

**IN THE CIRCUIT COURT
CRAWFORD COUNTY, ILLINOIS**

JEREMY W. LANGLEY,)
TIMOTHY B. JONES and)
MATTHEW WILSON,)
)
v.) **Case No.**
)
BRENDAN KELLY, in his official)
capacity as Director of the Illinois)
State Police, and COLE PRICE SHANER,)
in his official capacity as States Attorney of)
Crawford County, Illinois,)
)
Defendants.)

AFFIDAVIT OF SCOTT PULASKI

Comes now Scott Pulaski, being first sworn, and under penalties of perjury, states as follows:

1. My name is Scott Pulaski. I am an owner of Piasa Armory, location in Alton, Illinois.
2. Piasa Armory is a Type 07 FFL, which is a firearm manufacturing and dealing license issued by the federal government. In addition, Piasa Armory holds a Class II Special Occupational Taxpayer endorsement, entitling it to manufacture most firearms regulated under the federal National Firearms Act. In addition, Piasa Armory is registered with the Illinois State police as a firearms dealer.
3. I am personally familiar with firearms, both historical and modern, as well as firearms regulations, both in Illinois and nationally, on account that ATF, the federally agency that licenses my business, makes me comply with all such laws, and provides me a publication listing the current ones.

EX A

4. In addition to being a firearms dealer, Piasa Armory and myself teach Illinois State Police certified concealed carry classes, both new and renewal.
5. I am also familiar with what is popular for sale and purchase with Illinois residents and citizens.
6. I am aware that this case was filed to challenge purported Public Act 102-1116, commonly called an gun and magazine ban.
7. I am aware that the Public Act purports to ban general possession and most transfers of magazines that hold over 10 rounds, for rifles and shotguns, and over 15 rounds for pistols.
8. That there is no realistic way to determine that a given firearm magazines is for a pistol, or for a rifle, as many rifles and pistols use the exact same magazine. For instance, many Kel-Tec 9mm rifles use Glock or Beretta magazines, which are often used in Glock and Beretta pistols, respectively. Likewise, many pistols use magazines originally used in rifles. In fact, even as a “firearms expert”, I cannot discern a “rifle magazine” from a “pistol magazine” simply by looking at it.
9. In addition, the Public Act purports to require owners to register their subject firearms. Almost no states have firearm registration, it previously existed only briefly in Illinois, about 50 years ago, and was repealed because nobody complied with it. In the pre-20th Century era, I am unaware of any regulation on firearms analogous to registration.
10. In addition, the Public Act purports to ban revolving shotguns. These have existed since at least 1855, when Colt manufactured such items before the Civil War. Taurus sells such a firearm, which is commonly sold throughout the United States.

11. In addition, the ban outlaws shotguns with either pistol grips or detachable magazines.

These shotguns are very popular and commonly owned, both for sporting and defense purposes.

12. In addition, the ban outlaws pistols with threaded barrels, magazines outside of the grip, large pistols, and the like. Again, these pistols are commonly owned and popular for sports and defense. In fact, pistols like these are used in the Olympic target shooting competition.

13. In addition, the ban outlaws common semi automatic rifles, like the AR-15, the Springfield M1A, and actually even the standard SKS and M1 Garand.

14. Both the standard Soviet SKS, as well as Chinese, Yugoslavian and Romanian SKS rifles can be, and many have been, converted to detachable magazine, and have a barrel shroud that can be held by the non firing hand.

15. Likewise, the M1 Garand can be, and has been, converted to detachable magazine configuration, with John Garand himself making such conversions to accept BAR magazines, and the Italian companies Beretta and Breda both making them into detachable magazine BM59 rifles. The M1 also has a wood barrel shroud.

16. In fact, nearly any semi automatic, bolt action, or lever action rifle can be converted into a detachable magazine semi automatic. In fact, John Browning's first machinegun, was a conversion of a Winchester Model 1892 lever action rifle into a machinegun.

17. The ban also includes the Colt AR15, and various other listed firearms, by make and model, along with "copycats". Other than by make and model marking, it is impossible for anyone to discern, objectively, whether a firearm is such a copycat, and no guidance is provided as to how much difference is required. For instance, the Colt AR15 used a

different size threaded front take down pin hole than most similar firearms. Some have solid trigger groups, some do not. Some have threaded pin holes, some use coil pins. Some accept drop in trigger groups, some do not. There are at least two sizes of trigger parts that might arguably fit into such rifles. M1 Carbine trigger groups are mechanically similar to Colt AR15 groups. The copycat ban is so vague that not even experts can discern what is a copycat.

18. The simple fact of the matter is, the very semi automatic firearms listed in the ban, are the either the most popular firearms in the United States, with literally tens of millions sold in the past few years, or simply, such as is the case with the Beretta 93 listed, not even a semi-automatic, rather, it is a machinegun version of the common Beretta 92 pistol. Likewise, while cosmetically similar semi auto only models were made, with different model numbers, the AR10, as originally manufactured, is also a machinegun, as is and was the Beretta AR70, the Steyr AUG and the FN FAL. The entire ban is arbitrary and obviously written by people with no knowledge of firearms.
19. In addition, as to the ban on over 10 or over 15 round magazines, both are simply not in compliance with what is actually popular and on the market. Since the Glock 17 of 1980, over 15 round magazines for pistols are common and the most popular. Those with less than 15 rounds are generally historical and obsolete, with most, like the Walther P38, actually out of production.
20. As to rifle magazines, since 1941, when the U.S. Military adopted the M1 Carbine, fist 15 round, and later in 1944, 30 round magazines were standard. In 1957, with the adoption of the M14, in the U.S., and the FN FAL in most western nations, 20 round magazines were standard for those rifles, as well as their U.S. commercially sold versions. The M16

was designed in the late 1950s with a 20 round magazine, and sold commercially, in semi auto, in 1964 with a 20 round standard magazine. By the 1970s, 30 round magazines had become standard. Today, 28 to 35 round magazine are standard for self defense and target shooting rifles, for most semi automatic rifles sold in the U.S. today, nationwide, as well as the State of Illinois.

26. As to the .50 BMG, it is also a commonly owned firearm and ammunition. It is commonly used for long range target shooting, with the ammunition being sold on the market since at least the 1920s, and firearms commonly available since at least the 1980s. Many long range records are held by .50 BMG sporting rifles.

27. Rifles, with bore diameters of well over .50 inches have been commonly owned since well before the American Revolution. In fact, the standard British Brown Bess bore diameter during the American Revolution was .75 inches, of half again larger than the .50 BMG. .69 caliber firearms were commonly held and used after the Revolution by Americans, with .577 rifles standard from 1855 to about 1872.

28. That the ban has made it impossible for me, and other licensed dealers, to sell or transfer to Illinois residents, what has been the most popular firearms and magazines in Illinois and the U.S. previously.

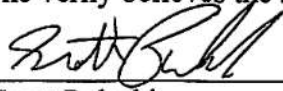
29. In fact, due to various vague terms in the ban, many wholesalers are refusing to even ship replacement parts to Illinois addresses.

30. In this ban is allowed to stand, the average Illinoisan will be limited to firearms designed in the 1890s and earlier, instead of modern firearms.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except

as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated: 01/23/23



Scott Pulaski