 25. Detective Jones told me that he saw Mr. Raulinaitis walk to a silver  
21 Infiniti, license plate SIG ESQ.

22 26. Detective Jones further reported to me that he recognized Mr. Raulinaitis  
23 from his DMV photograph and from our prior surveillance.

24 27. Detective Jones's observations about Mr. Raulinaitis were made on  
25 February 1, 2013, at 6:42 a.m.

26 28. My personal surveillance of the address given by Mr. Raulinaitis as his  
27 wife's, combined with the report of my partner, Detective Jones, confirmed that

28 ///

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1 Mr. Raulinaitis stayed at the Santa Clarita residence from which he departed for work  
2 on the two mornings we conducted surveillance of him at that residence.

3 29. Mr. Raulinaitis's only claim to Ventura County residency was that he  
4 owned a condominium in Oxnard.

5 30. But when I spoke with the property manager, she told me that she had  
6 spoken with Mr. Raulinaitis's wife, Rima, who said that they were renting the  
7 condominium to their son, Justin.

8 31. On the same day as the interview I conducted with Mr. Raulinaitis,  
9 February 20, 2013, he registered to vote in Ventura County. Before that date,  
10 including at the time of his concealed weapons permit application, Mr. Raulinaitis  
11 was not registered to vote in Ventura County. I learned this information by inter-  
12 viewing an employee at Voter Registration in the Hall of Administration of the  
13 Ventura County Government Center.

14 32. From this investigation it was not reasonable to conclude that  
15 Mr. Raulinaitis was a Ventura County resident. On that basis his concealed weapons  
16 permit application was denied. It was not necessary for me to investigate the moral  
17 character and good cause issues.

18 I declare under penalty of perjury under the laws of the United States of  
19 America that the foregoing information is true and correct.

20 Executed this \_\_\_\_ day of May, 2013, at Ventura, California.

21  
22   
23 DANIEL GONZALES

**COUNTY OF VENTURA  
VENTURA COUNTY SHERIFF'S OFFICE  
LICENSE TO CARRY WEAPONS POLICY**

Ventura County Sheriff's Office (VCSO) policy titled "**Carry Concealed Weapons License (CCW)**", is hereby adopted as of 10-28-2011 by Sheriff Geoff Dean and shall constitute the policy and practices of the VCSO relating to licenses and applications for licenses to carry firearms under Cal. Penal Code §§ 26150, *et seq.*

**1. PURPOSE AND SCOPE**

The Sheriff, upon proof that the person applying is of good moral character, that good cause exists for the issuance, that the person applying satisfies residency or business location requirements, and has completed a course of training (as set forth in this policy) may issue to that person a **carry concealed weapons license (CCW)**. This policy will serve as the Office's written process for the application and issuance of such licenses. Pursuant to Cal. Penal Code § 26160, this policy shall be made accessible to the public.

**2. QUALIFIED APPLICANTS**

In order to apply for a Concealed Weapons License, the applicant **must** meet the following requirements:

- a. Be a resident of the County of Ventura.
- b. Be at least 18 years of age.
- c. Complete an application that will include substantial personal information, much of which may be subject to disclosure under the California Public Records Act.
- d. Be free from criminal convictions or other prohibiting conditions that would disqualify the applicant from carrying a concealed weapon.
  - i. Note: applicants may inquire as to their eligibility to possess and own firearms prior to submitting an application by completing the "Personal Firearms Eligibility Check" form, which can be found at <http://ag.ca.gov/firearms/forms/pdf/pfecapp.pdf>, and submitting it to the California Department of Justice ("DOJ") in accordance with their instructions.
- e. Provide fingerprints and successfully complete a criminal background check.
- f. Be of good moral character. For purposes of this policy, with respect to a determination of 'good moral character' the following factors are taken into consideration: honesty, arrests or negative contacts with law enforcement agencies, conviction of any crime (*including expunged convictions*), alcohol or drug-related incidents, numerous moving violations of the California Vehicle Code, civil judgments, pending lawsuits, liens, etc.
- g. Show good cause for the issuance of the license. For the purposes of this policy, examples of the existence of good cause include:
  - i. A business owner or employee who transports large sums of cash on a regular basis in the course of their business.
  - ii. Persons who are in reasonable fear of their safety due to a set of facts that place them in danger, above that of the average citizen, which cannot be adequately dealt with by existing law enforcement resources and which danger cannot be reasonably avoided by alternative measures.

