

The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

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Dear Subscriber,

Democrat Rep. **CAROLYN MALONEY** and several gun control advocates gathered on the New York City Hall steps recently and called on **PRESIDENT OBAMA** to include the whole \$10 million set to fund research on the causes and prevention of gun violence in the 2015 budget.

In the president's 2014 budget, he had included the \$10 million for research conducted by the Centers for Disease Control, but the full funding was not included in the short-term funding bill passed in January.

MALONEY and Sen. **EDWARD MARKEY**, (D-Mass.), sent a letter to the president saying they were disappointed at the shortfall.

The research, **MALONEY** said, could tackle the psychological causes, as well as examine the best safety measures for gun owners.

This is another gun control project seeking justifications to disarm gun owners, which became evident when **MARKEY** used the funding news conference to announce a gun control bill he says will help reduce "firearm violence" by requiring all new guns to be personalized so they can be fired only by their owners or other authorized users.

He said technology exists to make "smart guns" inoperable for unauthorized users, but the Gun Owners Action League of Massachusetts replied that the technology championed by **MARKEY** is flawed and smart guns only work correctly in the movies.

The group added in a written statement, "No technology should stand between a lawful gun owner using his/her firearm. We also find it more than disingenuous that a senator with very little knowledge of firearms, who has worked to stifle the Second Amendment, would offer mandated technology that gun owners have not asked for, nor supported."

PRESIDENT OBAMA has nominated a rabidly anti-gun doctor to be the next U.S. surgeon general. Dr. **VIVEK MURTHY** is facing Senate approval. Dr. **MURTHY** is the 36-year-old president and co-founder of Doctors for America, a group that advocates for Obamacare and gun control laws.

The group calls "gun violence" a public health crisis, and pushes for Congress to ban "assault weapons," "high-capacity magazines" and calls for spending tax dollars for more gun-control research.

This all ties together to show how desperate **PRESIDENT OBAMA** is to kill gun rights.

On the more positive side, a Senate committee has unanimously passed a measure to allow people to carry guns on postal service property, but killed a broader push to let gun owners carry their firearms into actual post office buildings.

The measure, added by Sen. **MARK BEGICH**, Alaska Democrat, to a broader Postal Reform bill, is meant to head off situations where a person could be charged with a crime if they run into the post office after hunting or shooting, for example, and leave their gun in the parking lot.

Senator Mike Enzi, R-Wyo., said the bill would help protect rural post offices and keep Second Amendment rights. He also introduced an amendment that passed, allowing citizens to present better ideas to the Postal Service.

Also in this issue: ● SAF asks Supreme Court to hear key gun case ● Iowa may get gun rights in state Constitution ● 50 mayors leave Bloomberg's Mayors Against Illegal Guns group ● Self defense is best in our Page 8 Parting Shot.

**AT THE
FEDERAL
LEVEL**

THE RIGHT TO GUN USE OUTSIDE THE HOME: SAF ASKS SUPREME COURT TO DECIDE

Many hopes are pinned on "the Drake case," which is fast shaping up to become the next test in the courts on how the 2nd Amendment is interpreted.

It is properly known as *Drake v. Jerejian* and is backed by the Second Amendment Foundation and the Association of New Jersey Rifle & Pistol Clubs.

John Drake, a New Jersey man, was denied a permit by the state to carry a concealed handgun, even though he owns an ATM business, often carries large amounts of cash and applied for the permit for self-defense. After being denied under New Jersey's strict "may-issue" doctrine, Drake filed a lawsuit citing violations of his civil rights. He lost on appeal to the 3rd U.S. Circuit Court of Appeals. SAF then placed a petition on the docket for the U.S. Supreme Court to hear the case, with attorney Alan Gura of *Heller* and *McDonald* fame on the case.

However, the 9th U.S. Circuit Court of Appeals recently ruled the opposite way, tossing out California's strict "may-issue" law in the Edward Peruta case.

