

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
IN AND FOR THE FIFTH APPELLATE DISTRICT

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

Plaintiffs and Appellants,

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 and Respondents.

Case No. F078062

APPELLANTS' REQUEST FOR JUDICIAL NOTICE

Fresno County Superior Court, Case No. 17CECG03093
Honorable Mark W. Snauffer, Judge

C. D. Michel – SBN 144258
Anna M. Barvir – SBN 268728
Sean A. Brady – SBN 262007
MICHEL & ASSOCIATES, P.C.
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Counsel for Appellants

Document received by the CA 5th District Court of Appeal.

To the Honorable Judges of the Court of Appeal of the State of California for the Fifth Appellate District, and to all Parties and their Attorneys of Record:

Under California Rule of Court 8.252 and Evidence Code section 459, Appellants Danny Villanueva, Niall Stallard, Ruben Barrios, Charlie Cox, Mark Stroh, Anthony Mendoza, and California Rifle & Pistol Association, Incorporated request that this Court take judicial notice of the following:

- 1) California Department of Justice's response to a Public Records Act request for information regarding the registration of "assault weapons" under subdivision (b) of Penal Code section 30900, attached as Exhibit A.
- 2) Plaintiffs' Non-Opposition to Defendants' and Respondents' Demurrer to First Amendment Complaint for Declaratory and Injunctive Relief and Petitioner for Writ of Mandate filed on April 2, 2015 in the case of *Belemjian v. Harris*, Case No. 15-00029 in the Superior Court of the State of California for the County of Fresno, attached as Exhibit B.

Date: October 8, 2019

MICHEL & ASSOCIATES, P.C.

s/ Sean A. Brady

Sean A. Brady

Counsel for Plaintiffs-Appellants

Document received by the CA 5th District Court of Appeal.

[PROPOSED] ORDER

Good cause appearing, IT IS HEREBY ORDERED that this Court shall take judicial notice of the following:

Exhibit A: California Department of Justice's response to a Public Records Act request for information regarding the registration of "assault weapons" pursuant to subdivision (b) of Penal Code section 30900.

Exhibit B: Plaintiffs' Non-Opposition to Defendants' and Respondents' Demurrer to First Amendment Complaint for Declaratory and Injunctive Relief and Petitioner for Writ of Mandate filed on April 2, 2015 in the case of *Belemjian v. Harris*, Case No. 15-00029 in the Superior Court of the State of California for the County of Fresno.

Dated: _____
Presiding Judge

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PROOF OF ELECTRONIC SERVICE (Court of Appeal)	
Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read <i>Information Sheet for Proof of Service (Court of Appeal)</i> (form APP-009-INFO) before completing this form.	
Case Name: Villanueva, et al. v. Becerra, et al. Court of Appeal Case Number: F078062 Superior Court Case Number: 17CECG03093	

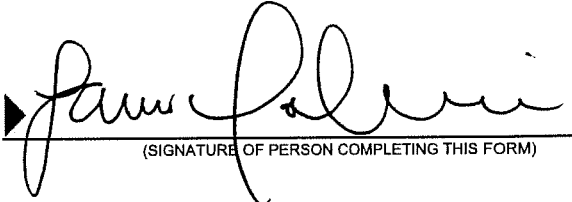
1. At the time of service I was at least 18 years of age.
 2. a. My ☐ residence ☒ business address is (*specify*):
180 East Ocean Boulevard, Suite 200, Long Beach, California 90802

b. My electronic service address is (*specify*): lpalmerin@michellawyers.com
 3. I electronically served the following documents (*exact titles*):
Appellants' Request for Judicial Notice
 4. I electronically served the documents listed in 3. as follows:
 - a. Name of person served: P. Patty Li
On behalf of (*name or names of parties represented, if person served is an attorney*):
Defendants-Respondents Xavier Becerra, in his official capacity as Attorney for the State of California; Brent E. Orick, in his official capacity as Acting Director of the California Dept. of Justice, Bureau of Firearms; and California Department of Justice
 - b. Electronic service address of person served: patty.li@doj.ca.gov
 - c. On (*date*): October 8, 2019
- ☐ The documents listed in 3. were served electronically on the persons and in the manner described in an attachment (*write "APP-009E, Item 4" at the top of the page*).

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

Date: October 8, 2019

Laura Palmerin
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)


(SIGNATURE OF PERSON COMPLETING THIS FORM)

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