Gonzales= G

Donoghue = D

Raulinaitis = R

G- and your current employer

r- NTI builders

g- do you own the company or do you work for them

r- yes I own the company

g- and how long have you owned the company for

r- almost 8 years, 7 years, 8 months around that

g- and your home phone number

r- well I just have my cell phone, its 818 731 1084

g- and your work number

r- its 818 295 6991

g- ok so it looks like you have applied for a CCW and you currently have one with Arizona

r- that's correct

g- when is that set to expire

r- well im not sure I think they are good for 5 years I think I got it about 6 months ago

g- and you applied for one with LA County

r- ya previously when I lived in Canyon Country

g- and that was in October of 2010?

r- yes

g- what happened with that

r- they basically denied me saying I didn't have good cause

g- it wasn't for any background issues, just lack of good cause?

r- yes

g- have you ever held and subsequently renounced your United States citizenship?

r- no

g- did you serve in the armed forces?

r- no

g- ok, it looks like lawsuits in the last five years are these 3?

r- that's correct

g- are you now or have you been under a restraining order from any court?

r- no

g- are you on probation or parole from any state for any conviction of any offense including traffic?

r- no

g- last ticket was with LAPD in 2008?

r- yeah, I couldn't even remember what citation it was, pedestrian in a crosswalk or something, they were on the farside but you know how that goes

g- have you ever been convicted for any criminal offense in the US or any other country?

r- no

g- have you withheld any facts that might affect the decision to approve this license?

r-

g- and these firearms that you listed, are these yours?

r- yes they are

d- what other firearms do you own?

r- I own a couple of bolt action rifles hunting rifles couple shotguns, I think I got a couple another 22, a 22 rifle, black powder gun a little bit of everything I like to hunt and sometimes its black powder sometimes its rifle sometimes its shotgun

g- ok we got 3101 peninsula road, are you um, and your wife still lives in Santa Clarita

r- she's still in Santa Clarita, correct

g- so how do you work that out?

r- well she's going to move in too, what we're doing is were going to get that house which we had with our kids so it's a bigger house were working to get that ready little by little to put it on the rental market, I own and operate rental properties, so that's going to turn into a rental and she's going to come out here

d- how many rental properties do you own?

r- I have, well that will be 3 I have another one in Santa Clarita and then I have one in Big Bear lake

d- how old are your kids?

r- 21 and 19

g- so your finally free huh?

r- yeah they are both in college and up and out, hopefully for, hopefully they keep going

d- where do they go to school at?

r- I got one in Berkley and one over here at channel islands, so the one at channel islands, he graduates in one more semester, the one at Berkley has at least 2 more years so that's the tough one that ones expensive but better than a private school I guess

g- have you ever been in a mental institution or treated for a mental illness or found not guilty by reason of insanity

r-

d- are you now or have you ever been addicted to a controlled substance or alcohol

r-no

g- so 2003 firearm in the airport?

r- correct

g- so no charges were filed?



r- in fact LAPD then treated it as a detention and not an arrest I have a paper for that if you would like

g- so they 849'd you

d- looks like the same form they would have used 30 years ago

r- so, not a fun incident

g- have you ever been involved in a domestic violence incident

r-

d- the police have never responded to your house for any arguments between you and your wife?

r- no, not in 25 years

d- very good

g- so give me a basic run down in your own words on why you would like a ccw permit

r- ok, well I think per the standards that your department has, do I have sort of a heightened need for self-protection obviously I think a handgun is probably the best way to do it legally anyway, so I do really three things, I am a contractor a broker and I am also an attorney probably most of my work is contracting so for that I really am all over, San Bernardino, LA, Ventura all over the place out in the back roads when I go through here through canyon country through the mountains there through Pearblossom Highway so I tend to be out there a lot, some of my sub-contractors like to get cash payments so sometimes I am carrying a lot of cash equipment those types of things, most of the work we do is commercial but some of it is residential and of course I work on my own properties then as a real estate broker and I guess as a contractor and attorney I guess it all kind of ties in together. I help people with property acquisitions so they want to look at especially apartment buildings I used to work for a couple of apt so I am pretty familiar with apt buildings so there sometimes people will pick up it could be section 8 housing it could be pretty rough sort of neighborhoods and I will go over there and look at the property and give an assessment as to what shape it's in and what I think they might need to do for it and that type of thing, so, a lot of times a guy like me doesn't always fit in the neighborhood with the kind of car I drive and the clothes I wear so it can be un nerving at times. They probably either figure I am a cop or crazy. So that where I think I do that where most people probably wouldn't do that, fortunately I don't do a lot of law work so I can't say I have a bunch of crazed divorce clients or anyone like that so I would say the law thing I just kind

of help people with property deals. So it's really more the construction and real estate aspects that just take me into all kinds of places with money equipment, my car, myself.