So now our federal appeals courts are divided on whether the use of a gun outside the home for self-defense is protected by the Second Amendment, setting the stage for the Supreme Court to make a decision on the matter. And Drake may be that opportunity.

"The right to self-defense is sacrosanct," said SAF founder and Executive Vice President Alan Gottlieb, "yet it has been disparaged and denied to all but an elite few in states like New Jersey.

"Individuals and families should not be deprived of the right to defend themselves and we intend to change that," said Gottlieb.

The Drake case has gathered amicus briefs - "friend of the court" briefs - by numerous organizations, including the NRA, Gun Owners of America, the Judicial Education Project and the Cato Institute. They were joined by 34 members of Congress and no fewer than 19 State Attorney Generals with letters or briefs to the Supreme Court. SAF expressed its gratitude.

**IN THE
COURTS**

SUPREME COURT DECLINES CHALLENGES TO GUN LAWS

The Supreme Court has refused to hear three cases, leaving intact court rulings rejecting challenges to federal and state laws that had been brought by gun rights advocates. Left standing were a Texas law that prevents 18-20 year olds from carrying handguns in public; several federal laws and regulations that make it illegal for firearms dealers to sell guns or ammunition to anyone under 21; and the narrow question of whether consumers have the legal right to challenge laws that regulate the sale of firearms. The decision not to hear these cases is a loss for gun rights advocates.

FEDERAL APPEALS COURT STRIKES DOWN 'GOOD CAUSE' CARRY REQUIREMENT

In a major victory for gun rights advocates, the 9th U.S. Circuit Court of Appeals rejected a San Diego County law that requires applicants for concealed-carry permits to demonstrate "good cause" as to why they need a gun for personal safety. A three-judge panel overturned a district court's ruling in favor of the county after plaintiff Edward Peruta appealed.

CALIFORNIA APPEALS FOR A REVERSAL OF THE NINTH CIRCUIT CARRY DECISION

California Attorney General Kamala D. Harris could not tolerate the pro-gun victory of the Peruta case, and immediately filed a petition in the Ninth Circuit Court of Appeals, on behalf of the State of California, urging the court to review and reverse its decision in *Peruta v. County of San Diego*. She said, "Local law enforcement must be able to use their discretion to determine who can carry a concealed weapon," Attorney General Harris said. "I am calling on the court to review and reverse its decision."

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9TH CIRCUIT AGREES WITH 7TH CIRCUIT ON CARRY IN PUBLIC - BUT IT'S COMPLICATED

As a U.S. Supreme Court decision looms on whether to hear the Drake case, the San Francisco-based 9th U.S. Circuit Court of Appeals ruled 2-1 to reverse San Diego County's "may-issue" rule. That agrees with an earlier 2-1 opinion by the Chicago-based 7th U.S. Circuit Court of Appeals. The 9th Circuit's split decision was immediately appealed for reversal by the California Attorney General.

But the 7th and 9th Circuits' rulings conflict with decisions in the 2nd, 3rd and 4th Circuits. So this is not a slam-dunk issue and complicates the Supreme Court's acceptance or rejection of the Drake case. Stay tuned.

CONNECTICUT GUN LAW CHALLENGE GOES TO APPEAL

The Connecticut Citizens Defense League and other litigants challenged the constitutionality of Connecticut's recent gun control legislation in the case *Shew v Malloy* and lost in U.S. district court. The next day the plaintiff-firearms owners and organizations filed a notice of appeal.

Judge Alfred V. Covello held that the new law is constitutional - he is bound to follow recent rulings of the U.S. Second Circuit Court of Appeals in New York - using the argument, "While the act burdens the plaintiffs' Second Amendment rights, it is substantially related to the important governmental interest of public safety and crime control."

