

The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 242

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Dear Subscriber,

President **BARACK OBAMA** is continuing to push the United Nation's Arms Trade Treaty (ATT), which went into force in December. A new alarm about the treaty began circulating last month, with a report that, "In a meeting of non-governmental organizations and U.N. officials, **OBAMA's Assistant Secretary of State** declared that the White House is 'already implementing the treaty' without Senate ratification!"

However, that alarming declaration actually happened nearly a year ago, on April 23, 2014, when **THOMAS M. COUNTRYMAN**, Assistant Secretary of State, Bureau of International Security and Nonproliferation, stated explicitly that "we're already implementing the treaty" in a speech open to the public titled "Africa and the Arms Trade Treaty" at the Center for Strategic and International Studies in Washington, D.C. That's old news.

**AT THE
FEDERAL
LEVEL**

While the Senate will not ratify the ATT, the real concern is how much **OBAMA** will circumvent Congress. The new Republican-controlled Senate is well aware of the severe threat the ATT poses to American gun rights and is ready to use all its power to protect the Constitution.

The Second Amendment Foundation has long been at the forefront of ATT opposition in United Nations negotiations and urges all Americans to defend their Second Amendment rights against **OBAMA** and his United Nations friends.

The Drug Enforcement Administration's Chief has announced that the agency has abandoned an internal proposal to use surveillance cameras for photographing vehicle license plates near gun shows in the United States to investigate gun-trafficking.

DEA Administrator **MICHELLE LEONHART** said in a statement that the proposal memorialized in an employee's email was *only a suggestion*, never authorized by her Agency and never put into action. Also, the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives did not authorize or approve the license plate surveillance plan.

Automated license plate scanners take pictures of every vehicle that passes their field of view and record the information in a database that can be used to track a vehicle's movements over time.

U.S. Rep. **BLAINE LUETKEMEYER** (R-Mo.) has met with Federal Deposit Insurance Corporation Chairman **MARTIN GRUENBERG** and Vice Chairman **TOM HOENIG** to stop the Agency's involvement in Operation Choke Point.

The Congressman said in a statement, "After a year of mounting pressure from Congress and outside organizations like the Second Amendment Foundation, top officials from the Federal Deposit Insurance Corporation finally acknowledged their involvement and wrongdoing in Operation Choke Point," said **LUETKEMEYER**.

"While I am very pleased the FDIC will put in place new polices and change the culture at the agency, there is still work to be done, specifically with the Department of Justice.

"My legislation, the Financial Institution Customer Protection Act of 2014, was drafted to end Operation Choke Point once and for all."

The bill is planned for reintroduction in the current congressional session. If placed before the Republican-controlled 114th Congress, the bill to kill Operation Choke Point's threat to the Second Amendment will easily pass.

Also in this issue: ● Brooklyn gun case dismissed ● Texas legislature thinking of campus carry ● Blooming Idiot Watch ● iOld Motto Still Stands: Fight Crime, Shoot Back, in our Page 8 Parting Shot.

SUPREME COURT URGED TO HEAR SAN FRANCISCO GUN CONTROL CASE

The Second Amendment Foundation and 12 other State and National Civil Rights Organizations, along with the Attorneys General from 26 states, filed a brief in the United States Supreme Court in January for a lawsuit challenging a San Francisco gun control ordinance.

According to the plaintiffs' petition for review, the City's law "requires all residents who keep handguns in their homes for self-defense to stow them away in a lock box or disable them with a trigger lock whenever they are not physically carrying them on their persons."

In the amicus ("friend of the court") brief, the gun-rights groups argue that summary reversal of the Ninth Circuit Court of Appeals' decision "is warranted because [it] is plainly contrary to Heller," a landmark 2008 ruling that held the Second Amendment protects an individual—rather than a collective—right to keep and bear arms. But the groups also argue that the Supreme Court should hear the case in order to "clarify the standard governing Second Amendment challenges, and to confirm that courts must be guided by text and history rather than judicial interest balancing."

While some Second Amendment lawsuits have been decided by text and history, many lower courts have since applied weaker standards that lets most gun control laws stand.

**IN THE
COURTS**

APPEALS COURT TO HEAR ARGUMENTS ON MARYLAND GUN-CONTROL LAW

In court papers, gun-rights advocates say the law violates the Second Amendment and that a federal judge in Baltimore erred when she upheld the law last summer. Brian Frosh, Maryland's newly sworn-in attorney general and chief sponsor of the law while a state senator, said that the law passes constitutional muster to protect public safety.