d- in that position have you ever had to call the police for any confrontations that were adverse or otherwise threatening to your life?

r- no

g- so you sound like you're a pretty busy man

r- yeah I am hoping for another 5 or 6 years I can start slowing down

g- do you see much of your family

r- well now with the kids gone it's just me and the wife so I try to work it so I do

g- that's good, with you living out here how often do you get to visit your wife?

r- oh like right now were doing a lot of work at the house there so I do some of it so I'll stop there after my office is in Burbank so I'll stop there sometimes I'll spend the night there too then we go to big bear together that's kind of a resort rental that I have so in between the renters there is always work to be done so it's kind of nice because we get to spend time there as well but there also construction work and always repairs and things like that she helps with the business so she doesn't have a job outside of that so she's got a very flexible schedule

g- how long have you been doing work on the house in Santa Clarita, your previous house?

r- were re-modeling the bathroom and kitchen probably started about four or five months ago, it takes a long time when you do it yourself so just wrapping up one and starting the kitchen soon

d- does she ever stay with you out here

r- oh yeah, we spent a better part of the summer out there, its much nicer out there than canyon because it's very hot

g- so where are your son's living right now?

r- so one lives with me here in Oxnard where he goes to school and the other lives in Berkley

d- if you were to say how much time in the last month have you stayed out here?

r- I would say in the last month probably just several days I have been spending more time in Canyon Country while working there and then the summer pretty much there the summer, it just varies in the winter time we go a lot to the Big Bear house too

d- it's really important to our sheriff that we conform to his policies and procedures for issuing these permits and one of the things he is really sticky about is the residency so when we have an applicant that appears to be dual residency we kind of scrutinize it a little more and we do that because we get a lot of people that often times live in LA and try to justify their residency in Ventura County simply to get a permit because they think it's easier to get a permit here than it is in LA so that being said we do go into a little more detail so we talk to neighbors we talk to property managers we try and get more information so that we can make a good assessment as to whether or not the person seeking this permit is truly a resident or not so if you're spending more time here and less time there that would make sense, but I will be frank with you some of the things that we have learned at this stage in the investigation suggest that you spend more time in Santa Clarita then you do here

r- well I would say over the last 4 months that's true but I would say over the you know, after I bought the place I was over probably literally four months almost all the time.

d- are you registered to vote?

r- yeah well when I changed my residency I changed it to over here I was registered

d- you are registered to vote here in Ventura County?

r- yes

d- that is something we will have to look at, that might be something that might add to your favor. When did you register to vote here?

r- when I changed my address with the DMV, there is like a check in box that saying something so its pretty automatic I think

d- and you're paying all the utilities on the house in Oxnard?

r- uh huh

d- and your living there with your son

r- uh huh

d-what room are you in?

r- well I have the bedroom he has the living room it's a one bedroom place

d- well at this point were probably going to do some more investigation to establish your residency because like I said so far as we can tell it doesn't appear that you spend as much time up here as you do in Santa Clarita

r- like I said currently that would be true, it's my intention as I get that place rented out then I will be I can't say that's not true at the current moment

d- for the purposes of the permit it has to be where you put your head on the pillow that's the way our sheriff interprets the statute and that residency in the way he interprets the statute its where you sleep its where you spend most of your time

r- I guess I would say that varies depending on the time of year

d- what he doesn't want it to issue a permit to someone who is only up here a few days a year and ultimately lives in LA because that wouldn't really be following the spirit of the law

r- correct

d- the only thing I can say is if we continue to put more effort into this and its clear to us that you are living in Santa Clarita then we will be in a position were well have to submit this to the district attorney's office for a misdemeanor complaint lying about your residency is a misdemeanor

r- well I wouldn't say that I am lying about my residency but I am saying to you that over the last several months I definitely have been spending more time over there, so I mean if that's what your saying is the criteria then obviously I don't want to run a foul of that

d- well that what the law is the definition of residency in that particular statute is not clearly defined but that's the way our sheriff interprets it

r- right and so had we been sitting here in July or August I would say the last three months I have been there for 80 percent of the time and 20 percent of the time over there

