

1 C.D. Michel – SBN 144258
2 Sean A. Brady – SBN 262007
3 Anna M. Barvir – SBN 268728
4 Matthew D. Cubeiro – SBN 291519
5 **MICHEL & ASSOCIATES, P.C.**
6 180 E. Ocean Boulevard, Suite 200
7 Long Beach, CA 90802
8 Telephone: (562) 216-4444
9 Facsimile: (562) 216-4445
10 Email: cmichel@michellawyers.com

11 Attorneys for Plaintiffs

E-FILED
1/5/2018 4:55 PM
FRESNO COUNTY SUPERIOR COURT
By: R. Faccinto, Deputy

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF FRESNO

DANNY VILLANUEVA, NIAL
STALLARD, RUBEN BARRIOS,
CHARLIE COX, MARK STROH,
ANTHONY MENDOZA, AND
CALIFORNIA RIFLE & PISTOL
ASSOCIATION, INCORPORATED,

Plaintiffs,

v.

XAVIER BECERRA, in his official
capacity as Attorney General for the State
of California; STEPHEN LINDLEY, in his
official capacity as Chief of the California
Department of Justice, Bureau of Firearms;
CALIFORNIA DEPARTMENT OF
JUSTICE; and DOES 1–10,

Defendants.

Case No.: 17CECG03093

[Assigned for All Purposes to the Honorable Judge
Mark Snauffer; Dept.: 501]

**DECLARATION OF DANNY VILLANUEVA
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Hearing Date: January 30, 2018
Hearing Time: 3:30 PM
Judge: Mark Snauffer
Department: 501

Action Filed: September 7, 2017

DECLARATION OF DANNY VILLANUEVA

1. I, Danny Villanueva, a resident of Fresno County, California and a citizen of the United States, am a plaintiff in the above-entitled action. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. I am a law-abiding citizen who is not prohibited from firearm ownership under the laws of the United States or the state of California. I have never been found by any law enforcement agency, any court, or any other government agency to be irresponsible, unsafe, or negligent with firearms in any manner.

3. I currently own a semi-automatic, centerfire rifle that qualifies as an "assault weapon" under the most recently amended definition in California Penal Code section 30515, subdivision (a)(1). I lawfully obtained this firearm between January 1, 2001, and December 31, 2016, and have continued to possess it since that time for lawful purposes, including self-defense.

4. I intend to register my rifle as an "assault weapon" prior to July 1, 2018, because, if I do not, I can no longer lawfully possess it per California Penal Code section 30900, subdivision (b). I have refrained from registering it at this time because I do not wish to be forced to comply with Defendant's illegally adopted and invalid regulations as a condition of being able to do so. But for Defendant's current regulations being illegal, I would immediately register my rifle as an "assault weapon."

5. I filed this lawsuit for the purpose of being able to register my rifle, and thus continue to possess, my property ("assault weapon") without being subjected to Defendant's illegally adopted and invalid regulations.

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

Executed November 17, 2017, at Fresno, CA

Danny Villanueva
Declarant

PROOF OF SERVICE

STATE OF CALIFORNIA
COUNTY OF FRESNO

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

On January 5, 2018, I served the foregoing document(s) described as:

**DECLARATION OF DANNY VILLANUEVA IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

on the interested parties in this action by placing

☐ the original
☒ a true and correct copy

thereof by the following means, addressed as follows:

P. Patty Li
patty.li@doj.ca.gov
Deputy Attorney General
California Department of Justice
Office of the Attorney General
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102

Attorneys for Defendants

X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic transmission through OneLegal. Said transmission was reported and completed without error.

X (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 5, 2018, at Long Beach, California.


LAURA PALMERIN