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

12	RONALD NORDSTROM,	)	<b>CASE NO. 2:15-cv-07607-DMG-FFM</b>
13		)	
14	Plaintiff,	)	<b>FIRST AMENDED COMPLAINT</b>
15		)	<b>FOR SECOND AMENDMENT</b>
16	vs.	)	<b>VIOLATION- 42 U.S.C. § 1983</b>
17		)	
18	VENTURA COUNTY SHERIFF	)	<b>JURY TRIAL DEMANDED</b>
19	GEOFF DEAN,	)	
20	Defendants.	)	<b>ATTORNEY FEES REQUESTED 42</b>
		)	<b>U.S.C. § 1988</b>
		)	
		)	

21 COMES NOW Plaintiff, Ronald Nordstrom, pursuant to 42 U.S.C. § 1983.  
22 Plaintiff alleges violations of his Second Amendment Rights by Defendant.

23 **INTRODUCTION**

- 24 1. The California Legislature has mandated that the only method by which a
- 25 resident of the State can bear arms for the purpose of self-defense outside the
- 26 home is with a permit to carry a concealed weapon.
- 27 2. Plaintiff is a resident of Ventura County and so applied to the county Sheriff for
- 28 a permit to exercise his Fundamental Right.

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JURISDICTION & VENUE

- 3. This Court has subject matter jurisdiction over this action pursuant to 42 U.S.C. § 1983.
- 4. 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

- 5. 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.
- 6. Plaintiff cannot exercise this right without a permit from Defendant.
- 7. On September 22, 2014 Plaintiff submitted his application for a permit to carry a concealed weapon to Defendant.
- 8. Within 24 hours of submitting the application, Defendant received the results of Plaintiff’s Criminal Background check that confirmed he was not prohibited from owning or possessing a firearm.
- 9. Defendant was Statutorily obligate to provide a decision on Plaintiff’s application within 90 days.
- 10. Plaintiff is not in any prohibited from owning or possessing a firearm and is not in any way barred from being issued a permit/license as confirmed by his successful clearance of a background check performed by the California Department of Justice as part of his license application.
- 11. In early June of 2015 Plaintiff was called in for an interview, appeared on June 18th, 2015 and answered all questions posed.
- 12. On July 22, 2015 Plaintiff was advised that his background check was complete and he was to proceed with paying the final fees and securing the training.
- 13. On August 4, 2015 Plaintiff provided Defendant proof of required training and the final fees requested.
- 14. On August 7, 2015 Defendant advised Plaintiff that he was denying Plaintiff’s application.

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15. Thereafter, Defendant advised Plaintiff that there was no appeal process available to him.

16. Plaintiff is a law abiding citizen who has complied with all the requirements for the issuance of a permit to carry a concealed weapon and is not prohibited from owning or possessing a firearm.

17. Defendant, an elected official, denied Plaintiff’s license determining that he was not of “good moral character”. Such determination was not based upon any lawful standard, and instead was entirely based upon Defendant’s personal feelings.

18. Defendant’s improper exercise of discretion violates Plaintiff’s Second Amendment right to bear arms for self-defense and under Cantwell v. Connecticut (1940) 310 U.S. 296, and its progeny, States and localities may not condition a license necessary to engage in constitutionally protected conduct on the grant of a license officials have discretion to withhold.

PRAYER FOR RELIEF

19. For an order requiring Defendant to issue a Permit to Plaintiff without delay.

20. Such damages as permitted by law.

21. Costs and Attorneys’ fees pursuant to 42 U.S.C. § 1988.

January 14, 2016

\_\_\_\_\_/s/\_\_\_\_\_  
Jonathan W. Birdt