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14 Attorneys for Plaintiffs

15 **UNITED STATES DISTRICT COURT**
16 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

17 DONALD MCDOUGALL, an
18 individual; JULIANA GARCIA, an
19 individual; SECOND AMENDMENT
20 FOUNDATION; CALIFORNIA GUN
21 RIGHTS FOUNDATION; and
22 FIREARMS POLICY COALITION,
23 INC.,

24 Plaintiffs,

25 vs.

26 COUNTY OF VENTURA,
27 CALIFORNIA; BILL AYUB, in his
28 official capacity; WILLIAM T. FOLEY,
in his official capacity; ROBERT
LEVIN, in his official capacity; and

Case No. 2:20-cv-02927

**DECLARATION OF JULIANA
GARCIA IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 VENTURA COUNTY PUBLIC
2 HEALTH CARE AGENCY,

3
4 Defendants.

5
6 **DECLARATION OF JULIANA GARCIA**

7 I, Juliana Garcia, declare as follows:

- 8 1. I am an adult resident of the County of Ventura, California, and am a named
9 plaintiff in the above matter. I have personal knowledge of the facts stated
10 herein, and if called as a witness, I could competently testify to these facts.
11
12 2. This declaration is executed in support of Plaintiffs' Motion for Preliminary
13 Injunction.
14
15 3. I am not prohibited from possessing firearms or ammunition under federal and
16 state law.
17
18 4. Unlike other constitutionally protected products that can be purchased online
19 and shipped directly to me, under federal and state law, I cannot purchase a
20 firearm online and have it shipped to my home.
21
22 5. Unlike individuals in other states, under State law, I cannot lawfully purchase
23 ammunition online and have it shipped directly to my home.
24
25 6. In order for me to comply with federal and State law, I can only acquire and
26 take possession of firearms in a face to face transaction at a duly licensed
27 firearm retailer.
28

- 1 7. In order for me to comply with California law, I can only acquire and take
2 possession of ammunition in a face to face transaction at a duly licensed
3 firearms retailer or ammunition vendor.
4
- 5 8. It has been reported in local news that Ventura County law enforcement
6 officers are reducing inmate populations, issuing citations for certain
7 misdemeanors and releasing suspects, and postponing when convicted
8 criminals start serving their jail sentences.
9
- 10 9. It has also been reported that in adjacent Los Angeles County, Los Angeles
11 Sheriff Alex Villanueva has or planned to release 1,700 inmates from County
12 jails.
13
- 14 10. In light of the developing situation involving COVID-19 and the possibility
15 of increased crime, I am even more concerned about my ability to protect
16 myself. As such, I had planned and would exercise my right to keep and bear
17 arms for self-defense and lawful purposes by purchasing one or more firearms
18 and the ammunition required to use those firearms, and I would do so but for
19 the Defendants' Orders and enforcement actions.
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22
- 23 11. I do not currently possess a California Department of Justice Firearms Safety
24 Certificate ("FSC") as required by the State in order to purchase and take
25 possession of a firearm. I am fully eligible to obtain a FSC, would have taken
26 the FSC test, and I am certain I would have passed it so as to be able to acquire
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a FSC certificate and lawfully purchase one or more firearms and the required ammunition for self-defense and other lawful purposes. But Defendants’ Orders and enforcement actions have precluded me from doing so.

12. Due to Defendants’ Orders and enforcement actions shuttering firearms and ammunition retailers and FSC instructors and test providers, not only can I not purchase any firearm but I cannot even be loaned any firearm during this COVID-19 emergency when the need for adequate self-defense measures is especially pressing.

13. Firearm and ammunition product manufacturers, retailers, importers, distributors, shooting ranges, and FSC testing and certificate providers in Ventura County are “Essential Businesses” to me because, without them, I cannot satisfy the prerequisites to lawful gun ownership in this State and therefore I cannot lawfully obtain any firearm for self-defense purposes.

14. Defendants’ Orders and enforcement actions have resulted in FSC instructors and testing providers being closed in the County of Ventura, California.

15. Defendants’ Orders and enforcement actions have resulted in firearm and ammunition retailers being closed in the County of Ventura, California.

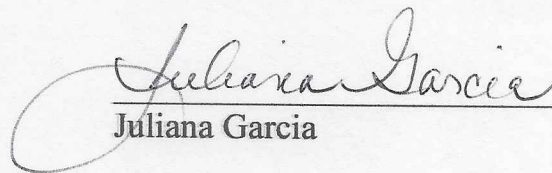
16. Defendants’ Orders and enforcement actions prevent me, on pain of criminal and other penalties, from leaving my home, obtaining a FSC, and purchasing and taking possession of firearms and ammunition in the County of Ventura,

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California.

17. Defendants' Orders prevent me, on pain of criminal and other penalties, from lawfully traveling to and back from another county in order to obtain my FSC and to purchase and take possession of firearms and ammunition.
18. I want to exercise my right to acquire, keep, bear, and practice proficiency training and shooting with arms – including firearms, ammunition, magazines, and appurtenances – for lawful purposes including self-defense, and would do so, but for the reasonable and imminent fear of arrest and criminal prosecution under Defendants' laws, policies, orders, practices, customs, and enforcement.
19. Accordingly, and for reasons set for in Plaintiffs' motion, I respectfully ask this Court to grant the motion for preliminary injunction.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 9, 2020.


Juliana Garcia