

# The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 248

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Dear Subscriber,

**Thirteen Democratic senators led by rabidly anti-gun Sen. CHUCK SCHUMER of New York have sent a letter to THOMAS MILLNER, CEO of Cabela's, the giant hunting and outdoor gear retailer – as well as other large retailers and the National Shooting Sports Foundation – urging them to voluntarily complete all firearms background checks like Wal-Mart does.**

**Under federal law, if a background check is not completed within three days of sending a buyer's information to the federal checking system, the transaction can proceed. That law was passed after intense debate over long cooling off periods penalizing law-abiding gun purchasers urgently needing self defense and having no effect on crime.**

**AT THE  
FEDERAL  
LEVEL**

**For the last decade, Wal-Mart has not delivered a firearm without the check being completed. SCHUMER claimed that 15,729 firearms have been sold to "prohibited people" because of the 72-hour law, and blamed it for 21-year-old DYLAN ROOF having a weapon allegedly used in shooting nine people in Charleston, South Carolina.**

**Retailers have shown no move toward adopting Wal-Mart's arbitrary delaying tactic against gun purchasers.**

**House Minority Leader NANCY PELOSI of California reignited an assault for tighter federal gun control with a propaganda show for a bill sponsored by Reps. PETER T. KING, New York Republican, and MIKE THOMPSON, California Democrat, that would expand background checks to cover all commercial firearm sales, including at gun shows and sales over the Internet or through classified ads. The House proposal wouldn't have prevented the Charleston shooting because ROOF passed a background check and purchased the gun from a licensed dealer.**

**PELOSI held a Washington news event after nine black members of a Charleston, South Carolina, church were killed by DYLAN ROOF, who purportedly penned a lengthy manifesto that included themes of white supremacy, has been charged in the shooting deaths of MYRA THOMPSON, state SEN. CLEMENTA C. PINCKNEY and seven others. PELOSI invited advocates who lost relatives in the shooting, who rode by bus from Charleston. Gun owners sympathized, but did not support their proposal.**

**It's a different story when a shooter targets military personnel. Supported by 70 signatures from members of Congress, Rep. SCOTT RIGELL (R-VA) sent a letter to Defense Secretary ASH CARTER requesting that he end a Pentagon prohibition on military personnel carrying firearms to and from defense installations, arguing that service members must be able to protect themselves in transit and at recruitment centers, noting the fatal shootings of four Marines and a sailor in Chattanooga, Tennessee.**

**U.S. Senator JERRY MORAN (R-Kan.) went further, and introduced the Safeguarding Service Members' Second Amendment Rights Act to eliminate "Gun-Free Zones" at American military installations, including military recruitment centers, and restore service members' 2nd Amendment Rights. It would repeal bans on military personnel carrying firearms on Armed Forces military installations and Department of Defense (DoD) sites and prohibit the president, secretary of defense and secretaries of military departments from enacting similar restrictions or prohibitions in the future.**

**The bill would face a certain veto by OBAMA, so the vote count in the Senate is critical but has not yet been tallied.**

*...Continued on Page 2*

**Also in this issue:** ● Missouri gun rights Amendment upheld ● Tennessee festivals can't ban guns in parks ● Gun control / gun rights polls ● Three gun owners who deserve a hero medal in our Page 8 Parting Shot.

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**HILLARY CLINTON's push on gun control is shifting presidential politics. Democrats seeking national office avoid the issue of guns** because it makes them lose elections. **CLINTON's** standard stump speech used to be about fighting income inequality, celebrating court rulings on gay marriage and health care, **but since the Charleston Church shooting by DYLANN ROOF, it has been shrill and aggressively against guns and gun owners.**

**CLINTON** is not only **initiating a debate about gun control but also vowing to fight the entire gun lobby.** "I'm going to **speak out against the uncontrollable use of guns** in our country because I believe we can do better," **CLINTON** told an **Iowa City crowd.** She said in Hanover, N.H.: "**We have to take on the gun lobby.** This is a controversial issue. I am well aware of that. **But I think it is the height of irresponsibility not to talk about it.**" Tough talk, but losing votes.

