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**CONFORMED COPY**  
ORIGINAL FILED  
Superior Court of California  
County of Los Angeles

**NOV 12 2015**

Sherr R. Carter, Executive Officer/Clerk  
By Jennifer De Luna, Deputy

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 IN AND FOR THE COUNTY OF LOS ANGELES  
10 STANLEY MOSK COURTHOUSE

11 SHASTA COUNTY SHERIFF THOMAS BOSENKO,  
12 SAN BERNARDINO COUNTY SHERIFF JOHN  
McMAHON, KERN COUNTY SHERIFF DONNY  
13 YOUNGBLOOD, SAN LUIS OBISPO COUNTY  
SHERIFF IAN S. PARKINSON, SACRAMENTO  
14 COUNTY SHERIFF SCOTT JONES, EL DORADO  
COUNTY SHERIFF JOHN D'AGOSTINI, SISKIYOU  
15 COUNTY SHERIFF JON LOPEY, TOULUMNE  
COUNTY SHERIFF JAMES MELE, STANISLAUS  
16 COUNTY SHERIFF ADAM CHRISTIANSON,  
MERCED COUNTY SHERIFF VERN WARNKE,  
17 TEHAMA COUNTY SHERIFF DAVID HENCRATT,  
HUMBOLDT COUNTY SHERIFF MICHAEL  
18 DOWNEY, MENDOCINO COUNTY SHERIFF  
THOMAS D. ALLMAN, SUTTER COUNTY SHERIFF  
19 J. PAUL PARKER, MODOC COUNTY SHERIFF  
MICHAEL POINDEXTER, FRESNO COUNTY  
20 SHERIFF MARGARET MIMS, MADERA COUNTY  
SHERIFF JAY VARNEY, AMADOR COUNTY  
21 SHERIFF MARTIN RYAN, LASSEN COUNTY  
SHERIFF DEAN F. GROWDON, COLUSA COUNTY  
22 SHERIFF JOE GAROFALO, NEVADA COUNTY  
SHERIFF KEITH ROYAL, TULARE COUNTY  
23 SHERIFF MIKE BOUDREAUX, YUBA COUNTY  
SHERIFF STEVE DURFOR, KINGS COUNTY  
24 SHERIFF DAVID ROBINSON, PLUMAS COUNTY  
SHERIFF GREGORY HAGWOOD, TRINITY  
25 COUNTY SHERIFF BRUCE HANEY, SOLANO  
COUNTY SHERIFF THOMAS A. FERRARA, GLENN  
26 COUNTY SHERIFF RICHARD L. WARREN JR.,  
BUTTE COUNTY SHERIFF KORY L. HONEA,  
27 SIERRA COUNTY SHERIFF TIM STANDLEY, CHAD  
CHEUNG, PAUL WOLCOTT, JAMES WILEY, PAUL  
28 NORDBERG, JULIO BERNAL, KENNETH

Case No.: BS158682

**DECLARATION OF PLAINTIFF HUMBOLDT  
COUNTY SHERIFF MICHAEL DOWNEY IN  
SUPPORT OF EX PARTE APPLICATION TO STAY  
ENFORCEMENT OF LAMC SECTION 46.30,  
ALTERNATIVELY, FOR TEMPORARY  
RESTRAINING ORDER AND ORDER TO SHOW  
CAUSE**

Date: November 12, 2015  
Time: 8:30 a.m.  
Dept: 85  
Judge: Honorable James Chalfant

Action Filed: October 23, 2015

1 TAKAHASHI, LAW ENFORCEMENT ALLIANCE OF  
2 AMERICA, INC., CALIFORNIA RIFLE AND PISTOL  
ASSOCIATION, CALIFORNIA RESERVE PEACE  
OFFICERS ASSOCIATION,

3 Plaintiffs and Petitioners,

4 vs.

5 THE CITY OF LOS ANGELES, MAYOR ERIC  
6 GARCETTI, in his official capacity, LOS  
ANGELES POLICE DEPARTMENT CHIEF CHARLIE  
7 BECK, in his official capacity, and DOES 1-10,

8 Defendants and Respondents

9  
10 **DECLARATION OF HUMBOLDT COUNTY SHERIFF MICHAEL DOWNEY**

11 I, Sheriff Michael Downey, declare as follows:

- 12 1. I am a plaintiff in the above-entitled action. I make this declaration of my own personal  
13 knowledge and, if called as a witness, I could and would testify competently to the truth of the  
14 matters set forth herein.
- 15 2. I am a law-abiding adult who is not prohibited from owning firearms under the laws of the  
16 United States or the state of California. I have never been found by any law enforcement agency,  
17 any court, or any other government agency to be irresponsible, unsafe, or negligent with firearms  
18 in any manner.
- 19 3. I am the duly elected sheriff of Humboldt County.
- 20 4. I lawfully own and possess ammunition magazines with the capacity to accept more than  
21 ten rounds that are prohibited by section 46.30 of the Los Angeles Municipal Code.
- 22 5. Pursuant to California Penal Code sections 25450, 25900, and 32405, I carry firearms  
23 with magazines that have the capacity to accept more than ten rounds that are prohibited by  
24 section 46.30, both while I am on duty and while I am off duty.
- 25 6. Pursuant to California Penal Code sections 25450, 25900, and 32405, deputy sheriffs for  
26 Humboldt County also carry firearms with magazines with the capacity to accept more than ten  
27 rounds that are prohibited by section 46.30, both while they are on duty and while they are off  
28 duty.