In their filing, however, gun-rights advocates say banning assault weapons and large magazines must be the "least restrictive means" to maintain public safety - a test they say the law cannot pass. They argue that the state produced no evidence that the banned assault weapons and higher-capacity magazines presented a public safety threat before the law's enactment.

The existing background check process for the now-prohibited firearms "ensured that the individuals who purchased those firearms were law-abiding, responsible citizens," the attorneys wrote in their brief. "This system was effective in preventing the now-prohibited firearms from being used in crime, insofar as every law enforcement officer and expert acknowledged that these firearms are rarely, if ever, used in crime in Maryland."

NEW JERSEY PERMIT APPLICANT WINS APPEAL AGAINST POLICE CHIEF

In New Jersey local police chiefs are the primary decision makers in granting individuals Firearms Owners ID Cards, Pistol Purchase Permits and Concealed Carry Licenses and have been taken to court for mismanaging the job. The New Jersey Appellate Division issued a decision finding that the Neptune Township Police and Monmouth County Superior Court erred because the Chief failed to discuss a permit matter with Mr. Pajman Rohani, an applicant, before his denial and then failed to appear at the hearing to answer for his denial.

The appeal informs police chiefs that failing to perform their duties when it comes to firearm permit applications - and Courts failing to recognize that responsibility - will likely result in a reversal on appeal.

The Appellate Court found, "The Chief's non-appearance should be the exception, which would need to be supported by good cause shown."

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JURY FINDS OPEN-CARRY ADVOCATE NOT GUILTY AFTER ARREST BY DETROIT POLICE

After Detroit Police arrested 24-year-old Elijah Woody in September, officials said they had an open-and-shut case.

They claimed to have dash-cam footage that proved conclusively that Woody, who admits to regularly openly and legally carrying firearms, illegally had a handgun concealed in his waistband beneath a puffy coat on Sept. 13.

That evidence apparently wasn't quite as conclusive in the eyes of a jury who found Woody not guilty of the felony carrying a concealed weapon charge Friday.

Woody's case came to public attention because he is part of an open-carry advocacy group calling itself the Hell's Saints.

It's an activist organization that strolls through cities across the state -- increasingly in Detroit -- displaying weaponry, often with rifles slung over their shoulders. The goal is igniting educational conversations about gun rights with police and citizens, who members say often don't know that it's legal -- and required if you don't have a concealed carry permit -- to openly carry guns in public. Hell's Saints came to Woody's aid and took to social media criticizing the Detroit Police Department shortly after Woody's arrest.

IN THE COURTS

They alleged racial motivations, which the department staunchly denied, and claimed Woody was the victim of police stop-and-frisk practices.

JUDGE DISMISSES BROOKLYN GUN CASE AS POLICE ARE INVESTIGATED

A Brooklyn man who claimed the police manufactured gun-possession charges against him had his case dismissed, amid two investigations into the practices of a group of police officers in the 67th Precinct in East Flatbush. The man, Jeffrey Herring, had maintained his innocence ever since his arrest on June 4, 2013, asserting that officers had planted the gun on him and fabricated the circumstances of his arrest.

The officers claimed that they got a tip from a confidential informer that Mr. Herring had a gun. Prosecutors had been instructed to bring the informer to court on Thursday; the Defense had challenged whether that informer even existed. At the hearing, Prosecutors offered no evidence or mention of that informer.

"Based upon information provided to us by Defense Counsel" and on the office's own investigation, said Paul Burns, an Assistant District Attorney, "we do not believe at this time that we can prove beyond a reasonable doubt the charges against Mr. Herring."

Justice Dineen Riviezzo of State Supreme Court dismissed and sealed the case, saying she was "glad to hear there's an ongoing investigation."

The Brooklyn district attorney, Kenneth P. Thompson, said, "We will investigate the arrest of Mr. Herring and other arrests by these officers because of the serious questions raised by this case."

POLICE JUSTIFIED IN WRESTLING GUN FROM OWNER, JURY DECIDES

A Milwaukee police officer acted reasonably when he wrestled an unloaded, encased handgun from its legal owner, a federal jury decided Tuesday, rejecting the owner's claim that she had been subjected to excessive force in violation of her civil rights.

The scuffle occurred when Krysta Sutterfield came to the police property control office in July 2011 to retrieve her 9mm Glock and ammunition pursuant to a court order. Police had seized the gun and ammunition when they forced their way into her home without a warrant four months earlier.