d- and if we corroborate that by talking to neighbors talking to property managers talking to people that can vouch that your living here this is where you shop or this is the local rotary club that you belong to or something that puts you here then that works in your favor as it stands right now I couldn't tell you because this puts us in a position where we will probably have to investigate this a little bit further but if you feel more comfortable withdrawing because you want to establish better residency and have a clean application that's totally up to you

r- well I would have to think about that because I feel that I do have residency although if you have certain criteria that not something that I would want to butte heads with you guys about that would be counter productive

d- it would be tough if your denied this application because if you want any other ccw in any other state or anywhere else you try to apply for it, it's a typical question they will ask, if you

have been denied for one then you will have to answer yes to that then it will be much harder in the future to get one from us if you have been previously denied

r- as oppose to just withdrawing

d- yeah if you withdraw its entirely up to you if you withdraw it ends here and we just treat it as a withdraw and it doesn't go any further but like I said that's up to you

r- so let me think about that, I can call you back or whatever. I'll let you know because I feel strongly that this is where I'm at

d- the way our sheriff is he is better than most in terms of giving ccw's, but he has strict guidelines and for him the residency is an issue so that's why he has us scrutinize it but if were not for that then it would be the good cause and that's entirely the decision of the sheriff I couldn't tell you that you have good cause or don't have good cause that decision is made by the sheriff himself

r- ok that sounds fair, like I said I don't want to get into a fight with you guys over residency but I do have pretty strong feelings about it so

d- I would imagine you do and were not trying to be confrontational

r- no I think your being very fair what I'm saying is if I insist on it then you guys go out and do all this work I don't want it to get there then if I don't prevail then as your saying it's a denial and so I don't need that so I have to weigh that against my personal feelings and put on my attorney hat and say well which way does it really go

d- nobody wants that we want to give you a fair opportunity but we also have a responsibility to answer to the sheriff and that's where he stands

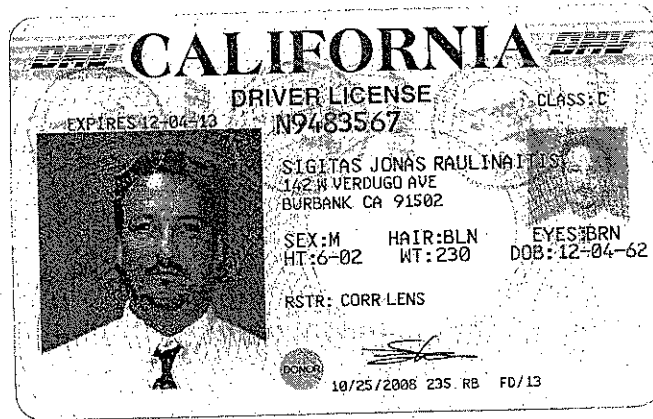
r- no I appreciate that

g- if you want a little bit of time to think about that

r- yeah the next day or two I'll think about, do I have your phone number I know you called me

g- 654-5130 just take a few days to think about that and give me a call and let me know what you decide to do

r- sure, will do





\*\*\*\*\* County of Ventura Clets Interface System \*\*\*\*\* 1/25/2013 14:16:56

4VTA0AYAMQ0.IV

DATE: 01/25/13 TIME: 14:16

INSURANCE INFORMATION ON FILE

REG VALID FROM: 07/10/12 TO 07/10/13

LIC#:6NDG506 YRMD:10 MAKE:HOND BTM :4D VIN :19XFA1F58AE068524

R/O :RAULINAITIS SIGITAS, 142 W VERDUGO AVE CITY:BURBANK C.C.:19

ZIP#:91502

SOLD:00/00/10 RCID:11/21/12 OCID:11/30/12 LOCD:3

TYPE:11 POWR:G VEH :12 BODY:0 CLAS:DR \*-YR:12

CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
D07	07/27/10	12	0020	00295.00	00/00/00	A00
652	09/13/11	E9	0017	00205.00	00/00/00	H00
RI9	05/17/12	42	7244	00193.00	00/00/00	POT
V20	11/21/12	C3	0001	00023.00	00/00/00	F00

11/13/2012-ODOMETER: 9,323 MILES ACTUAL MILEAGE

END

VENTURA COUNTY SHERIFF  
RECORDS UNIT COPY  
NOT TO BE DUPLICATED  
TO: Sanzalez  
BY: Aguiar  
DATE: 1/25/13

\*\*\*\*\* County of Ventura Clets Interface System \*\*\*\*\* 1/22/2013 09:58:29

