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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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**JAMES M. ATKINSON, pro se**

Plaintiff,

v.

**TOWN OF ROCKPORT;**  
COMMONWEALTH OF  
MASSACHUSETTS; SALEM STATE  
COLLEGE; NORTH SHORE  
COMMUNITY COLLEGE;  
MONTERRAT COLLEGE OF ART;  
LYONS AMBULANCE, LLC,  
RESEARCH ELECTRONICS, LLC;  
BEVERLY HOSPITAL; ADDISON  
GILBERT HOSPITAL; ESSEX  
COUNTY SHERIFFS DEPARTMENT;  
A AND L ENTERPRISES; CAPE ANN  
CHAMBER OF COMMERCE; MARY  
ELIZABETH HEFFERNAN in his/her  
official capacity and individually as  
Secretary of Public Safety and  
Executive Office of Public Safety and  
Security; MARK DELANEY in his/her  
official capacity and individually as  
Colonel of the State Police; JAMES F.  
SLATER in his/her official capacity and  
individually as Criminal History  
Systems Board (CHSB), renamed the  
Department of Criminal Justice  
Information Services (DCJIS);  
PATROLMAN JAMES HURST in  
his/her official capacity and individually  
as a Police Officer for Town of

C.A. No. 11-CV-

**COMPLAINT**

DEMAND FOR JURY TRIAL

42 U.S.C. §§ 1983, 1985, 1988,  
1981a

U.S. Constitution, Article Four,  
Section 2

FIRST AMENDMENT

SECOND AMENDMENT

FOURTH AMENDMENT

FIFTH AMENDMENT

SIXTH AMENDMENT

EIGHTH AMENDMENT

NINTH AMENDMENT

FOURTEENTH AMENDMENT

MASSACHUSETTS  
CONSTITUTION, PART THE  
FIRST, ARTICLE XVII

Rockport; PATROLMAN DANIEL MAHONEY in his/her official capacity and individually as a Police Officer for Town of Rockport; SGT MICHAEL MARINO in his/her official capacity and individually as a Police Officer for Town of Rockport; CHIEF JOHN T. MCCARTHY in his/her official capacity and individually as a Chief of Police for Town of Rockport; PATROLMAN GREGORY GEORGE in his/her official capacity and individually as a Police Officer for Town of Rockport; PATROLMAN SEAN ANDRUS in his/her official capacity and individually as a Police Officer for Town of Rockport; PATROLMAN JAMES HURST in his/her official capacity and individually as a Police Officer for Town of Rockport; SGT. MARK SCHMINK in his/her official capacity and individually as a Police Officer for Town of Rockport; SGT. ROBERT TIBERT in his/her official capacity and individually as a Police Officer for Town of Rockport; MICHAEL ANDERSON in his/her official capacity and individually as a Police Officer for Town of Rockport; TIMOTHY FRITHSEN in his/her official capacity and individually as a Police Officer for Town of Rockport; JOHN DOE 001 in his/her official capacity and individually as a Police Officer for Town of Rockport; JOHN DOE 002 in his/her official capacity and individually as a Police Officer for Town of Rockport; JOHN DOE 003 in his/her official capacity and individually as a Police Officer for

Town of Rockport; JOHN DOE 004 in his/her official capacity and individually as a Police Officer for Town of Rockport; JOHN DOE 005 in his/her official capacity and individually as a Police Officer for Town of Rockport; JOHN DOE 006 in his/her official capacity and individually as a Police Officer for Town of Rockport; JOHN DOE 007 in his/her official capacity and individually as a Police Officer for Town of Rockport; JOHN DOE 008 in his/her official capacity and individually as a Police Officer for Town of Rockport; JOHN DOE 009 in his/her official capacity and individually as a Police Officer for Town of Rockport; CHRISTIAN MCDOWELL in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation; JOHN DOE 010 in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation; JOHN DOE 011 in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation; JOHN DOE 012 in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation; JOHN DOE 013 in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation; JOHN DOE 014 in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation; JOHN DOE 015 in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation; ROSEMARY LESCH in his/her official capacity and individually

as a Department Head for Town of Rockport; SCOTT STORY in his/her official capacity and individually as a Department Head for Town of Rockport; RITA BUDROW in his/her official capacity and individually as a EMT for Town of Rockport; JANE CARR in his/her official capacity and individually as a EMT for Town of Rockport; JANE CARR in his/her official capacity and individually as a EMT for Lyons Ambulance; JANE CARR in his/her official capacity and individually as a EMT and Nurses Aid for Beverly Hospital; DIANNA CRUDDEN in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 016 in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 017 in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 018 in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 019 in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 020 in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 021 in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 022 in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 023 in his/her official capacity and individually as a EMT for Town of Rockport; JOHN DOE 024 in his/her official capacity and individually as a Fireman for Town of Rockport; JOHN