After getting the gun back, she questioned having to return another day for the ammunition. While standing at the customer service window, she called another officer to question the policy, and ignored Officer David Ziebell's demands that she put the case containing the gun back on the counter, prompting him to dash out into the lobby and force it from her. Within three minutes, she had agreed to sign a receipt for the gun, got the weapon back again and left. Jurors saw security video, from both sides of the customer window, of the entire encounter. They deliberated less than an hour before reaching a verdict.

ARIZONA BILL WOULD RESTRICT GUN SALES TO LICENSED DEALERS

Arizona Democrats have sponsored a bill that would ban the sale or transfer of a firearm unless the buyer or seller is a licensed dealer. The proposed legislation would allow a licensed firearms dealer to facilitate the sale of a gun between two private citizens if the dealer conducts a background check on both the buyer and the seller. One Phoenix-area gun owner said, "The problem is (legislators) feel that they need to do something and, in the rush to do something, they end up hurting the law-abiding citizen when criminals, by definition, don't follow laws."

GUN RIGHTS GROUPS NOT SATISFIED BY DISTRICT OF COLUMBIA ISSUING CARRY PERMITS

Though the Metropolitan Police Department has approved a handful of applicants to carry firearms in the City, Gun Rights Organizations continue to argue that the permitting process is too restrictive. The groups slammed the District of Columbia's actions as defying a federal judge's order as well as the Constitution. "Eight whole permits!" Virginia Citizens Defense League (VCDL) president Philip Van Cleave said. "Hopefully the courts will force D.C. to follow the Constitution, as opposed to acting like a third world dictatorship."

IN THE STATES

FLORIDA BILL ALLOWING GUNS ON COLLEGE CAMPUSES CLEARS COMMITTEE

In the wake of a November shooting at Florida State University, a bill that would allow guns on college campuses in Florida cleared its first legislative committee. The House Criminal Justice subcommittee approved the bill (HB 4005) by an 8-4 party-line vote. It would repeal the current prohibition on concealed-weapon license holders from bringing a firearm onto the grounds of a public college or university. The bill will next be considered by the House's Higher Education & Workforce subcommittee. A companion measure is in the Senate.

IOWA SENATOR SPONSORS 'STAND YOUR GROUND' BILL

Iowa State Senator Rick Bertrand, R-Sioux City, is starting off the 2015 Iowa Legislative Session with a Stand Your Ground bill, saying, "We want a uniform standard across the State where Iowans know that they can stand their ground and meet force with force to defend themselves and their loved ones from violent criminal attackers." Stand Your Ground legislation was proposed in the Iowa House in 2012 but stalled in the Senate. Bertrand hopes for a better chance of passing.

KANSAS SENATE SET TO PASS NEW GUN LAW

The Kansas Senate is poised to pass a bill that would allow any Kansan who can legally own a gun to carry it concealed in public. Senators introduced the so-called constitutional carry bill with 26 co-sponsors, five more than the number of votes needed to pass the bill through the chamber and send it to the House.

MICHIGAN MEASURE THAT WOULD HAVE LET CERTAIN PEOPLE CARRY CONCEALED GUNS VETOED

Michigan Gov. Rick Snyder vetoed legislation that would have let some people subject to personal protection orders obtain a concealed pistol license. In a veto letter to the Republican-led Legislature, Snyder said the bills "may increase the risks faced by victims of domestic abuse."

GUN GROUPS FIGHT TAX ON MISSOURI GUNS TO PAY FOR POLICE BODY CAMERAS

Missouri State Rep. Brandon Ellington (D) introduced bills that would pay for body cameras for police officers through a tax increase on firearm and ammunition sales, but the National Shooting Sports Foundation and other gun rights advocates objected to the bills. The bills are not expected to pass.

BILL AIMS TO BRING AMMUNITION MANUFACTURING TO MONTANA

Making ammunition is an expensive and difficult process, and now a bill before the Montana Senate seeks to bring ammo manufacturing to Montana. Senator Matt Rosendale (R) of Glendive has sponsored a bill that would provide tax breaks for potential makers of ammunition. He called it a jobs bill and a Second Amendment issue.

BILL PROPOSES PRO-WOMEN'S RIGHTS GUN LEGISLATION IN NEW HAMPSHIRE

Senate Bill 116, "An ACT repealing the license requirement for carrying a concealed pistol or revolver," would allow carry of a concealed firearm without the impediment of obtaining a license. Women will be able to practice their fundamental right to self-defense freely. Gun control advocates seek to make it more difficult for women to protect themselves. Female gun ownership has increased exponentially over the past several years. Women are no longer relying on others to protect themselves.

