

1 C. D. Michel – SBN 144258
2 cmichel@michellawyers.com
3 Sean A. Brady – SBN 262007
4 sbrady@michellawyers.com
5 Matthew D. Cubeiro – SBN 291519
6 mcubeiro@michellawyers.com
7 MICHEL & ASSOCIATES, P.C.
8 180 East Ocean Boulevard, Suite 200
9 Long Beach, CA 90802
10 Telephone: 562-216-4444
11 Facsimile: 562-216-4445

12 Attorneys for Plaintiffs

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

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

STEVEN RUPP, et al.,

Plaintiffs,

vs.

ROB BONTA, in his official capacity as
Attorney General of the State of
California,

Defendant.

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

**DECLARATION OF DENNIS
MARTIN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

Hearing Date: July 28, 2023
Hearing Time: 10:30 a.m.
Courtroom: 8A
Judge: Josephine L. Staton

[Filed concurrently with Notice of
Motion for Summary Judgment;
Memorandum of Points and Authorities;
Statement of Uncontroverted Facts and
Conclusions of Law; Request for
Judicial Notice; Declarations of Sean A.
Brady, Steven Rupp, Steven Dember,
Cheryl Johnson, Christopher Seifert,
Alfonso Valencia, Troy Willis, and
Richard Minnich; Proposed Judgment]

DECLARATION OF DENNIS MARTIN

I, Dennis Martin, 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.

1. I am a current resident of Kern County, California.

2. I am a law-abiding citizen of the United States who is not prohibited from owning firearms 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 own a semi-automatic, center-fire rifle with a non-fixed magazine and a pistol grip, flash suppressor, and adjustable stock, making it an “assault weapon” under the latest amendment to the AWCA. Because this firearm was reclassified as an “assault weapon,” I registered my firearm with the California Department of Justice as an “assault weapon.”

4. Because my lawfully owned firearm was recently classified and registered as an “assault weapon,” the AWCA and its related regulations prohibit me from replacing my firearm’s “bullet button” with a standard magazine release. But for the provisions of the AWCA and its related regulations, I would immediately replace my firearm’s “bullet button” with a standard magazine release.

5. The AWCA prohibits me from engaging in certain activities with my registered “assault weapon” that are otherwise lawful with any other firearm not classified as an “assault weapon.” But for the AWCA’s restrictions I would engage in such activities.

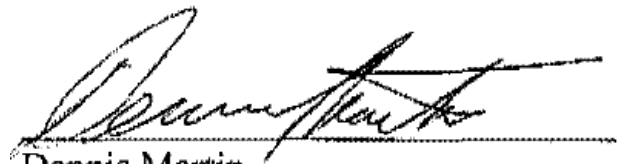
6. Because the AWCA bars residents from acquiring, transferring, or possessing “assault weapons”, I will be continuously and irreparably harmed by the ongoing deprivation of my individual, fundamental right to possess and use commonly possessed firearms for lawful purposes, including in-home self-defense,

1 without risking criminal prosecution.

2 7. I would also like to acquire new semiautomatic, centerfire rifles with a
3 detachable magazine, having one or more of the features that is prohibited by the
4 AWCA. Were it not for the prohibitions in the AWCA, and the fear of prosecution
5 for violating it, I would do so.

6 I declare under penalty of perjury that the foregoing is true and correct.

7 Executed within the United States on May 26, 2023.

8
9
10 
11 Dennis Martin
12 Declarant
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *Rupp, et al. v. Bonta*
Case No.: 8:17-cv-00746-JLS-JDE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

**DECLARATION OF DENNIS MARTIN IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Anna Ferrari
Deputy Attorney General
Email: anna.ferrari@doj.ca.gov
Christina R.B. Lopez
Email: christina.lopez@doj.ca.gov
John D. Echeverria
Email: john.echeverria@doj.ca.gov
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102
Attorneys for Defendant

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

Executed May 26, 2023.

Laura Palmerin