**CLINTON's** comments practically guarantee no votes from gun owners, but she seems to feel **she does not need that constituency to win the nomination and the presidency.**

The most vicious anti-gun issue to emerge lately is the work of President **OBAMA.** In his latest backdoor gun control effort, President **OBAMA is pushing to ban gun possession for Social Security beneficiaries** because they were labeled as "incapable of handling their own finances."

The specific details of the ban are unknown, as it is being put together "outside of public view." But the *Los Angeles Times* reported that **a ban on gun possession due to inability to handle finances would be sweeping;** that it would cover those who are unable to manage their own affairs for a multitude of reasons - **from isubnormal intelligence or mental illnessî to îincompetency,î an unspecified îcondition,î or îdisease.î**

The *Times* noted that **the finances of roughly î4.2 millionî Social Security beneficiaries are handled by someone else.** That mere fact could take away the **Second Amendment rights of upwards of 4.2 million Social Security beneficiaries.**

The **Second Amendment Foundation** responded to **OBAMA's hideous plan:** "This could possibly **disqualify millions of people from owning firearms** and might prevent many others from seeking help," said **SAF founder and Executive Vice President Alan M. Gottlieb, himself a U.S. Army veteran.** "It's unconscionable that someone who might have problems balancing a checkbook or managing their finances would suddenly find himself or herself stripped of their right to keep and bear arms."

**Yale Psychologist Dr. MARC ROSEN** has seen this same tactic **used on US veterans** and warns that those applying it to guns under the presumption that needing help with financial management equates to violent tendencies are simply mistaken. **ROSEN** said, "Someone can be incapable of managing their funds but not be dangerous, violent or unsafe. They are very different determinations."

Rep. **RALPH ABRAHAM** (R-LA) introduced legislation to block that gun ban, the **Social Security Second Amendment Protection Act,** saying, "President Obama will stop at nothing to take guns away from anyone he can. **My bill would re-institute the rule of law and prevent bureaucrats in Washington from deciding who can and cannot exercise their fundamental right to keep and bear arms.** In this nation, everyone is entitled to due process, and that includes those on Social Security."

The House Ways and Means Committee sent **CAROLYN COLVIN, Acting Commissioner of Social Security,** a warning letter **signed by nineteen Members of Congress** that providing names of Social Security beneficiaries for a gun ban "**would be a dangerous overreach and we urge you to abandon any such plan.**"

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### COURT UPHOLDS FLORIDA LAW RESTRICTING DOCTOR-PATIENT SPEECH ABOUT GUNS

The 11th Circuit has handed down a ruling in *Wollschlaeger v. Governor*, the Florida "Docs vs. Glocks" case. It provides that a doctor may not ask questions (in writing or orally) "concerning the ownership [or home possession] of a firearm or ammunition by the patient or by a family member," unless the doctor "in good faith believes that this information is relevant to the patient's medical care or safety, or the safety of others." And, according to the court, "relevant" here means relevant based on "some particularized information about the individual patient, for example, that the patient is suicidal or has violent tendencies."

### MISSOURI SUPREME COURT UPHOLDS GUN RIGHTS AMENDMENT

The Missouri Supreme Court has upheld a pro-gun constitutional amendment in the state. Voters approved Amendment 5 in August 2014 with 61 percent of the vote. It made the right to own firearms in the state "unalienable," and made any form of gun control subject to "strict scrutiny." It allowed open carry and preserved the right of the legislature to "limit the rights of convicted violent felons or those adjudicated by a court to be a danger to self or others as a result of a mental disorder or mental infirmity."

## IN THE COURTS

### GROUPS SUE CHICAGO SUBURBS TO GET MORE GUN CONTROL

The group, Coalition for Safe Chicago Communities, is suing three suburbs, Lincolnwood, Lyons and Riverdale, accusing them of not adequately monitoring gun stores they believe are the source of weapons that have filtered into Chicago's black neighborhoods. The Rev. Michael Pfleger announced the lawsuits saying many of the guns recovered from Chicago crime scenes came from stores in those communities. The lawsuit, filed in Cook County Circuit Court, claims the suburbs' gun store regulations violate the Illinois Civil Rights Act.