FLORIDA COLLEGE CHANGES GUN POLICY AFTER LAWSUIT

Eastern Florida State College leaders changed a college policy and will now allow individuals to store a gun in their vehicles on campus. This is less than a week after Florida Carry Inc. filed a lawsuit seeking the policy change. It appears that the change will precede a settlement. Florida Carry reviewed a draft of the policy and suggested tweaks before coming to an agreement, said Sean Caranna, executive director of the gun-rights group. "It looks like we've got a policy now that is in compliance," he said. "Hopefully, we'll be able to settle all remaining issues and not have to move forward with the case."

IN THE COURTS

SAN FRANCISCO WINS SUIT OVER 10-BULLET MAGAZINE LIMIT

A federal judge rejected a lawsuit to overturn a San Francisco ordinance that limits to 10 bullets the size of an ammunition magazine possessed in the city. U.S. District Judge William Alsup rejected arguments that the U.S. Supreme Court *Heller* decision recognizing home gun possession as a constitutional right also covered high-capacity magazines. The plaintiffs were seeking a preliminary injunction to block the ordinance, but Alsup ruled it "did not 'destroy' the right to self-defense; it merely 'burdens it.'"

CALIFORNIA DROPS 28 HANDGUNS FROM ROSTER WHEN GUNMAKERS JOIN SUIT

California's "handgun roster" is a list of allowed firearms. Those not on the list are forbidden. The California Department of Justice has removed 28 handgun models since January 28, 2014. The Second Amendment Foundation and Calguns Foundation have filed a lawsuit to overturn the "handgun roster" scheme. In a major development, firearm manufacturers Smith & Wesson and Sturm, Ruger & Co. have joined handgun maker Glock, Inc., in support of the SAF lawsuit. "SAF will be eternally grateful for the timely support from all three companies, which we believe strongly reinforces our case," said SAF founder and Executive Vice President Alan M. Gottlieb.

JUDGE DENIES PROTECTIVE ORDER AGAINST UTAH GUN LOBBYIST

Clark Aposhian, Utah's foremost gun advocate, and his ex-wife had a contentious divorce full of conflict, emotional distress and pain. Aposhian's ex-wife, Natalie Meyer, requested a protective order, but Third District Judge Andrew Stone denied it, ruling the woman has no reason to fear the gun lobbyist.

At times, he may have been annoying and intimidating but, a judge ruled last week, he wasn't dangerous. It's a long-awaited victory for Aposhian, who has been embroiled in several legal disputes stemming from a Memorial Day incident in which he was accused of driving a 2.5-ton military vehicle onto his ex-wife's driveway and threatening to run over her new husband and his car. Stone's ruling states there was no abuse or criminal trespassing on the Meyers' property.

ARIZONA SENATE PANEL PASSES FEDERAL GUN LAW NULLIFICATION BILL

The Arizona Senate Judiciary Committee passed SB 1294, the Second Amendment Preservation Act on a vote of 6 to 3. The bill would not only nullify overreaching federal gun laws within the state of Arizona but would also prevent agents of the state from participating in their enforcement. The bill does not provide for state interference with federal officers, but refuses compliance.

COLORADO DEMOCRATS BLOCK CONCEALED CARRY BILL

The Colorado House Judiciary Committee has voted 7-4 on a Democrat party-line vote to reject a bill from Republican Rep. Jared Wright, that would have removed the requirement to obtain a permit in order to carry concealed handguns. Colorado Democrats continue to hold the line against Republican attempts to improve gun rights in Colorado.

FLORIDA BILL TO STOP HIGHER INSURANCE RATES FOR GUN OWNERS

HB255, a bill introduced into the Florida House of Representatives, would penalize property and auto insurance companies who refuse coverage or charge higher rates because an individual legally owns a gun. Sponsored by Republican Rep. Matt Gaetz, the measure would allow individuals to directly sue insurance companies for discrimination.