4VTE0AXZ5W0.IV

DATE: 01/22/13 TIME: 09:58

INSURANCE INFORMATION ON FILE

REG VALID FROM: 12/10/12 TO 12/10/13

LIC#:SIGESQ YRMD:08 MAKE:INFI BTM :SD VIN :JNKBY01E28M500191

R/O :MTI BUILDERS INC/, RAULINAITIS SIGITAS J, 142 W VERDUGO AVE

CITY:BURBANK C.C.:19 ZIP#:91502

SOLD:00/00/07 RCID:11/22/12 OCID:01/29/10 LOCD:3

TYPE:69 POWR:G VEH :12 BODY:0 CLAS:PN

REC STATUS:

06/27/07 YOSEMITE LICENSE PLATE

12/02/10 SMOG DUE 12/10/14

02/01/08 PREV LIC 6CRV176

CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
EI1	05/27/03	30	0032	00090.00	00/00/00	T00
134	06/22/07	B2	0019	00065.00	06/27/07	T00
141	12/22/08	01	7693	00475.00	00/00/00	POT
149	11/29/08	19	2237	00475.00		PRIOR SUSPENSE
179	11/05/09	C6	0052	00667.00	00/00/00	H05
172	01/19/10	10	0319	00015.00	00/00/00	F00
142	12/02/10	19	0659	00604.00	00/00/00	POT
142	12/02/11	10	4157	00390.00	12/07/11	POT
142	11/08/12	07	5511	00355.00	11/14/12	POT

11/30/2009-ODOMETER: 45,241 MILES ACTUAL MILEAGE

END

\*\*\*\*\* County of Ventura Clets Interface System \*\*\*\*\* 1/22/2013 10:00:15

4VTE0AXZ6B0.IV

DATE: 01/22/13 TIME: 10:00

INSURANCE INFORMATION ON FILE

REG VALID FROM: 02/22/13 TO 02/22/14

LIC#:6DKE124 YRMD:08 MAKE:INFI BTM :4D VIN :JNKBV61E88M212705

R/O :RAULINAITIS SIGITAS JONAS, 19614 SUNRISE SUMMIT

CITY:SANTA CLARITA C.C.:19 ZIP#:91351

SOLD:00/00/08 RCID:01/19/13 OCID:07/04/12 LOCD:2

L/O :WELLS FARGO BANK, PO BOX 53439, PHOENIX CITY:AZ ZIP :85072

TYPE:11 POWR:G VEH :12 BODY:0 CLAS:CV \*-YR:12

REC STATUS:

01/03/13 SMOG DUE 02/22/14

CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
142	03/18/10	01	1959	00469.00	00/00/00	POT
141	02/26/10	11	3991	00416.00		PRIOR SUSPENSE
144	02/02/11	16	7901	00376.00	00/00/00	POT
191	07/22/11	B5	0147	00015.00	00/00/00	F00
175	09/12/11	C7	0006	00015.00	00/00/00	F10
140	01/03/12	06	5887	00239.00	00/00/00	POT
Q53	04/05/12	TX	0000	00000.00	00/00/00	Z04
C45	06/20/12	5S	0029	01065.00	06/26/12	F00
C45	05/08/12	5S	0034	01065.00		PRIOR SUSPENSE
144	01/03/13	18	9355	00170.00	01/11/13	POT

05/08/2012-ODOMETER: 94,605 MILES ACTUAL MILEAGE

END

\*\*\*\*\* County of Ventura Clets Interface System \*\*\*\*\* 1/22/2013 09:55:55

4VTE0AXZ580.IN

DATE: 01/22/13 TIME: 09:55

INSURANCE INFORMATION ON FILE

REG VALID FROM: 11/02/12 TO 11/02/13

LIC#:5SBH163 YRMD:06 MAKE:TOYT BTM :UT VIN :5TDBT48AX6S258827

R/O :RAULINAITIS RIMA, OR RAULINAITIS SIG, 19614 SUNRISE SMT

CITY:SANTA CLARITA C.C.:19 ZIP#:91351

SOLD:00/00/05 RCID:12/27/12 OCID:01/26/06 LOCD:5

TYPE:11 POWR:G VEH :12 BODY:0 CLAS:LW

REC STATUS:

