

ALAN BECK (HI Bar No. 9145)
Attorney at Law
2692 Harcourt Drive
San Diego, California 92123
Telephone: (619) 905-9105
Email: alan.alexander.beck@gmail.com

STEPHEN D. STAMBOULIEH
STAMBOULIEH LAW, PLLC
P.O. Box 4008
Madison, MS 39130
Telephone: (601) 852-3440
Email: stephen@sdslaw.us

**UNITED STATES COURT OF APPEALS
NINTH CIRCUIT**

GEORGE K. YOUNG JR,)	
)	
Plaintiff,)	No. 12-17808
vs.)	
)	CASE No. 1200336 HG BMK
STATE OF HAWAII ET. AL.)	
)	NOTICE OF SUPPLEMENTAL
Defendants.)	AUTHORITY

Notice of Supplemental Authority

Mr. Young writes the Court to inform it of the New Jersey’s Supreme Court’s ruling in *State v. Montalvo*, 077331, 2017 WL 2471030 (N.J. June 8, 2017), attached, that machetes are protected by the Second Amendment. In 2012, defendant Crisoforo Montalvo engaged in a confrontation with his downstairs neighbor Arturs Daleckis. Following an argument about noise, Montalvo broke a small outdoor table belonging to Daleckis. Daleckis knocked on Montalvo's front door. Fearing reprisal

for the damage to the table, Montalvo answered the door with a machete in his hand. According to Montalvo, he never raised the machete at Daleckis and never exited his apartment with it. Daleckis claimed that Montalvo pointed the machete at him and later used it to damage their shared porch. As a result of this altercation, the State charged Montalvo with unlawful possession of a weapon, N.J.S.A. 2C:39–5(d), and possession of a weapon for an unlawful purpose, N.J.S.A. 2C:39–4(d).

Defendant argued that his possession and use of a machete was protected by the Second Amendment. “We need only observe that the Second Amendment protects the right of individuals to possess weapons, including machetes, in the home for self-defense purposes. *See Heller, supra*, 554 U.S. at 582, 592, 628, 128 S.Ct. at 2791–92, 2797, 2817, 171 L.Ed.2d at 651, 657, 679. Thus, Montalvo had a constitutional right to possess the machete in his home for his own defense and that of his pregnant wife.” *Id* at *12.

Thus, this supports Mr. Young’s position that knives are protected arms. Mr. Young respectfully requests that this Court join with the vast majority of other Courts in finding that knives are protected arms.

Respectfully submitted this 14th day of June, 2017

s/ Alan Beck
Alan Beck (HI Bar No. 9145)

s/ Stephen D. Stamboulieh
Stephen D. Stamboulieh

CERTIFICATE OF SERVICE

On this, the 14th day of June, 2017, I served the foregoing pleading by electronically filing it with the Court's CM/ECF system which generated a Notice of Filing and effects service upon counsel for all parties in the case. I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 14th day of June, 2017

s/ Stephen D. Stamboulieh