IN THE STATES

GEORGIA GUN BILL EXPANDS CARRY RIGHTS

Georgia's House Public Safety and Homeland Security Committee voted in favor of House Bill 875, which would expand gun carry areas to bars, churches, and some government buildings. Additionally, police would be prohibited from arresting college students who are licensed to own a gun and caught carrying on campus. A violation would be treated as a simple misdemeanor and result in a \$100 fine.

IDAHO MOVES COLLEGE CAMPUS CARRY BILL

The Idaho Senate State Affairs Committee has voted 7-2 to pass Senate Bill 1254, which would allow possession of firearms under certain circumstances on state college and university campuses. Sen. Curt McKenzie, R-Boise, chair of the committee and the bill's primary sponsor, assured critics that the bill would not indemnify schools from liabilities involving firearms. Also, Rep. Rick Youngblood, R-Nampa, introduced a bill that would eliminate special exemptions for elected officials to carry concealed weapons and require they use the permit vetting process.

PROPOSED ILLINOIS MEDICAL MARIJUANA RULES TO BAN GUNS FOR LEGAL USERS

The Illinois Department of Public Health is allowing patients who suffer from one or more of over 41 medical conditions, including cancer and AIDS, to legally smoke pot, but has proposed that approved medical marijuana users forfeit their Second Amendment right to own a gun, which is meeting serious opposition. The proposal has taken public comment, and now goes to a legislative panel for approval. From there, the rules for medical use of marijuana will be outlined and put forth legally for residents to follow.

ADVOCATES WANT GUN RIGHTS IN IOWA CONSTITUTION

House Joint Resolution 4 would amend the Iowa Constitution establishing a fundamental right to "acquire, keep, possess, transport, carry, transfer and use arms to defend life and liberty and for all other legitimate purposes" that cannot be infringed upon or denied. Rep. Matt Windschitl, R-Missouri Valley, said Iowa is one of six states that currently does not have a similar constitutional protection at the state level. Supporters said there was "little chance" of securing approval in the current General Assembly.

KANSAS ADVANCES EXPANDED CARRY BILL

The Kansas House Federal and State Affairs Committee expanded a gun-rights bill before approving it, providing for Kansas residents to carry loaded handguns in their vehicles, even without a concealed carry permit. The measure strips cities, counties and townships of the power to regulate guns and voids local gun ordinances, guaranteeing that the open carrying of firearms will be legal across Kansas. Language about carrying loaded firearms in vehicles was not included in the original bill, and Rep. Michael Houser, a Columbus Republican, successfully pushed for the amendment. Attorney General Derek Schmidt said he was keeping an eye on the bigger picture, but has not expressed opposition.

KENTUCKY GENERAL ASSEMBLY GETS EXPANDED CONCEALED CARRY BILL

The Kentucky Senate Judiciary Committee passed a bill to make concealed carry permitting almost immediate for those with emergency protective or domestic violence orders. Madison County Senator Jared Carpenter says, "If a petitioner has had an order issued, they can ask the judge to grant them concealed carry for up to 90 days." Once an order is lifted, the concealed carry permit would be revoked.

MISSISSIPPI HOUSE PASSES TRIO OF GUN RIGHTS BILLS

The Mississippi House passed three gun-rights bills, House Bill 485 (unanimous vote) to prevent local governments from buying guns to destroy them, H. B. 705 (passed 112-2) forbidding local governments from seizing guns during states of emergency or martial law and H.B. 314 (passed 85-33) clarifying that state gun laws preempt local ordinances.

MISSOURI SENATE PASSES TWO HIGH-PROFILE GUN BILLS

The Missouri Senate voted 23-10 to send legislation dubbed the "Second Amendment Preservation Act" to the House. It would declare some federal gun laws to be null and void in Missouri. Federal agents knowingly enforcing those laws could face civil penalties of up to a year in jail and a \$1,000 fine. No such broad nullification bill has ever passed a court test, but in *Printz v. United States* (1997), the Supreme Court held that "the Federal Government may not compel the States to enact or administer a federal regulatory program," - the Brady Bill background check. The Senate also approved a proposed constitutional amendment asserting the right to bear arms as "unalienable" and requires Missouri to defend any "infringement." It also states defending one's family with a firearms as a constitutional right.