12/24/12 SMOG DUE 11/02/14

01/13/06 PREV LIC 268582T

CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
595	01/13/06	32	0020 00343.00	00/00/00	A00	
671	01/06/06	07	0185 00343.00	PRIOR SUSPENSE		
142	12/13/06	42	0714 00495.00	00/00/00	POT	
142	10/18/07	55	2307 00287.00	00/00/00	POT	
142	10/03/08	32	5051 00270.00	00/00/00	POT	
144	09/30/09	17	6957 00383.00	00/00/00	POT	
143	09/28/10	17	0313 00334.00	00/00/00	POT	
RI5	08/17/11	30	7266 00211.00	00/00/00	POT	
RI5	12/24/12	40	7186 00273.00	12/24/12	POT	

10/29/2005-ODOMETER: 22 MILES ACTUAL MILEAGE

END

State of California, Department of Justice  
**Standard Application for CCW License**

Official Use Only – Type of Permit Requested

☒ Standard ☐ Judge  
☐ Reserve Officer ☐ 90 Day

**Public Disclosure Admonition**

I understand that I am obligated to be complete and truthful in providing information on this application. I understand that all of the information disclosed by me in this application may be subject to public disclosure.

Applicant Signature

1/15/2013

Date

Witness Signature / Badge Number

1/15/2013

Date

**Section 1 – Applicant Personal Information**

Name: Raulinaitis, Sigitas, J.

Last

First

Middle

If Applicable

Maiden Name or other Name(s) Used: \_\_\_\_\_

City and County  
of Residence:

Oxnard, Ventura County

Country of

Citizenship: USA

Date of Birth: 12/04/1962

Place of Birth: Los Angeles

Los Angeles

CA

City

County

State

Height: 6-02

Weight: 250

Color Eyes: BRN

Color Hair: BRN

**Section 2 – Applicant Clearance Questions**

☒ Do you now have, or have you ever had a license to carry a concealed weapon (CCW)?  
 No \_\_\_\_\_ Yes ☒ (If yes, please indicate below. Use additional pages if necessary.)

Issuing Agency Ariz. Dept. Public Sfty.

Issue Date 8/13/2011

good for 5 yrs  
 CCW# 6779287

☒ Have you ever applied for and been denied a license to carry a concealed weapon?  
 No \_\_\_\_\_ Yes ☒ (If yes, give agency name, date and reason for denial.)

October 2010, Los Angeles County. Reason stated that I did not show good cause.

denied for good cause

State of California, Department of Justice  
Standard Application for CCW License

Section 2 – Applicant Clearance Questions – (continued)

3. Have you ever held and subsequently renounced your United States citizenship?  
No ☒ Yes \_\_\_\_\_ (If yes, explain):

4. If you served with the Armed Forces, were you ever convicted of any charges or was your discharge other than honorable? No Yes \_\_\_\_\_ (If yes, explain):

5. Are you now, or have you been a party to a lawsuit in the last five years?  
No \_\_\_\_\_ Yes ☒ (If yes, explain):

1. Breach of contract (construction) settled amicably.

2. Defendant in personal injury suit. (construction) Withdrawn by plaintiffs, dismissed with prejudice

3. Raulinaitis v Baca and Los Angeles County Sheriffs Department, civil rights suit

pending in the 9th Circuit Federal Court of Appeals. 4. Raulinaitis v. Yeck small claims action

6. Are you now, or have you been, under a restraining order(s) from any court?  
No ☒ Yes \_\_\_\_\_ (If yes, explain):

7. Are you on probation or parole from any state for conviction of any offense including traffic? No ☒ Yes \_\_\_\_\_ (If yes, explain):

State of California, Department of Justice  
**Standard Application for CCW License**

**Section 2 – Applicant Clearance Questions – (continued)**

- 8.** List all traffic violations (moving violations only) and motor vehicle accidents you have had in the last five years. (Use additional pages if necessary.)

Date	Violation / Accident	Agency / Citation #
Approx 2008	Rt. turn while pedestrian in crosswalk, LAPD traffic ticket, Citation number unknown.	

- 9.** Have you ever been convicted for any criminal offense (civilian or military) in the U.S. or any other country?

No ☒ Yes ☐ (If yes, explain including date, agency, charges, and disposition.)

- 10.** Have you withheld any fact that might affect the decision to approve this license?

No ☒ Yes ☐ (If yes, explain):

**Section 3 – Descriptions of Weapons:**

List below the weapons you desire to carry if granted a CCW. You may carry concealed only the weapon(s) which you list and describe herein, and only for the purpose indicated. Any misuse will cause an automatic revocation and possible arrest. (Use additional pages if necessary.)