### FLORIDA GUN RIGHTS GROUP ARGUES FOR GUNS IN PUBLIC DORMS

The 1st District Court of Appeal in Tallahassee heard arguments from Florida Carry Inc., which contends students and others residing in on-campus housing at the University of Florida should be allowed to maintain possession of firearms as they would at their parents' homes. "All we are saying is that the right to possess a firearm in one's home is fundamental," said Florida Carry attorney Lesley McKinney after the hearing. "Regardless of where one's home is, it's still their home." The judges offered no timeline on when they might rule.

### SOUTH CAROLINA CAPITAL SUED FOR TEMPORARY WEAPON BAN

Walid Hakim, a Lexington County resident filed suit alleging the city of Columbia's emergency ban on guns around the State House is unconstitutional. The city's temporary gun ban ordinance causes him hardship and puts him in potential danger, said Hakim in an affidavit attached to his lawsuit. The suit was filed in the Richland County Court of Common Pleas. As a lawful concealed weapons permit holder, he won't be able to protect himself when he is near the State House if danger arises, his affidavit said. Hakim's lawsuit seeks to have a judge grant an injunction that would stop the city from enforcing the law.

### SAF HELPS NEBRASKA MAN GET GUN COLLECTION BACK

Criminal charges were dropped against Kevin Williams, and his valuable gun collection was returned by the City of Lincoln with the help of the Second Amendment Foundation, said founder and Executive Vice President Alan M. Gottlieb. The collection had been seized several years ago for carrying a knife an eighth-inch too long. Criminal charges were reduced to a misdemeanor, but Williams cannot live in Lincoln and keep his collection. He's selling it to pay for attorney cost above the free services of SAF.

### UNIVERSITY OF MICHIGAN SUED OVER CONCEALED CARRY

Joshua Wade of Ann Arbor is suing the University of Michigan after being denied a permit to open carry a gun on campus. Wade charges in the lawsuit that the university is in violation of the state and U.S. Constitution by banning him and others from being allowed to open carry on the Ann Arbor campus. Wade filed the lawsuit in the state's Court of Claims in June. "Mr. Wade lives and works in Ann Arbor and is often near the U-M campus," his attorney, Steven Dulan, told the Free Press. "He wants to make it clear that U-M ... must comply with state law."

**ALABAMA GOVERNOR BENTLEY ORDERS SIGNS BANNING WEAPONS AT REST STOPS BE REMOVED**

The signs on the doors of rest stops banning guns are coming down. Governor Bentley's office says he had many issues come across his desk and this was one of them. He had his legal team go over the requests then he issued the order. Governor Bentley sent this tweet: "I have ordered the Alabama Department of Transportation to remove signs banning weapons at all Alabama rest stops to comply with state law." Thousands of people venture into Alabama rest stops every day - everyone from out of town travelers to local families with children. Some people they support the Governor's move. Others say while they support self-defense, in light of recent shootings in South Carolina, Tennessee, and now Louisiana, they want to see a broader change. The Alabama Department of Transportation is working to take down the signs. All signs banning weapons in rest stops will be removed.

**LOS ANGELES CITY COUNCIL BANS LARGE-CAPACITY AMMUNITION MAGAZINES**

Los Angeles city lawmakers voted unanimously to ban the possession of firearm magazines that hold more than 10 rounds. Gun rights groups have threatened to sue over Los Angeles' new rules, arguing that they violate the 2nd Amendment and are preempted by existing state law. Left-leaning Councilman Paul Krekorian declared before a cheering crowd, "If the NRA wants to sue us over this, bring it on."

