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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **SOUTHERN DIVISION**

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12 STEVEN RUPP, et al.,

13 Plaintiffs,

14 vs.

15 XAVIER BECERRA, in his official  
16 capacity as Attorney General of the  
State of California,

17 Defendant.  
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Case No.: 8:17-cv-00746-JLS-JDE

**[PROPOSED] JUDGMENT**

Hearing Date: May 31, 2019

Hearing Time: 10:30 a.m.

Courtroom: 10A

Judge: Josephine L. Staton

1 Plaintiffs Steven Rupp, Steven Dember, Cheryl Johnson, Michael Jones,  
2 Christopher Seifert, Alfonso Valencia, Troy Willis, Dennis Martin, and the  
3 California Rifle & Pistol Association, Incorporated's Motion for Summary Judgment  
4 as to the remaining claim of their Third Amended Complaint for Declaratory and  
5 Injunctive Relief against Defendant, California Attorney General Xavier Becerra,  
6 came on regularly for consideration before the Court on May 31, 2019 at 10:30 a.m.  
7 Appearances by counsel are noted in the record.

8 After considering the moving, opposition, and reply briefs, all the evidence  
9 submitted by both parties, and the arguments presented by the parties' respective  
10 counsel, this Court issued an order (ECF NO. \_\_\_\_), holding that:

11 There are no genuine issues of material fact that would affect Plaintiffs' claim  
12 under the Right to Bear Arms/Second Amendment (U.S. Const. amends. II and XIV)  
13 set forth in the Third Amended Complaint and, therefore, Plaintiffs are entitled to  
14 summary judgment under Fed.R.Civ. P.56(a);

15 IN ACCORDANCE WITH THAT ORDER, IT IS HEREBY ORDERED THAT:

16 Plaintiffs' Motion for Summary Judgment is GRANTED and that:

17 Defendant is hereby enjoined from enforcing California Penal Code §§  
18 30510(a), 30515(a)(1)(A-C), 30515(a)(1)(E-F), 30515(a)(3), 30520, 30600, 30605,  
19 30925, and 30945, as well as California Code of Regulations, title 11, section 5499,  
20 to the extent they prohibit the acquisition, possession, or transfer of any semi-  
21 automatic, centerfire rifle with a detachable magazine having a "pistol grip," "flash  
22 suppressor," "thumbhole stock," or "telescoping" stock, or any semi-automatic,  
23 centerfire rifle that is over 26 inches in overall length. The aforementioned sections  
24 of the California Penal Code and regulations are unconstitutional violations of  
25 Plaintiffs' right to bear arms under the Second Amendment to the United States  
26 Constitution. Plaintiff is the prevailing party and shall be entitled to recover its  
27 reasonable costs of suit.

28 Further, Defendant's motion for summary judgment filed in this action is

1 DENIED.

2 Further, Judgment as to Plaintiffs' other claims for Due Process and Takings,  
3 previously dismissed by the Court on May 9, 2018 (ECF No. 49), is hereby entered  
4 in favor of Defendant consistent with this Court's ruling on that motion. All relief  
5 sought by Plaintiffs under those two claims is denied.

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9 IT IS SO ORDERED.

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11 Dated: \_\_\_\_\_

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Honorable Judge Josephine L. Staton  
United States District Judge