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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10	SIGITAS RAULINAITIS,)	CASE NO. CV 13-2605MAN
11)	
12	Plaintiff,)	PLAINTIFF’S SUR REPLY RE
13)	MOTION FOR SUMMARY
14	vs.)	JUDGMENT
15)	
16	VENTURA COUNTY SHERIFFS)	
17	DEPARTMENT,)	
18	Defendants.)	
19)	
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While Plaintiff thanks the Defendant for the offer to allow additional briefing, it is not necessary as the cases cited are not applicable here as Plaintiff does not contend a property right. All of the cited authority was before the Supreme declared that a citizen has a fundamental Right to bear arms for self-defense, and Defendant agrees that the only way that right can be exercised is with a permit. As such, discretionary or not, Plaintiff has a right to exercise a fundamental Civil Right so long as he has not prohibiting criminal record and is a resident of the County, something Defendants now don’t even mention or dispute.

1 Plaintiff submits on the papers with this simple Supreme Court reminder post
2 all of the authority contained in their reply brief:

3 The Second Amendment states: "A well regulated Militia, being necessary to
4 the security of a free State, the right of the people to keep and bear Arms, shall
5 not be infringed." U.S. Const. amend. II. In *Heller*, the Supreme Court struck
6 down the District of Columbia's ban on handgun possession, concluding that
7 **the Second Amendment "guarantee[s] the individual right to possess and**
8 **carry weapons in case of confrontation."** 554 U.S. at 592, 635.
9 *U.S. v. Henry* (9th Circuit, filed August 9, 2012), No. 11-30181, at 9040
(emphasis added)

10 Pursuant to the stipulation of the parties and the order of the Court, this matter
11 should now be deemed submitted for a determination of whether Defendant has
12 violated Plaintiffs' rights under the Second Amendment to bear arms for self-defense
13 outside the home.

14
15 June 28, 2013

/s/

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17 Jonathan W. Birdt
18 Counsel for Plaintiff
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