**IN THE STATES**

California law already generally bans the manufacturing of such large-capacity magazines, as well as offering them for sale or bringing them into the state. But state law does not prohibit people from possessing them, which Krekorian and others argued is a "loophole" that jeopardizes public safety. The California Rifle & Pistol Association argued the ammunition magazines that hold more than 10 rounds "are in common use for self defense and they are overwhelmingly chosen for that purpose."

**ILLINOIS CONCEALED CARRY, FOID UPDATE APPROVED**

An update to Illinois FOID and concealed carry acts has been signed into law. State Sen. Gary Forby, D-Benton, said the legislation stemmed from the case of a lifelong hunter whose FOID card was revoked by the state after 13 years. The gun enthusiast has a mild intellectual disability.

The 2013 law that allowed concealed carry in Illinois prevented people with mild disabilities who seek services from the state from possessing or using firearms.

"If someone is capable of safely using a firearm either recreationally or in cases of self-defense, we shouldn't take that right way," said Forby, who supported the measure.

Gun rights advocates across the state expressed approval.

**GUN OWNERS ACTION LEAGUE FILES BILL TO ADDRESS THE DANGERS OF "GUN FREE ZONES"**

The Gun Owners' Action League (GOAL), is promoting new legislation, "An Act Relative to 'Gun Free' Zones" to address problems with the state's "Gun Free" zones. The bill will be filed by Rep. John C. Velis (D-Westfield) and would create a commission to review current and future policies regarding the dangers of "Gun Free" zones in the Commonwealth and make recommendations in order to increase the ability of citizens to defend themselves in these areas.

"This legislation would analyze our current laws about 'Gun Free' zones here in Massachusetts," said Rep. Velis. "In light of the recent attacks in Tennessee, it's extremely important that we evaluate our current laws and see if there are better ways to protect the public. I believe this legislation will bring the best minds together to come up with solutions for increasing safety."

**MAINE GOVERNOR SIGNS BILL ALLOWING CONCEALED GUNS WITHOUT PERMITS**

Gov. Paul LePage has signed into law a bill that does away with Maine's permit requirement for those who want to carry a concealed handgun. The bill's success is a huge victory for gun-rights advocates who have long fought to get rid of the concealed handgun permit requirement, which they say doesn't do anything to make the public safer. "It really is a historic day in the state of Maine that this common-sense measure is finally signed into law," Sen. Eric Brakey, R-Auburn, who sponsored it. The law is expected to go into effect in October, or 90 days after lawmakers adjourn.

### NEW HAMPSHIRE'S GOVERNOR VETOES CONSTITUTIONAL CARRY LEGISLATION

Gov. Maggie Hassan kept a promise made in April to gun control advocates by rejecting a Senate bill passed by the majority of state lawmakers that would have made the Granite State the eighth to allow concealed carry without a permit. The legislation, Senate Bill 116, was introduced by state Republicans and passed the Senate 14-9 in February before winning over the House in a 212-150 vote in April. On the eve of its final vote, Hassan met with members of Moms Demand Action and pledged to veto the measure if it reached her desk. She made good on that vow and scuttled the bill with an extensive nine-paragraph veto letter to lawmakers.

### NEW YORK'S CUOMO ADMINISTRATION AND SENATE GOP OK GUN CONTROL LAW CHANGES

New York Gov. Andrew Cuomo's administration and state Senate Republicans have agreed to changes in gun control laws enacted after the 2012 Connecticut school shooting. Officials said Friday a moratorium on Internet sales of ammunition will be

## IN THE STATES

lifted and development of a statewide database requiring background checks for ammunition buyers is being suspended. The head of the state police has said technology needed for the database doesn't exist. That's according to an agreement signed by Senate Majority Leader John Flanagan, a Republican, and top Cuomo aide Jim Malatras.

### NORTH CAROLINA SENATE PASSES FORMERLY CONTROVERSIAL GUN BILL WITH NO CHANGES

The state Senate kept the status quo by passing a compromised House version of a hot-topic gun bill, and it will now be sent to the governor. There has been unanimity among advocates on all sides as the Senate took up the bill. They only asked that lawmakers pass the compromised bill without additional changes. Sen. Jeff Tarte, a Cornelius Republican, introduced the bill on the floor saying while he understood some wouldn't be able to vote for it, he asked that no amendments be put forward. "It is not a stand alone bill in and of itself," he said. "The primary purpose is to standardize and unify statutes. It clarifies who can use certain guns and in which instances," Tarte said.