	Make	Model	Caliber	Serial No.
1.	Ruger	P-95	9mm	318-12929
2.	Ruger	P-89	9mm	304-94974
3.	Kahr	PM-9	9mm	1B4009



State of California, Department of Justice  
**Standard Application for CCW License**

**Section 6 – Agreement to Restrictions and to Hold Harmless**

I accept and assume all responsibility and liability for, injury to, or death of any person, or damage to any property which may result through any act or omission of either the licensee or the agency that issued the license. In the event any claim, suit or action is brought against the agency that issued the license, its chief officer or any of its employees, by reason of, or in connection with any such act or omission, the licensee shall defend, indemnify, and hold harmless the agency that issued the license, its chief officer or any of its employees from such claim, suit, or action.

I understand that the acceptance of my application by the licensing authority does not guarantee the issuance of a license and that fees and costs are not refundable if denied. I further understand that if my application is approved and I am issued a license to carry a concealed weapon, that the license is subject to restrictions placed upon it and that misuse of the license will cause an automatic revocation and possible arrest and that the license may also be suspended or revoked at the discretion of the licensing authority at any time. I am aware that any use of a firearm may bring criminal action or civil liability against me.

I have read, understand, and agree to the CCW license liability clauses, conditions, and restrictions stated in this Application and Agreement to Restrictions and to Hold Harmless.

I have read and understand the applicable Penal Code sections regarding False Statements on a CCW Application, Manslaughter, Killing in Defense of Self or Property, Limitation on Self-defense and Defense of Property, and Child Access and Firearm Storage, stated in this application.

I have read and understand Attachment 1 – California Prohibiting Categories for a CCW License, Attachment 2 – California Prohibiting Misdemeanors, and Attachment 3 – Federal Prohibiting Categories for Possessing Firearms. I further acknowledge that these Prohibiting Categories can be amended or expanded by state or federal legislative or regulatory bodies and that any such amendment or expansion may affect my eligibility to hold a CCW.



Applicant Signature

1-15-12  
Date



Witness Signature / Badge Number

1/15/13  
Date

**Applicant**

**Residence Address:****Mailing address (if different):**

142 W. Verdugo Ave		Burbank	CA	91502
Number	Street	Apt.	City	State Zip

**Home / Personal Phone Numbers:** ( 818 ) 731-1084

Spouse's Name and Address: Rima Raulinaitis 19614 Sunrise Smt.  
Santa Clarita, CA 91351

**Applicant Occupation:** Attorney, Real Estate Broker, Construction Contractor

**Business / Employer Name:** MTI Builders, Inc.

**Business Phone Number: :** (818 ) 295-6991

**Business Address:**

142	W. Verdugo Ave.		Burbank,	CA	91502
Number	Street	Apt.	City	State	Zip

**1. List all previous home addresses for the past five years.**

19614 Sunrise Smt. Santa Clarita, CA 91351

222 Knoll Rd., Big Bear Lake, CA 92315

State of California, Department of Justice  
Standard Application for CCW License

Section 7 – Investigator's Interview Notes – (continued)

2. Have you ever been in a mental institution, treated for mental illness, or been found not-guilty by reason of insanity? No X Yes \_\_\_\_ (If yes, explain):

\_\_\_\_\_  
\_\_\_\_\_

3. Are you now, or have you ever been, addicted to a controlled substance or alcohol, or have you ever utilized an illegal controlled substance, or have you ever reported to a detoxification or drug treatment program? No X Yes \_\_\_\_ (If yes, explain):

\_\_\_\_\_  
\_\_\_\_\_

4. Have you ever been involved in an incident involving firearms?  
No \_\_\_\_ Yes X (If yes, explain):

2003 Unexpectedly called out of town from a hunting trip, packed in a hurry and forgot to remove revolver from my carry-on case. Found by airport security. No charges filed, LAPD considered it a detention not an arrest.

PC 849

5. Have you been involved in a domestic violence incident?  
No X Yes \_\_\_\_ (If yes, explain):

\_\_\_\_\_  
\_\_\_\_\_

6. List any arrests or formal charges, with or without disposition, for any criminal offenses with the U.S. or any other country (civilian or military).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State of California, Department of Justice  
**Standard Application for CCW License**

**Section 7 – Investigator's Interview Notes – (continued)**

If the CCW license is desired for self-protection, the protection of others, or for the protection of large sums of money or valuable property, you are required to explain and provide good cause for issuance of the license. For example, has your life or property been threatened or jeopardized? Explain incidents and include dates, times, locations, and names of police agencies to which these incidents were reported.