NORTH DAKOTA LAWMAKERS LOOK AT EXPANDING GUN RIGHTS

North Dakota Lawmakers are considering a bill to expand gun rights in two parts: One section would allow concealed weapons in more public places, including churches, political rallies and parks, another would allow them in liquor establishments. Supporters of the bill argue it can be difficult for people with concealed weapons permits to keep track of where they can take them.

GUN CONTROL GROUP TURNS TO OREGON IN PUSH TO EXPAND BACKGROUND CHECK

With a victory in Washington State, a gun control group backed by the billionaire Michael Bloomberg is hoping to make Oregon its next prize in a campaign to require gun sales to go through universal background checks. Everytown for Gun Safety backed a voter-approved initiative in Washington last year to expand background checks tougher than the federal standard that apply only to licensed gun dealers.

PENNSYLVANIA LAWMAKER SEEKS TO BAN HUMAN-SHAPED SHOOTING TARGETS

IN THE STATES

Democratic state representative Thaddeus Kirkland is seeking to ban human-shaped silhouette targets from all civilian shooting ranges in the state because he thinks they encourage violence against actual humans. But Alex Cameron, general manager of Kinsey's Outdoors in Pennsylvania, said people often come to his range to learn self-defense and want these kind of targets. "We sell them because our customers have told us they want them, and we will happily continue to do so."

SOUTH CAROLINA SCHOOLS MOVE TOWARD PRO-GUN CURRICULUM

Rep. Alan Clemmons, a Myrtle Beach Republican, wants students to celebrate gun rights in schools, so he introduced the "Second Amendment Education Act," which designates Dec. 15 as "Second Amendment Awareness Day" and requires instruction on the right to bear arms for at least three consecutive weeks in the school year. One of the stipulations in Mr. Clemmons' bill requires schools to conduct essay contests with Second Amendment themes and provide recognition for statewide contest winners.

TEXAS CAMPUS CARRY BILLS FILED IN LEGISLATURE

Lawmakers in the Texas Senate filed a bill to let people carry handguns on university campuses. The bill, Senate Bill 11, has 19 of 20 Republicans in the Senate listed as authors. "No one should be forced to surrender their constitutional right to self-defense just because they set foot on a college campus," one of the authors, state Sen. Charles Schwertner, R-Georgetown, said in a release.

VERMONT GUN CONTROL GROUP PUSHES UNIVERSAL BACKGROUND CHECKS

Supporters of tighter gun regulations turned out in droves at the Statehouse to push for criminal background checks on all firearm sales. In Vermont, licensed gun dealers are required to check whether someone is able to purchase a firearm using a federal database before all sales, but private sales at gun shows or online are not subject to those rules.

VIRGINIA SENATE PANEL SHOTS DOWN GUN CONTROL BILLS

A Virginia Senate Panel killed several gun control initiatives pushed by Democratic Gov. Terry McAuliffe, including bills to require universal background checks on gun show sales and reinstatement of the state's ban on purchasing more than one handgun per month. "I am disappointed to see these common-sense measures to keep Virginians safe fall to special interest politics," Mr. McAuliffe said.

NO OPENLY CARRIED WEAPONS IN WASHINGTON STATE CAPITOL'S PUBLIC GALLERY

The Washington State House has joined the Senate in prohibiting people from openly carrying firearms in the public viewing area of the Capitol Building over the floor where lawmakers sit. The House gallery rules will now include a line prohibiting "open-carried weapons such as guns, firearms, and blades." House Majority Leader Pat Sullivan, D-Covington, said "This isn't a question of Second Amendment rights. You can't bring a sign into the gallery, either. There are limits."

WYOMING'S REPEAL GUN FREE ZONES ACT PASSED OUT OF COMMITTEE

HB-114, the repeal gun free zones, passed out of Judiciary Committee 8-1 without any amendments. Testimony based on anti-gun feelings were kicked off by liberal-progressive Jillian Balow, the Superintendent of Public Instruction. Wyoming Gun Owners, a nonprofit, nonpartisan, single-purpose citizens' organization dedicated to preserving and protecting the Right to Keep and Bear Arms, supported the bill.

BLOOMBERG'S EVERYTOWN EATS CROW BUT APOLOGY IS NOT ENOUGH

Michael Bloomberg's Everytown for Gun Safety lobbying group has had to retract claims it made about some gun dealers in Vermont should have the nation questioning everything else the group has said, including claims made to influence a Washington initiative campaign last year and a current effort in Nevada, the Citizens Committee for the Right to Keep and Bear Arms says.