DOE 025 in his/her official capacity and individually as a Fireman for Town of Rockport; JOHN DOE 026 in his/her official capacity and individually as a Fireman for Town of Rockport; JOHN DOE 027 in his/her official capacity and individually as a Fireman for Town of Rockport; JOHN DOE 028 in his/her official capacity and individually as a Fireman for Town of Rockport; JOHN DOE 029 in his/her official capacity and individually as a Fireman for Town of Rockport; JOHN DOE 030 in his/her official capacity and individually as a Fireman for Town of Rockport; JOHN DOE 031 in his/her official capacity and individually as a Fireman for Town of Rockport; HENRY MICHALSKI in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance; PENNY MICHALSKI in his/her official capacity and individually as a for Attorney Generals Office; KEVIN M. LYONS in his/her official capacity and individually as a Owner for Lyons Ambulance Service LLC; FRANK CARABELLO in his/her official capacity and individually as a Director of Operations for Lyons Ambulance Service LLC; DARRELL MOORE in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; ROBERT PIEPIORA in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; DAVID RAYMOND in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 032 in his/her

official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 033 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 034 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 035 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 036 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 037 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 038 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 039 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 040 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 041 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 042 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 043 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN DOE 044 in his/her official capacity and individually as a EMT Instructor for Lyons Ambulance Service LLC; JOHN L. GOOD in his/her official capacity and individually

as a Executive Vice President for Beverly National Bank; LT. MICHAEL COONEY in his/her official capacity and individually as a Investigator for Massachusetts State Police; PAUL COFFEY in his/her official capacity and individually as a OEMS Investigator for Commonwealth of Massachusetts; ABDULLAH REHAYEM in his/her official capacity and individually as a OEMS Director for Commonwealth of Massachusetts; RENEE D. LAKE in his/her official capacity and individually as a OEMS Compliance Coordinator for Commonwealth of Massachusetts; M. THOMAS QUAIL in his/her official capacity and individually as a OEMS Clinical Coordinator for Commonwealth of Massachusetts; BRENDAN MURPHY in his/her official capacity and individually as a OEMS Investigator for Commonwealth of Massachusetts; MARK MILLET in his/her official capacity and individually as a EMS Coordinator for Beverly Hospital; STEVEN KRENDEL in his/her official capacity and individually as a Medical Control Physician for Beverly Hospital; JOHN AUERBACH in his/her official capacity and individually as a Commissioner, Department of Public Health for Commonwealth of Massachusetts; MARTHA COAKLEY in his/her official capacity and individually as a Attorney General for Commonwealth of Massachusetts; KATHERINE HARTIGAN in his/her official capacity and individually as a Assistant District Attorney for Commonwealth of

Massachusetts; JOHN B. BRENNAN in his/her official capacity and individually as a Assistant District Attorney for Commonwealth of Massachusetts; KEVIN P. BURKE in his/her official capacity and individually as a Clerk-Magistrate for Commonwealth of Massachusetts; MARK PULLI in his/her official capacity and individually as a Investigator for Commonwealth of Massachusetts; LLOYD A. HOLMES in his/her official capacity and individually as a Dean of Students for North Shore Community College; WAYNE BURTON in his/her official capacity and individually as a President for North Shore Community College; DONNA RICHEMOND in his/her official capacity and individually as a Vice President, Student and Enrollment Services for North Shore Community College; DOUG PUSKA in his/her official capacity and individually as a Chief of Police for North Shore Community College; KENNETH TASHJY in his/her official capacity and individually as a College Legal Counsel for North Shore Community College; MARSHALL J. HANDLY in his/her official capacity and individually as a Legal Department for Montserrat College of Art; STEPHEN D. IMMERMANN in his/her official capacity and individually as a President for Montserrat College of Art; BRIAN BICKNELL in his/her official capacity and individually as a Dean for Montserrat College of Art; LEE DELLICKER in his/her official capacity and individually as a Trustee for



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COUNTY SHERIFFS DEPARTMENT;  
A AND L ENTERPRISES; CAPE ANN  
CHAMBER OF COMMERCE; MARY  
ELIZABETH HEFFERNAN in his/her  
official capacity and individually as  
Secretary of Public Safety and  
Executive Office of Public Safety and  
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**COMPLAINT**

**INTRODUCTION**

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1. This action for deprivation of civil rights under color of law challenges various Massachusetts statutes in regard to the keeping and, or of bearing arms to the extent that they prohibit otherwise qualified private citizens from keeping or carrying arms for the purpose of self-defense. Plaintiff seeks a declaratory judgment, injunctive relief, actual damages, and punitive damages, and

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attorney's fees and costs.

