

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

BRANDON ALVES, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
-against-)	CIVIL ACTION NO.
)	1:20-cv-11933-DPW
DONNA M. MCNAMARA, <i>et al.</i> ,)	
)	
Defendants.)	
)	
)	

**ORDER OF DISMISSAL AS TO CHIEF KYES OF
THE CHELSEA POLICE DEPARTMENT**

WHEREAS:

- 1) Plaintiffs commenced this action seeking declaratory and injunctive relief against shutdowns and delays in the issuance of firearms identification cards (“FIDs”) under M.G.L. c. 140, § 129B and licenses to carry firearms (“LTCs”) issued under M.G.L. c. 140, § 131; and
- 2) Defendant Chief Kyes is the Chief of the Chelsea Police Department and the designated “licensing authority” for the City of Chelsea, who is responsible for issuing FIDs and LTCs; and
- 3) The Chelsea Police Department experienced manpower challenges as a result of the COVID-19 pandemic during the year 2020 and developed a significant backlog of individuals applying for FIDs and LTCs but did not stop accepting or processing FID and LTC applications; and
- 4) In January 2021, the Chelsea Police Department dedicated additional resources to address the significant backlog of applications for FIDs and LTCs; and

5) Since January 2021, the Chelsea Police Department has made significant progress toward resolving its backlog of individuals applying for FIDs and LTCs and does not anticipate the existence of substantial delays in the application process in the future; and

6) The Chelsea Police Department is training additional officers to process FID and LTC applications to prevent backlogs from developing in the future; and

7) Defendant Chief Kyes will process the license application of Plaintiff Sawandi Cassell in the normal course,

NOW THEREFORE:

It is hereby agreed and stipulated that the claims against Defendant Chief Kyes (only) shall be DISMISSED, without prejudice, with all rights of appeal waived, and with each party to bear its own costs and attorney's fees.

Dated: March 19, 2021

Respectfully submitted,

THE PLAINTIFFS,

By their attorneys,

/s/ David D. Jensen

David D. Jensen
Admitted *Pro Hac Vice*
David Jensen PLLC
33 Henry Street
Beacon, New York 12508
Tel: 212.380.6615
Fax: 917.591.1318
david@djensenpllc.com

Jason A. Guida
BBO # 667252
Principe & Strasnick, P.C.
17 Lark Avenue
Saugus, MA 01960
Tel: 617.383.4652
Fax: 781.233.9192
jason@lawguida.com

DEFENDANT CHIEF KYES,

By his attorneys,

/s/ Strephon Treadway

Strephon Treadway
BBO # 565109
Assistant City Solicitor
City of Chelsea
500 Broadway, Room 307
Chelsea, MA 02150
Tel. (617) 466-4154
Fax. (617) 466-4159
streadway@chelseama.gov

It is SO ORDERED this 22nd day of March, 2021.

/s/ Douglas P. Woodlock

DOUGLAS P. WOODLOCK
DISTRICT JUDGE