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4 Plaintiff, pro se

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7 UNITED STATES DISTRICT COURT  
8 CENTRAL DISTRICT OF CALIFORNIA

9

10 CODY JAY BROWNSTEIN,

11 Plaintiff,

12 vs.

13 ORANGE COUNTY SHERIFF'S  
14 DEPARTMENT *et al.*,

15 Defendants.

16 } Case No. 8:24-cv-00970-SSS-AS  
} NOTICE OF MOTION AND  
} PLAINTIFF'S MOTION FOR A  
} PRELIMINARY INJUNCTION  
} Hearing date and time:  
} January 7, 2025  
} 10:00 AM  
} Judge:  
} Hon. Alka Sagar

17

18 PLEASE TAKE NOTICE that on January 7, 2025, in courtroom  
19 540 at the Roybal Federal Building and United States Courthouse,  
20 located at 255 East Temple Street, Los Angeles, California 90012,  
21 before the Honorable Alka Sagar, Plaintiff will, and by this pleading  
22 does, move the Court to issue a preliminary injunction prohibiting  
23 Defendants from enforcing California Penal Code section 26202  
24 against him as the basis for denying him a CCW license. Specifically,  
25 Plaintiff asks the court to prohibit Defendants from using an expired  
26 temporary restraining order, issued without notice and an opportunity  
27 to be heard, from serving as the basis for denying him a CCW license.  
28 Further, since Plaintiff has satisfied all requirements for issuance of a

1 CCW license under California Penal Code section 26150(a), and is  
2 disqualified from issuance of a CCW license only because of an  
3 expired temporary restraining order, should the Court enjoin  
4 enforcement of California Penal Code section 26202 against him, he  
5 asks the Court to order Defendants to issue him the CCW license that  
6 he applied for.

7 The grounds for Plaintiff's motion for a preliminary injunction  
8 are: (1) he's likely to succeed on the merits of his claim that his  
9 constitutional right to carry a handgun outside of his home for the  
10 purpose of self-defense is being violated; (2) he's suffering and will  
11 continue to suffer irreparable harm as a result of the violation of his  
12 constitutional right; and (3) enjoining the violation of his  
13 constitutional right is in the public interest.

14 Plaintiff's motion for a preliminary injunction is based on this  
15 notice, the memorandum he's filing along with this notice, his  
16 declaration that he's filing along with this notice and the exhibits  
17 attached to his declaration, the records and filings in this case, and  
18 any other argument and evidence the Court may allow at the hearing  
19 on his motion.

20 Plaintiff is moving for a preliminary injunction and accordingly  
21 no conference is required under L.R. 7-3.

22  
23 Dated this 30th day of November,  
2024

24  
25 /s/ Cody Jay  
26 Brownstein  
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28

Cody Jay Brownstein,  
Plaintiff, pro se