

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.)	
)	

**[PROPOSED] 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

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DEFENDANT CHIEF KYES,

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/s/ Strephon Treadway

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It is SO ORDERED this _____ day of March, 2020.

DOUGLAS P. WOODLOCK
DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on Mar. 19, 2021.

/s/ David D. Jensen
David D. Jensen, Esq.