1 7. I, along with deputy sheriffs for Humboldt County, lawfully carry firearms equipped with  
2 magazines capable of holding more than ten rounds that are prohibited by section 46.30 while  
3 traveling within California and through the city of Los Angeles while off duty, and do so for  
4 lawful purposes, including self-defense and defense of others.

5 8. Pursuant to section 46.30, deputy sheriffs for Humboldt County and I are subject to arrest  
6 and criminal prosecution for possessing firearms with magazines having capacities over ten  
7 rounds while traveling through the city of Los Angeles while off duty on or after November 19,  
8 2015.

9 9. I fear arrest and criminal prosecution if I travel into or through Los Angeles while  
10 possessing my lawfully-owned magazines with the capacity to hold more than ten rounds while I  
11 am off duty, on or after November 19, 2015.


12 10. Pursuant to California Penal Code section 26150, I have issued, and continue to issue,  
13 permits allowing qualified residents of Humboldt County to carry firearms with magazines with  
14 the capacity to accept more than ten rounds that are lawful to possess and carry under state law,  
15 but which are prohibited by section 46.30.

16 11. These residents are authorized to carry, throughout California, the firearms that I have  
17 approved for them to carry pursuant to permits issued under section 26150 of the California Penal  
18 Code, including those firearms with magazines having capacities over then rounds that are  
19 prohibited by section 46.30.

20 12. These residents are subject to arrest and prosecution if they travel through the city of Los  
21 Angeles on or after November 19, 2015, while carrying firearms with magazines having  
22 capacities over ten rounds that they have been authorized to carry pursuant to statewide licenses I  
23 have issued under California Penal Code section 26150.

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

26 Executed this 6<sup>th</sup> day of November, 2015 in Red Bluff, California.

27   
28 Humboldt County Sheriff Michael Downey

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA  
3 COUNTY OF LOS ANGELES

4 I, Laura L. Quesada, am employed in the City of Long Beach, Los Angeles County,  
5 California. I am over the age eighteen (18) years and am not a party to the within action. My  
6 business address is 180 East Ocean Blvd., Suite 200, Long Beach, California 90802.

7 On November 2, 2015, I served the foregoing document(s) described as

8 **DECLARATION OF PLAINTIFF HUMBOLDT COUNTY SHERIFF MICHAEL DOWNEY IN SUPPORT OF  
9 EX PARTE APPLICATION TO STAY ENFORCEMENT OF LAMC SECTION 46.30, ALTERNATIVELY,  
10 FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE**

11 on the interested parties in this action by placing [ ] the original [X] a true and correct copy  
12 thereof addressed as follows:

13 Mr. Benjamin Chapman  
14 Deputy City Attorney  
15 200 North Main Street, 9th Floor,  
16 Los Angeles, California, 90012  
17 Phone: (213) 473-6858  
18 E-mail: [benjamin.chapman@lacity.org](mailto:benjamin.chapman@lacity.org)

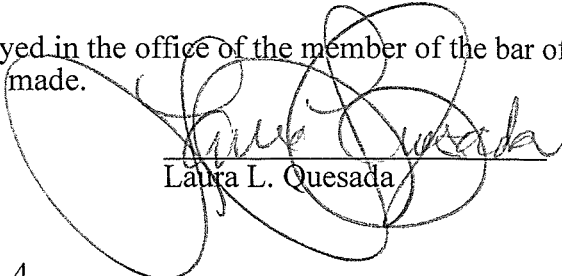
19 X (**BY MAIL**) As follows: By placing the sealed envelope for collection and mailing. I am  
20 "readily familiar" with the firm's practice of collection and processing correspondence for  
21 mailing. Under the practice it would be deposited with the U.S. Postal Service on that  
22 same day with postage thereon fully prepaid at Long Beach, California, in the ordinary  
23 course of business. I am aware that on motion of the party served, service is presumed  
24 invalid if postal cancellation date is more than one day after date of deposit for mailing an  
25 affidavit. Executed on November 2, 2015, at Long Beach, California.

26        (**VIA OVERNIGHT MAIL**) As follows: I am "readily familiar" with the firm's practice  
27 of collection and processing correspondence for overnight delivery by UPS/FED-EX.  
28 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 November \_\_, 2015, at Long Beach, California.

X (**VIA ELECTRONIC MAIL**) As follows: I served a true and correct copy by electronic  
transmission to [benjamin.chapman@lacity.org](mailto:benjamin.chapman@lacity.org). Said transmission was reported and  
completed without error. Executed on November 2, 2015, 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.

       (**FEDERAL**) I declare that I am employed in the office of the member of the bar of this  
court at whose direction the service was made.

  
Laura L. Quesada