### SOUTH CAROLINA ATTORNEY GENERAL SAYS GUN BAN UNCONSTITUTIONAL

A temporary emergency gun ban implemented by the City of Columbia to disarm Confederate flag protesters around the State House was scrapped after the state attorney general warned it was likely illegal. The city council passed the local ordinance banning weapons within 250 feet of the building earlier this month in anticipation of a planned demonstration by groups to include the White Knights of the Ku Klux Klan and the New Black Panther Party.

The teeth in the ordinance, which was set to run for 30 days, included a \$500 fine and up to 30 days in jail. However, with the protest come and gone, state Attorney General Alan Wilson says the ban was an illegal encroachment on Second Amendment rights, and one the city had no power to pass in the first place.

### TENNESSEE CONCERTS, FESTIVALS CAN'T BAN GUNS IN PUBLIC PARKS

A state attorney general's opinion about Tennessee's new guns-in-parks law says city and county governments and third-party contractors who run such events as concerts and festivals in public parks cannot ban handgun-carry permit holders from going armed into those events.

The legal opinion by Tennessee Attorney General Herbert Slatery makes clear that handgun-carry permit holders cannot be banned from going armed in public parks when the park is operated by a contractor or because admission fees are charged for events held there. The city has two parks managed by third parties - Lakeshore and Fountain City parks - considered public parks.

### SEATTLE CITY COUNCIL CONSIDERS "GUN VIOLENCE" TAX ON GUN SALES

The Seattle City Council is considering a new tax on gun sellers to collect money for gun violence prevention and research on how to reduce the impact of gun violence on the city and its residents. Under the proposal, gun and ammunition sellers would be charged \$25 for every firearm sold in Seattle and 5 cents for every round of ammunition sold. City officials estimate the new tax would collect between \$300,000 and \$500,000 a year. Alan Gottlieb, founder of the Bellevue-based Second Amendment Foundation, says state law makes the proposed Seattle gun violence tax "dead on arrival."

**THE PEW RESEARCH CENTER POLL ON GUN CONTROL SAYS IT ALL**

This summary in a recent Pew poll launched so many news stories we can't track them all:

"While support for gun control once reached 66 percent, it has dropped to 46 percent while support for gun rights has jumped 52 percent, the highest ever in the past 25 years.

"We are at a moment when most Americans believe crime rates are rising and when most believe gun ownership - not gun control - makes people safer."

With that signal of a huge change in American opinion about guns and gun rights, we are pleased to present the top stories about the rising victory of the Second Amendment Right To Keep And Bear Arms.

**WASHINGTON POST: AMERICANS SEEING MORE GUNS AS THE SOLUTION, NOT THE PROBLEM**

You know that things are changing when the liberal-left *Washington Post* runs a story that's fair to guns rights. When the *Post* goes so far as to report on a poll showing that the public positively thinks more guns is the way to a safer America, look for a miracle.

But that's what happened last month under the headline, "Gun Control? Americans increasingly see more guns as the solution, not the problem."



The *Post* wrote, "Gun control is still going nowhere in Congress. And in fact, with every major mass shooting in America, gun-rights supporters seem to be digging in even further -- and bringing the rest of America along with them."

That went on for a full page, so we know a big change is in the wind.

**ELECTION IMPACT: POLLS SHOW THAT INDEPENDENTS FAVOR GUN RIGHTS**

Political campaign managers have known about the "Swing Vote" for decades. What is that? Today, we call them "Independents," because they vote for the candidate, not the candidate's party. Independents win elections, that's all that matters. Remember, Wisconsin's Republican Gov. Scott Walker triumphed in a very Democratic state in a nasty 2014 recall election largely due to support from swing voters.