IN THE STATES

NEW HAMPSHIRE HOUSE KILLS GUN BACKGROUND CHECK BILL

A New Hampshire bill that would have expanded background checks for gun sales and transfers to include gun shows, the Internet and flea markets, was killed by the state's House of Representatives. A closely divided House debated the issue for two hours - at one point voting to study the matter rather than impose the background checks - but later voted 242-118 to kill the bill.

NEW JERSEY DEMOCRATS PROPOSE LIMITING CAPACITY OF GUN MAGAZINES

The New Jersey Legislature's Democratic leadership announced at a Statehouse news conference with parents of children killed at Sandy Hook Elementary School in December 2012, would reduce magazine capacity to 10 rounds, from 15. It also would ban semiautomatic rifles with fixed-magazine capacities that exceed 10 rounds. Gov. Christie, a Republican, will review the bill and "make a decision in due course" if it reaches his desk, a spokesman said. Christie has a mixed record on gun issues, but vetoed a ban on the sale of Barrett .50-caliber rifles.

OREGON GUN CONTROL BILL HITS SNAG IN COMMITTEE

An Oregon bill that would require background checks for private gun sales was denied a vote in the full Senate when the Judiciary Committee couldn't find the votes to pass it and sent the bill instead to the Senate Rules Committee. Last year, a nearly identical bill withered without a vote in the Rules Committee. Democratic Sen. Arnie Roblan of Coos Bay says he couldn't support sending such a contentious bill to the full Senate knowing it doesn't have enough votes to pass.

TWO RHODE ISLAND LAWMAKERS WANT 10 PERCENT TAX ON GUNS

Two Providence Democrats, Sen. Gayle Goldin and Rep. Maria Cimini, in their respective chambers of Rhode Island's General Assembly, are sponsoring bills to impose a 10 percent tax on the sale of firearms and ammunition. Providence mayoral candidate Brett Smiley estimates the tax would raise \$2 million a year. Revenue from the tax, they said, "would go to community organizations that work to reduce gun violence."

SOUTH CAROLINA GOVERNOR HALEY WILL SIGN GUN LAW REFORM

Governor Nikki Haley of South Carolina has said that she will sign the gun law reform, Bill 308. The law has been widely touted as a "restaurant carry" bill that removes the state restrictions on people with concealed carry permits carrying their defensive firearms into establishments that serve alcohol. Restaurant owners will be able to discriminate, by posting a sign or asking individuals to leave.

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Washington, D.C.:** Gallup polls report that Americans have become more dissatisfied with gun laws over the past year, but this is attributable to a greater percentage who say gun laws are too strict, rather than not being strict enough. There was a sharp increase in the percentage of Americans who want less strict laws, now at 16% up from 5% a year ago. Americans' changing views could set the course for future gun law debates and legislation.

● **Asbury Park, New Jersey:** Rasmussen's survey of 1,000 adults, conducted Feb. 17-18, found that 46 percent support Stand Your Ground laws in their states while 34 percent oppose and 20 percent are undecided. The survey has a margin of error of +/- three percentage points. It is almost the same result as a survey taken last year on the subject.

● **Houston, Texas:** Chris Driskill was turned away when he tried to cast his ballot in the Republican primary because he was wearing a T-shirt in support of gun rights. This year's primary ballot happens to include a proposition asking for a yes or no vote on expanded support for the Second Amendment and the places where a concealed weapon can be legally carried. The shirt qualified as electioneering, which is forbidden at the polls. Driskill put on a jacket over his T-shirt while he filled out his ballot. After he voted, he wasn't too upset about what happened.

