

NRA Alert – Michel & Associates, West Coast Counsel for the National Rifle Association

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RE: Litigation with the City of San Francisco

Complaint: Complaint For Declaratory And Injunctive Relief

Plaintiff: San Francisco Veteran Police Officers Association

At issue: City ban of possession of large capacity gun magazines in violation of the 2nd Amendment

Filing: United States District Court For The Northern District of California, San Francisco Division

Date: Filed by end of day, Tuesday November 19th, 2013

Link To Complaint: [View Complaint Here](#)

For Release

Michel & Associates, West Coast Counsel for the NRA, filed a lawsuit in federal court on behalf of the San Francisco Veteran Police Officers Association, against the City of San Francisco.

On November 19, 2013, [Michel & Associates](#), West Coast Counsel for the National Rifle Association, filed a lawsuit in federal court on behalf of the San Francisco Veteran Police Officers Association challenging San Francisco's recent ban on the possession of gun magazines capable of holding more than ten rounds. The Second Amendment based legal challenge is part

of a campaign of nationwide litigation filed and supported by a variety of law enforcement officers and associations to confirm that the Second Amendment protects these common, standard-capacity magazines for self-defense and sport shooting.

Standard-capacity magazines capable of holding more than ten rounds are commonly possessed by registered gun owners for a variety of lawful purposes in the United States. These purposes include target practice, shooting competitions, hunting, and, self-defense. The Supreme Court has confirmed that self-defense is the “central component” of the Second Amendment.

The San Francisco Veteran Police Officers Association represents the retired officers from the San Francisco Police Department. SFPOA is joined in the suit by several individual San Francisco residents who wish to possess these magazines for self-defense purposes or sporting purposes.

There is a growing trend of law enforcement groups opposing and challenging these types of gun control measures in court. In Colorado, a broad coalition of law enforcement officials filed suit against the state’s recently-enacted ban on common magazines. Earlier this year in New York, the State Sheriffs Association, the Law Enforcement Legal Defense Fund, and individual law enforcement officers filed an amicus brief in support of a challenge to the State’s ban on common rifles and magazines. In Connecticut, a coalition of individual law enforcement officers and the Law Enforcement Legal Defense Fund filed another legal brief in support of pending challenge to similar laws.

The City’s ordinance would confiscate any prohibited magazines and, because of state laws restrict their transfer without replacement. San Francisco’s ordinance is set to take effect on December 8, 2013. Residents, including retired police officers, will have until March 8, 2014 to turn their magazines over to the police, remove them from the City in the few cases where it might be legal, or transfer them to a licensed firearms dealer.

[Michel & Associates](#), representing the plaintiffs, will seek an injunction to prevent the City from enforcing the law. Plaintiffs are prepared to appeal if necessary to have the City’s ordinance declared unconstitutional. This Second Amendment issue may ultimately be addressed by the United States Supreme Court.

Firearms equipped with magazines capable of holding more than ten rounds have been around for nearly two centuries. Although the San Francisco ordinance describes the banned magazines as “large-capacity,” magazines with capacities of more than ten rounds are standard for many common handguns and long guns. Millions of firearms that have been sold in the United States come from the manufacturer with magazines capable of holding more than ten rounds.

A ballot measure enacting a similar ordinance was recently passed in the City of Sunnyvale, California. Litigation supported by the NRA is currently in the works to challenge that law when the City Council certifies the vote and the measure formally becomes law.

Quotes For Release:

Source: Chuck Michel, Senior Partner, Michel & Associates, West Coast Counsel for the NRA

“Prohibiting the citizens of San Francisco from possessing standard firearm magazines is not an effective means of targeting behavior by violent criminals. The San Francisco Veteran Police Officers Association is challenging this law for that very reason.”

“This is a misguided effort to dismiss the civil rights of the residents of San Francisco. The Second Amendment forbids the city from banning common firearm magazines that are possessed by law-abiding citizens for lawful purposes.”

Interview Requests: Please contact me for any requests for interviews with Chuck Michel this week.

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