

1 Cody Jay Brownstein  
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4 Plaintiff, pro se

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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

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11 CODY JAY BROWNSTEIN,

12 Plaintiff,

13 vs.

14 ORANGE COUNTY SHERIFF'S

15 DEPARTMENT *et al.*,

16 Defendants.

17 } Case No. 8:24-cv-00970-SSS-AS  
} DECLARATION OF CODY JAY  
} BROWNSTEIN IN SUPPORT OF  
} HIS MOTION FOR A  
} PRELIMINARY INJUNCTION  
} Hearing date and time:  
} January 7, 2025  
} 10:00 AM  
} Judge:  
} Hon. Alka Sagar

18  
19 I, Cody Jay Brownstein, declare:

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21 1. I am the plaintiff in this action. I have personal knowledge of  
22 each fact stated in this declaration. If called as a witness, I would  
23 competently testify to each fact stated in this declaration.

24 2. On January 1, 2024, I applied to the Orange County Sheriff's  
25 Department for a CCW license.

26 3. On May 28, 2024, I received from the Orange County Sheriff's  
27 Department a letter informing me that my application for a CCW  
28 license was denied solely because of a restraining order that had

1       been issued against me in the past. Attached to this declaration  
2       as "Exhibit 1" is a true and correct copy of the letter I received.  
3       4. The restraining order was issued by the Orange County Superior  
4       Court (Superior Court) on March 30, 2022, in the case entitled  
5       *Burger vs. Brownstein*, case number 22V000721. The restraining  
6       order was a temporary one. It was obtained based on an ex parte  
7       application of which I was given no notice. I was unaware the  
8       restraining order was being applied for and I had no opportunity  
9       to be heard before the restraining order was issued.  
10       5. On May 3, 2022, the Superior Court held a hearing to determine  
11       if a permanent restraining order should be issued. Following the  
12       hearing, the Superior Court determined that a permanent  
13       restraining order shouldn't be issued. The Superior Court found  
14       that "there is insufficient evidence to substantiate by a  
15       preponderance of the evidence that domestic violence has  
16       occurred." The temporary restraining order expired the same  
17       day. Attached to this declaration as "Exhibit 2" is a true and  
18       correct copy of the Superior Court's minute order following the  
19       hearing.  
20       6. But for the temporary restraining order that was issued against  
21       me, I'm entitled to issuance of a CCW license by the Orange  
22       County Sheriff's Department, according to California Penal Code  
23       section 26150(a). I'm over 21 years of age and have submitted to  
24       the Orange County Sheriff's Department clear evidence of my  
25       identity and age, including a copy of my valid, unexpired  
26       California driver's license. I reside in the County of Orange and  
27       my voter registration, among other evidence, establishes this. I  
28       completed the 16-hour training course required under California

Penal Code section 26154. I'm the registered owner of each of the firearms listed in my application for a CCW license. I submitted my fingerprint images to the Orange County Sheriff's Department via Live Scan.

7. The Orange County Sheriff's Department still hasn't issued me the CCW license that I applied for. Because I haven't been issued a CCW license, I can't carry a handgun outside of my home for the purpose of self-defense without risking criminal prosecution.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated this 30th day of November,  
2024

/s/ Cody Jay  
Brownstein

# Cody Jay Brownstein