● **Washington, D.C.:** The Coalition to Stop Gun Violence got more than 5,000 gun control extremists to sign a petition demanding that Visa credit card company stop doing business with the National Rifle Association. A group of the protesters stood outside the company's headquarters to present the petition, which claims that "Visa's partnership with the gun lobby is helping to prevent the passage of tough new firearm controls." Visa's officials "listened, but made no comments of any substance," an anti-gunner said.

● **Southwestern New York State:** Simple design tweaks are allowing gun makers to get around restrictions New York on selling AR-15 rifles. Stag Arms is freely and legally selling a "New York-compliant AR-15," featuring a slightly modified stock and no pistol grip or bells and whistles. "This just shows that the gun prohibition lobby uses symbolic gestures over substance to push their anti-gun rights agenda. Banning guns based on cosmetic features proves that point," Alan Gottlieb, president of the Second Amendment Foundation, told FoxNews.com.

● **Hartford, Connecticut:** Tens of thousands of Connecticut residents are ignoring the gun measures that Governor Dannel Malloy signed into law - a slew of new firearm restrictions that require, among other items, residents to register so-called "assault weapons" and high-capacity magazines. A federal judge even ruled the law as constitutional. Tens of thousands of Americans could soon be considered felons by the state and they don't seem to care. They're refusing to comply. The state does not know what to do yet.

● **Bakersfield, California:** More reports have surfaced of weapons being seized from local gun owners under a special state program. A state law, SB 950, set up the Armed and Prohibited Persons System in 2001, which cross-references five databases to find people who legally purchased handguns and registered assault weapons since 1996 with those prohibited from owning or possessing firearms." Loren Kleier, a Bakersfield attorney said he's represented about six clients in the past couple years, and he had to prove they really could keep their guns. He said, "To me, they're becoming jack-booted thugs that are kicking in doors." California is the only state with a program like this.

● **Poughkeepsie, New York:** Mayor John Tkazyik explained in the Poughkeepsie Journal that he and almost 50 other mayors have dropped out of former New York City mayor Michael Bloomberg's group Mayors Against Illegal Guns (MAIG). The reason they left? They all felt Bloomberg was using the organization to trample on the Second Amendment rather than to push for the stricter enforcement of existing laws. The revelation that close to 50 pro-Second Amendment mayors have abandoned MAIG certainly could be a national story.

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Mobile, Alabama:** The Gun Watch blog says, "It appears that some bureaucrat in Alabama has decided to post Alabamans' rest stops with signs that are toxic to the second amendment and Alabama law. As reported on opencarry.org, the signs say 'No weapons beyond this point.' Rest stops are not listed as prohibited places for possessing weapons. Alabama law specifically forbids the "Possession of firearms by persons participating in, attending, etc., demonstrations at public places." So a picnic at an Alabama rest stop would have to be careful not to fall under this statute, or be prepared to test the law in court.

● **New York City:** Vile far-left comedian Bill Maher is known for crossing the lines of decency, where no topic is off limits, even mass shootings, says Tom Tillison, conservative activist. Tillison said, "On his HBO show "Real Time with Bill Maher," Maher said, "Now that liberals have forwarded their agenda by inserting a mass gay wedding into the Grammys, conservatives must match them tit-for-tat by having a mass shooting at the Country Music Awards." Even Maher's fans thought that was crass, with Tweets calling him stupid and a jerk.

● **Washington, D.C.:** The U.S. Postal Service is currently seeking companies that can provide "assorted small arms ammunition" in the near future. As the federal government grows larger, more and more federal agencies such as the Dept. of Education and NOAA are forming and arming their own "law enforcement divisions" with hundreds of thousands spent on full-blown arsenals. Even the EPA has its own SWAT teams conducting raids on peaceful Americans. Expect to see more large-scale firearm and ammunition purchases by these bureaucracies as they become even more militarized."

