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APR 15 2013
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

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7 CLERK, U.S. DISTRICT COURT
8 APR 12 2013
9 CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

10 **SIGITAS RAULINAITIS,**
11
12 **Plaintiff,**

13 vs.

14 **VENTURA COUNTY SHERIFFS**
15 **DEPARTMENT,**
16 **Defendants.**

CV 13 - 02605 - MAN
CASE NO

) **COMPLAINT FOR SECOND**
) **AMENDMENT VIOLATION- 42**
) **U.S.C. § 1983**

) **JURY TRIAL DEMANDED**
) **ATTORNEY FEES REQUESTED 42**
) **U.S.C. § 1988**

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19 **COMES NOW** Plaintiff, Sigitas Raulinaitis, pursuant to 42 U.S.C. § 1983.
20 **Plaintiff alleges violations of his Second Amendment Rights by Defendant.**

21
22 **INTRODUCTION**

- 23 1. The California Legislature has mandated that the only method by which a
24 resident of the State can bear arms for the purpose of self-defense outside the
25 home is with a permit to carry a concealed weapon.
26 2. Plaintiff is a resident of Ventura County and sought a concealed weapons
27 permit.
28 3. Defendants denied Plaintiffs application on March 28, 2013 on the basis of
residency.

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4. Plaintiff lives in Ventura, is registered to vote in Ventura, and maintains his legal address of record according to California as tracked by the Department of Motor Vehicles in Ventura County, as such, Plaintiff is uncertain as to what discretionary issue the Sheriff has exercised to deny his right to exercise his fundamental Constitutional Rights.

JURISDICTION & VENUE

- 5. This Court has subject matter jurisdiction over this action pursuant to 42 U.S.C. § 1983.
- 6. Venue lies in this Court pursuant to 28 U.S.C. § 1391.

FIRST CAUSE OF ACTION

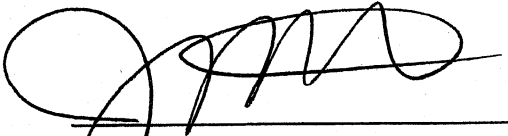
SECOND AMENDMENT VIOLATION OF 42 U.S.C. § 1983

- 7. The Supreme Court has held that “the Second Amendment protects the right to keep and bear arms for the purpose of self-defense.” *McDonald v. City of Chicago, Ill.* (2010) 130 S.Ct. 3020, 3021.
- 8. Plaintiff cannot exercise this right without a permit from Defendant.
- 9. Defendant refuses to issue a permit.

PRAYER FOR RELIEF

- 10. For an order requiring Defendant to issue a Permit to Plaintiff without delay.
- 11. Costs and Attorneys’ fees pursuant to 42 U.S.C. § 1988.

April 9, 2013



Jonathan W. Birdt