Numerous polls on a nationwide scale are now showing what we saw in Wisconsin: Independents care about the Second Amendment. That's been showing for at least a year. A poll conducted by the *Washington Post* and ABC in May 2014 posed a simple question about party loyalty: Which party do you agree with more on the issue of gun control? Forty-nine percent of Independents chose the GOP, as opposed to 29 percent who sided with the Democrats.

That was a shocker, and it's going more in that direction.

A Zogby poll found the same thing. That tells us that anti-gun activists can scream all they want, but Independents remain strongly on the side of gun rights.

We live in a complicated democracy where elections do not hinge on a simple national majority vote, but on rules set by the electoral college, an old institution that almost nobody understands.

Swing states can make or break a presidential candidate. Even in that complex situation, Independents and others are changing the equation by leaning toward more gun rights, not more gun control.

**RACIAL ISSUES COME ALIVE IN THE GUN RIGHTS DEBATE**

Perhaps the most remarkable change in the shifting gun control / gun rights debate is growing among Blacks. Some are copying tactics used by the Black Panthers in the 1960s: the Black Panthers openly carried weapons and shadowed the police to make sure they were not assaulting Black men. With all the White cops killing Black men, that tactic has been revived by the Huey P. Newton Gun Club, a group of activists who have begun conducting armed patrols of Black neighborhoods in Dallas, Texas.

Russell Wilson, a bureau chief in the Dallas district attorney's office, expressed support for the group, particularly their study of gun law and careful adherence to it. The Huey Newton group received national media attention for its marches and for the donations that poured in from across the country, including some surprising sources, including Wilson, who said, "They have an absolute right to do what they do." He told reporters the gun club is, "restoring some people's confidence and saying, 'We're not going to keep getting pushed around here.'"

**GUN NEWS TICKER - QUICK TAKES ON THE NEWS**

● **Aurora, Colorado:** The family of 24-year-old Jessica Ghawi, a victim in the 2012 movie theater shooting in Aurora, Colorado, is faced with more than \$200,000 in legal costs after a federal judge ordered them to pay attorney's fees for four ammunition dealers the family attempted to sue. The bill may be an exorbitant sum at face value, but it's not that high for a case like this, said Robyn Thomas, Executive Director of the San Francisco-based Law Center to Prevent Gun Violence.

● **Chicago, Illinois:** Chicago recently had a bloody Fourth of July holiday weekend that left nine dead and 53 wounded. In 2014, the city's Independence Day weekend saw 82 people shot, with at least 15 killed. So, no one should really be surprised that everyone in the city is applying for concealed carry permits, especially in black and Hispanic neighborhoods. Additionally, there are a sizable number of women in Illinois with their concealed carry permits. Chicago's highest concentration of permits is in the city's Southeast Side - with 538 permits. According to the census, about 55 percent of the residents are black, 34 percent Hispanic and 7 percent white.

● **Springfield, Virginia:** Gun production has more than doubled over the course of the Obama administration, according to a new report from the Bureau of Alcohol, Tobacco, Firearms and Explosives. "The ATF report confirms what we already know, that Barack Obama deserves the 'Gun Salesman of the Decade' award," said Erich Pratt, spokesman for the Gun Owners of America. The ATF's annual firearms commerce report tracks the number of guns manufactured in the United States, which provides an indication of gun sales around the country. Under President Obama, gun production has spiked 140 percent to 10.8 million firearms in 2013, the most recent year for which data is available.

● **Las Vegas, Nevada:** American entrepreneur Peter Thiel, co-founder and former CEO of PayPal says if he was still running the company, legal transactions involving firearms would be permitted through its online service. PayPal's policy on transactions that involve firearms "prohibit all account holders from buying or selling any type of firearm and certain firearm parts and ammunition." Thiel appeared before the libertarian oriented Freedom Fest at Planet Hollywood. PayPal is not the only online payment processor service that restricts account holders from buying and selling firearms. The Square reader and Apple Pay also ban their account users from legal firearm transactions.