● **Chicago, Illinois:** School officials want the public to know that in compliance with state law (House Bill 0183), schools, churches, government agencies and liquor stores statewide will be posting 4-by-6-inch stickers reminding the public, particularly those with a concealed-carry license, that there are limits on where a gun can be carried. A teacher worried that not enough people are aware of what it means and could misinterpret the new signage: "I think the general public will be alarmed by it and wonder if people have been allowed to bring guns to school in the past."

● **Trenton, New Jersey:** One of Governor Chris Christie's bodyguards has been suspended without pay from the New Jersey State Police, charged with shoplifting in Berks County, Pennsylvania. A state police spokesman says that William Carvounis, 35, was assigned to the executive protection unit and had been on Christie's security detail. But police in Tilden Township, Pa. – north of Reading and west of Allentown – say last month the trooper stole nearly \$300 in gun supplies and other merchandise from a Cabela's sporting goods store.

● **Harrisburg, Pennsylvania:** Expecting former New York City Mayor Michael Bloomberg to double his nationwide anti-gun efforts in the 2014 elections, the National Rifle Association is planning a massive ground game to win Republican control of the Senate. In Harrisburg to open the NRA's new Great American Outdoor Show, the largest in the world, top officials from the group described winning the Senate a do-or-die goal this year, especially because of the possibility that President Obama could get another chance to appoint a new, liberal Supreme Court justice.

● **Buffalo, New York:** A New York gun-control activist who helped push the state's new restrictions on the Second Amendment last year caused a major scare when he was arrested carrying a gun on school grounds. And thanks to his own efforts, he's now facing a felony charge. Dwayne Ferguson, 52, was arrested when an army of law enforcement officers – including a SWAT team, police dogs and a sheriff's helicopter – descended on Harvey Austin Elementary School in Buffalo after receiving an anonymous call that there was an armed man on campus. Maybe he didn't tell anyone because the law he worked on hard last year upgraded possession of a weapon on campus from a misdemeanor to a felony.

Parting Shot

EVEN WHEN IT BRINGS TROUBLE, SELF DEFENSE BEATS THE ALTERNATIVE

A 44-year-old disabled homeowner in Chicago was awakened by his 18-year-old daughter who heard suspicious noises in the house at around 9 a.m. Armed with a gun, the homeowner grabbed both of his crutches and walked over and unlocked and opened the door to investigate. Moments later, three intruders came charging towards him, striking him with fear for his life.

He shot at the trio, hitting one of them. Mario Viramontes, 31, stumbled to the ground and was declared dead at the scene. Three two other men were reportedly seen running away yelling gang slogans.

As authorities investigated the incident, they learned the homeowner's Firearm Owners Identification Card was expired, according to the Tribune. Police then reportedly charged him with one count of possessing a firearm with expired paperwork - a misdemeanor crime.

When a Detroit mother of two young children heard the door to her home being kicked in, she immediately warned the intruders. "I let them know I had a gun once they were in the house. They said no you don't so I shot off the first round."

One of three teens dropped a handgun on his way out the door. He then tried to get back inside the house a second time, but was again met with gunfire. Once again, he took off and all three were arrested shortly after the incident by Detroit Police.

Detroit Police Chief James Craig said, "She did the right thing."

A Los Angeles woman at home with her 90-year-old mother had a message waiting for two would-be home invaders who tried to make her home their second target of the night.

Two burglars began working a neighborhood in Cheviot Hills, a well-off section of Los Angeles. After breaking into one home through the garage and robbing it while its residents slept about 3 a.m., they turned their attention to a second on a neighboring block.

Carla - who did not give her last name - was wakened by her dog barking. Looking out the window, she saw one man in her backyard, and a second standing near a car. While her mother slept, Carla got her shotgun, went outside in her nightgown and fired into the ground.

"That crazy bitch has a gun," Carla said one of the men screamed before the two fled in a white sedan. Her message: "I'm not a sitting duck."

Alan M. Gottlieb

Joseph D. Tartaro

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