

Cody Jay Brownstein
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Plaintiff, pro se

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CODY JAY BROWNSTEIN,	}	Case No. 8:24-cv-00970-SSS-AS
Plaintiff,		DECLARATION OF CODY JAY
vs.		BROWNSTEIN IN SUPPORT OF
ORANGE COUNTY SHERIFF'S		HIS MOTION FOR A
DEPARTMENT <i>et al.</i> ,		PRELIMINARY INJUNCTION
Defendants.	}	<u>Hearing date and time:</u>
		January 7, 2025 10:00 AM
	}	<u>Judge:</u>
		Hon. Alka Sagar

I, Cody Jay Brownstein, declare:

1. I am the plaintiff in this action. I have personal knowledge of each fact stated in this declaration. If called as a witness, I would competently testify to each fact stated in this declaration.
2. On January 1, 2024, I applied to the Orange County Sheriff's Department for a CCW license.
3. On May 28, 2024, I received from the Orange County Sheriff's Department a letter informing me that my application for a CCW 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

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

5 7. The Orange County Sheriff's Department still hasn't issued me
6 the CCW license that I applied for. Because I haven't been issued
7 a CCW license, I can't carry a handgun outside of my home for
8 the purpose of self-defense without risking criminal prosecution.
9

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

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13 Dated this 30th day of November,
2024

14 /s/ Cody Jay
15 Brownstein

16 Cody Jay Brownstein
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