● **Alexandria, Virginia:** "As Conceal Carry Permits Climb, Murder Rates Drop," says a new report by the Crime Prevention Research Center. Since President Obama's election the number of concealed handgun permits has soared, growing from 4.6 million in 2007 to over 12.8 million this year. Between 2007 and 2014, murder rates have fallen from 5.6 to 4.2 (preliminary estimates) per 100,000. This represents a 25% drop in the murder rate at the same time that the percentage of the adult population with permits soared by 156%. Overall violent crime also fell by 25 percent over that period of time.

● **Bellevue, Washington:** The Citizens Committee for the Right to Keep and Bear Arms has declared that, for the seventh year in a row, Barack Obama is the best gun salesman in the United States. "It's a dubious honor for the president, I'm sure," CCRKBA Chairman Alan Gottlieb chuckled. "After all, Barack Obama has been advocating all forms of gun control since before he was elected back in 2008, and the only thing that he's really ever accomplished is to push gun sales higher." Gottlieb cited data that said the National Instant Check System (NICS) figure of 886,825 checks was the highest on record for the month of June since the system was inaugurated.

● **Albuquerque, New Mexico:** New Mexico has long been an open carry state, but business owners maintain the right to prohibit guns in their stores. Whataburger has banned open carry in its fast food outlets. The Rio Grande Foundation, a free market think tank, agrees that business owners should be able to make those decisions. The Foundation President Paul Gessing told *New Mexico Political Report* his group generally doesn't weigh in on Second Amendment rights, but supports both the rights of gun owners and business owners who may not allow guns in their establishment.

# Parting Shot

## THREE GUN OWNERS WHO DESERVE HERO MEDALS

The Citizens Committee for the Right to Keep and Bear Arms Lauds Texas' 'Pistol Packin' Pastor' who stopped a burglar. "I've read various published reports of the incident in Baytown, Texas, and all of them clearly note that Pastor Benny Holmes will likely not face charges," said CCRKBA Chairman Alan Gottlieb.

Holmes confronted a man identified as Lee Marvin Blue, who forced his way into the Church of New Beginnings - surveillance video captured the break-in. Unfortunately for Blue, Pastor Holmes was asleep inside, was aroused by the noise, grabbed his pistol. He reportedly found Blue carrying a box filled with electronics taken from the church, the AP noted. When the suspect made a quick gesture, Holmes shot him, then led the injured man in the sinner's prayer.

In Cincinnati, Ohio, Thomas McCary, 62, was arguing with Jeaneta Walker when her brother, Patrick Ewing, approached and McCary pulled out a .38-caliber handgun and fired three shots at him. Ewing didn't get hit, but he did get his own gun and returned fire, wounding McCary in the leg. Ewing had a permit to carry a concealed weapon.

McCary went into his house to get a second gun and fired three shots at Walker, her 1-year-old son and a third man. Ewing fired more shots to distract McCary as the others fled indoors. McCary was taken to the University of Cincinnati Medical Center, where he was arrested and booked into the Hamilton County Jail where he is being held without bond on four counts of felonious assault.

Deishun Byrd-McWay tried to break into Milwaukee's Bouchard Shoe and Accessory store by ramming a van into a pair of concrete security posts. Video shows three men jumping out and trying to squeeze through a gate opening. Bouchard's owner Rami Murrar said "It was a lot of guys out there. If they got through that door, I would've been dead, so I reached for my semi-automatic rifle." Murrar fired five shots toward the entrance of the store, hitting Byrd-McWay multiple times but not fatally. Authorities said Murrar will not be charged in the shooting.

Byrd-McWay was apparently taken by his friends in a getaway car to a nearby hospital, where he refused to cooperate with police. Byrd-McWay is charged with felony burglary and criminal damage to property. He pleaded not guilty to both charges. Two of the men involved in this latest smash-and-grab robbed a Bouchard's outlet last fall. Rami Murrar guards his business 24/7 with his trusty semi-automatic rifle.

*Alan M. Gottlieb*

*Joseph D. Tartaro*

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