News sources are reporting that an Everytown "report" about online firearms sales "wrongly identified" four dozen advertisements that allegedly were placed by unlicensed dealers "leading potential buyers to bypass background checks."

At least one misidentified Vermont dealer – Bobby Richards, owner and operator of CrossFire Arms in Mount Holly – is threatening a lawsuit, *The Blaze* reported.

Mr. Richards, who advertises firearms sales at the online venue Armslist, said he requires every potential buyer to fill out a Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473 and undergo a screening by the FBI National Instant Criminal Background Check System.

Everytown for Gun Safety, meanwhile, has issued an apology for the error.

"A previous version of this report incorrectly stated that we identified 1,106 ads posted by unlicensed Vermont sellers offering firearms for sale. We inadvertently included 48 ads posted by licensed dealers in Vermont in this total. This version of the report reflects data based on the updated total of 1,058 gun ads posted by unlicensed sellers," the group said in a statement.

"This is not the first time a Bloomberg-funded gun control lobbying group has played fast and loose with facts," said CCRKBA Chairman Alan Gottlieb. "Everytown and Moms Demand Action have been challenged for falsely inflating the number of school shootings since Sandy Hook, and who can forget the gun control bus tour funded by Bloomberg that included the names of criminals and a suspected terrorist as victims of gun violence?"

**BLOOMING
IDIOT
WATCH**

BLOOMBERG GUN CONTROL GROUP SPONSORS 'JOURNALISM' COURSE ON GUN VIOLENCE

On April 17 and 18 Bloomberg-funded Everytown for Gun Safety will help fund a two day workshop to "enhance the practical ability of journalists to report on guns and gun violence knowledgeably, ethically, and effectively," wrote AWR Hawkins on the Breitbart blog.

The crash-course on "gun violence" is being held under the auspices of Columbia Journalism School's Dart Center for Journalism and Trauma (Dart), wrote Hawkins.

According to Dart, "the workshop will cover such topics as State and Federal gun laws; patterns of gun sales and gun trafficking; national trends and polling; education and prevention initiatives; social, economic, and public health impacts; and special populations (e.g., children and youth, women and returning veterans)."

One of Dart's goals is to "provide practical tools to enable journalists to successfully produce meaningful stories on guns and gun violence."

New York Daily News columnist S.E. Cupp wrote, "On what planet is it ethical to allow controversial activists – ones with a partisan point of view – to fund an educational forum meant to teach journalists "facts" about guns and gun violence? Columbia University, what on earth are you thinking?"

Everytown is a group that purports to respect the Second Amendment, but actively works against it by endorsing political candidates who want gun bans and pressuring retailers to force law-abiding, licensed gun owners to check their rights at the door.

Among other questionable interpretations of the facts, Everytown has repeatedly inflated gun statistics, counting accidental weapons discharges, failed suicide attempts, and non-school-related incidents as "school shootings."

Allowing Everytown to fund a course on gun education is like allowing Planned Parenthood to fund a course on abortion rights. No one should trust its capacity to objectively present all sides.

Cupp wrote, "Shame on Columbia.

"The only journalists who should attend this workshop are those who want to expose its dishonesty."

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Jacksonville, Florida:** A Florida woman who says she fired a warning shot at her abusive husband was released from a Jacksonville jail on Tuesday under a plea deal that capped her sentence to the three years she had already served. Marissa Alexander, 34, was initially sentenced to 20 years in prison in 2012 but her conviction was later overturned. She faced another trial on charges that could have put her behind bars for 60 years before she agreed to a plea deal in November. Her case helped to inspire a new state law permitting warning shots in some circumstances. Leaving the courthouse, Alexander cried as she thanked her supporters, sharing plans to continue her education in order to work as a paralegal.

● **Hartford, Connecticut:** The Connecticut General Assembly is holding a public hearing in the Judiciary Committee to confirm Superior Court judges. Up for consideration is a vocal opponent of Second Amendment rights, former state Representative Auden Grogins. As a State Representative, Auden Grogins co-sponsored Senate Bill 1160, the egregious, rights-infringing legislation which bans commonly owned semi-automatic firearms, requires registration of gun owners, and limits magazine capacity. She has consistently supported anti-gun legislation during her years in office and for introducing and/or co-sponsoring more than eight anti-gun bills. Gun rights advocates are strongly opposing her confirmation.