**Details of Reason for Applicant desiring a CCW License (use additional sheets if needed).**

My professions are: Construction Contractor, Real Estate Broker, and Attorney. My construction and real estate practice takes me to many different parts of the three counties that I own property in (Ventura, Los Angeles, San Bernardino). As a real estate broker, I consult to my clients by inspecting properties that they are interested in buying. This entails visiting all kinds of neighborhoods. Unfortunately, in some neighborhoods I tend to attract attention because of my automobile and style of dress is not "common" for the area and can attract unwanted attention as a target of crimes against me or my property. Part of the property evaluation process includes visiting and observing properties and neighborhoods at night to get a better idea of what the neighborhood is like during hours that have a higher probability of crimes occurring. This is done so the client can make an educated decision about the investment.

Current levels of law enforcement cannot possibly protect me from situations that can arise in seconds in which I would not be able to summon help from law enforcement. Additionally, I am deeply concerned for my personal safety due to state budget cuts and the impending release of potentially violent prisoners that are now incarcerated will create more street crime. My work as a contractor takes me all over the 3 county area. The construction company that I own does work in the entire southern California region. At times I have to move valuable tools and/or cash for laborers and subcontractors in remote parts of the county at various hours.

Further, I transport firearms for the purposes of hunting and target shooting often long distances and in remote locations where the protection of myself and my property can best be done by me as current levels of law enforcement presence in remote areas are not sufficient to protect a person who may need help very quickly. As a landlord owning 2 rental properties, I am sometimes called out to make repairs at all hours of the night. I have completed a 4 day defensive handgun course at Front Sight in Nevada. (certificate attached) Additionally, I keep my skills up at Practical Pistol shooting meets/competitions.

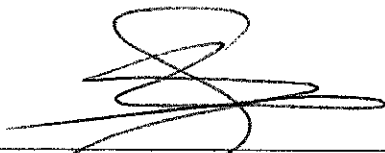
State of California, Department of Justice  
**Standard Application for CCW License**

**Section 8 – Certification and Release of Information**


I hereby give permission to the agency to which this application is made to conduct a background investigation of me and to contact any person or agency who may add to or aid in this investigation. I further authorize persons, firms, agencies and institutions listed on this application to release or confirm information about me and statements I have made as contained in this application.

Notwithstanding any other provision of law and pursuant to the Public Records Act (Government Code section 6250 et seq.), I understand that information contained in this application may be a matter of public record and shall be made available upon request or court order.

I hereby certify under penalties of perjury and Penal Code section 12051(b) and (c), that the answers I have given are true and correct to the best of my knowledge and belief, and that I understand and agree to the provisions, conditions, and restrictions herein or otherwise imposed.

  
\_\_\_\_\_  
Applicant Signature

1-15-13  
Date

  
\_\_\_\_\_  
Witness Signature / Badge Number

1/15/13  
Date



**CALIFORNIA DEPARTMENT OF MOTOR VEHICLES**  
**IMAGE RECORD FOR:**  
**SIGITAS JONAS RAULINAITIS**

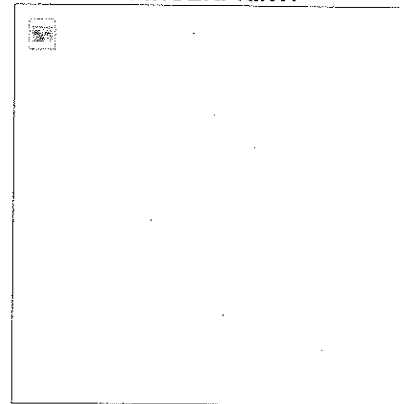
**N9483567**      **EXPIRES:** 12/04/2013      **CLASS:** F      **SEX:** M  
**HAIR:** BLN      **EYES:** BRN      **HEIGHT:** 602      **WEIGHT:** 230  
**DATE OF BIRTH:** 12/04/1962  
**ADDRESS:** 142 W VERDUGO AVE, BURBANK, CA 91502

**PHOTO DATE:** 12/02/1998      **PHOTO OFFICE:** 547      **APPLICATION DATE:** 10/25/2008      **APPLICATION OFFICE:** 235  
**ISSUE DATE:** N/A      **ISSUE OFFICE:** N/A      **RESTRICTIONS:** 0



**SIGNATURE:**

**FINGERPRINT:**



This photograph is a true copy of the photograph that is contained on the Department of Motor Vehicles photo database and delivered over the Department of Justice Cal-Photo communications network.

Date: \_\_\_\_\_ /s/ \_\_\_\_\_

Page 38  
Exhibit 4