● **Dublin, Ireland:** Gun owners are preparing to fight proposed changes to the law despite Garda (police) warnings of a mass shooting without tighter control on firearms. The 120,000-strong lobby have promised a "firestorm" of resistance to any clampdown and have accused Garda management of "vindictiveness" in trying to limit the number and types of guns in circulation. A review of firearms licensing is under way, with separate public consultations begun by the Department of Justice and the Oireachtas (Irish national legislature) justice committee. The former has already bowed to pressure from the gun lobby to extend the deadline for submissions by six weeks, although 80 replies were already received by the original deadline.

● **Washington, D.C.:** In a nearly forgotten controversy David Gregory, then host of NBC's "Meet the Press," appeared on TV waving a 30-round ammunition magazine from the network's District of Columbia studio, saying it might be a good idea to ban the high-capacity magazines. That violated a District gun control law, but Gregory was never arrested or charged with the crime, which carries up to one year in jail and a fine of up to \$1,000, but an affidavit released Friday shows that's exactly what local police recommended. However, in January 2013 the District's attorney general, Irvin Nathan, decided not to bring charges against Gregory. William Jacobson, who obtained the secret affidavit in a lawsuit, said "The non-prosecution of David Gregory was a testament to the double standard for justice in the District of Columbia, one for the rich and powerful, another for the rest of us."

● **Pineville, North Carolina:** PARA USA, which provided weapons for the Liam Neeson action sequel Taken 3, has criticised the Irish actor for pro-gun control comments he made in the wake of the Charlie Hebdo attacks. Neeson launched a tirade against the proliferation of firearms in the US in an interview, while denying that Hollywood contributes to the problem. Now PARA USA says it is severing all ties with the Ballymena-born star and urged all other manufacturers to do the same. "PARA USA regrets its decision to provide firearms for use in the film Taken 3," said the company in a statement in its Facebook page seen by Americans all over the United States and around the world. "While the film itself is entertaining, comments made by its Irish-born star during press junkets reflect a cultural and factual ignorance that undermines support of the Second Amendment and American liberties. We will no longer provide firearms for use in films starring Liam Neeson and ask that our friends and partners in Hollywood refrain from associating our brand and products with his projects. Further, we encourage our partners and friends in the firearms industry to do the same."

Parting Shot

OLD MOTTO STILL STANDS: FIGHT CRIME, SHOOT BACK

A Papa John's Pizza employee was making a delivery in Decatur, Georgia when a man approached her vehicle, forcing her onto the ground at gunpoint, according to the DeKalb County Police Department. The woman, who had a gun in her pocket, was able to fire at the man while on the ground, hitting the thug, identified as 24-year-old Donquaz Stevenson, in the face.

Stevenson was later found in a neighbor's yard, arrested, and was charged with armed robbery and was being treated for a gunshot wound at Grady Memorial Hospital in Atlanta. Police said the pizza delivery might have been a setup. A second suspect carjacked the delivery woman's silver 2000 Honda Accord and remains on the run.

Nineteen-year-old James Clickard broke into the Southgate (Detroit), Michigan home of a neighbor, a 74-year-old homeowner identified only as "Larry," just before 5 a.m. in the 15000 block of Flanders Street, just south of Eureka Road.

Southgate Director of Public Safety Thomas Coombs said the 74-year-old homeowner got his gun when he heard Clickard, who was also armed, break in.

"As he walked through the home, the home invader confronted him with the gun. He shot the home invader and the home invader died here on the scene," Coombs said.

Neighbors know the 74-year-old man and say he legally carries a gun and they know he would defend his home.

Clickard's uncle, Edward Clickard, said his family has been desperately trying to help James through depression and a drug addiction which intensified after the teen's father committed suicide this past fall.

Edward said James was likely after prescription drugs, and warned all youths:

"Nobody wants to see you guys in jail or worse for something stupid. It could have gone a totally different way," said Edward, underlining the problem of keeping guns from the mentally disturbed while protecting the rights of valid gun owners.

Two surveyors were doing a land survey in the area of Northwest 45th Avenue and Northwest 8th Street in Lantation, Florida, when they were approached by the suspect, who pulled out a gun and demanded money.

Fabian Rosario, an employee of Broward engineering firm Keith and Associates, said he didn't have any money and the suspect demanded his cellphone and told him to get on the ground. Rosario complied but while he was on the ground he took out his own gun and shot the would-be robber, officials said.

The robber was taken to Broward General Medical center with non-life threatening injuries. Police are investigating but have no plans to charge Rosario.

Alan M. Gottlieb

Joseph D. Tartaro

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