2. Second Amendment Rights are No Different then First Amendment Rights.

3. The government cannot exercise prior restrain in either matters of the First Amendment, nor in matters of the Second Amendment. The government may not prohibit the possession of a high volume printing press any more then they may prohibit a high capacity magazine or assault weapon. A high volume printing press is no more dangerous then a high capacity magazine.

4. All firearms utilized by law enforcement for individual defense of the officer or for entering homes, buildings, or vehicles are suitable for concrete demonstration that these same or similar weapons are suited for defense of the home. The firearm itself, the configuration of the magazines, of feeding devices, the ammunition used, and the manner it which it is deployed are all prime evidence that a weapon is well suited for home defense.

- 39 5. By their very design, firearms are dangerous, they are supposed to be  
40 dangerous, and they are supposed to be deadly, any fool knows this.  
41 People train to become proficient with arms in order to use them in a  
42 dangerous manner, and in some cases a deadly manner. Any  
43 assertions that a particular modern arm is more or less dangerous than  
44 another is sheer and utter lunacy.
- 45
- 46 6. A high capacity magazine or feeding device is protected under the 2nd  
47 Amendment, the government may not dictate any aspect of the arms  
48 that a person choose for defense, not the feeding device or magazine,  
49 nor the type of ammunition used. The U.S. Supreme Court affirms this  
50 right, immunity, and privilege in both the Heller and McDonald  
51 decisions.
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- 53 7. Any weapon used by a SWAT team for home or business entries  
54 and/or raid is primary evidence that the same weapon is particularly  
55 suited for home defense. Otherwise, logically, the SWAT Team would  
56 not be using such weapons.
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- 58 8. Logically then, any and all firearms which a law enforcement officer

59 would normally carry on a day to day basis anywhere in the country,  
60 or which is endorsed for, sold for, endorsed as, or in any way  
61 considered as a firearm suited for individual law enforcement officers  
62 to carry or use is prima facia evidence that it is suitable for home  
63 defense as it is safe. The same hold true of any firearm, magazine,  
64 feeding device, or ammunition in common use by law federal, state,  
65 and local law enforcement officers.

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67 9. The U.S. Supreme Court ruling in Heller and in McDonald allows the  
68 occupant of the home determine which firearms are primarily useful  
69 for home defense, and does not allow the government to dictate which  
70 weapons be kept, or used in this regard. In fact, the law permits the  
71 use of not only a firearm, but actually that of any arms available to the  
72 person. This weapon selection is personal, and can take from little  
73 more then a pointy stick, to an edged weapon, a bayonet, a sword or  
74 cutlass, or if they so choose a firearm of the sort they feel is most  
75 suitable.

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77 10. The Bill of Rights, and the decisions of the U.S. Supreme Court does  
78 not permit the state to prohibit the possession of a model printing

79 press which the state may not like, but may control the retail sale of  
80 such a press should it be overly dangerous to operate.... But the State  
81 can not control or license mere possession. There is no requirement  
82 under the law to obtain a license of any sort for a printing press, a  
83 quill pen, a bottle of ink, a fountain pen, a sheet of paper, nor an inkjet  
84 printer, or even a laser printer. Neither is any government permission  
85 or license, or ID card (which is a defacto license if it can be revoked)  
86 required to keep arms in ones home, or to bear them up or carry them  
87 in defense or other, or even the State.

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89 11.The Second Amendment “guarantee[s] the individual right to possess  
90 and carry weapons in case of confrontation,” District of Columbia v.  
91 Heller, 554 U.S. 570, 592 (2008), and is “fully applicable against the  
92 States,” McDonald v. Chicago, 561 U.S. \_\_\_, 130 S. Ct. 3020, 3026  
93 (2010).

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95 12.However, the Commonwealth of Massachusetts steadfastly refuses to  
96 update the statutes of Massachusetts to reflect either the District of  
97 Columbia v. Heller and McDonald v. Chicago U.S. Supreme Court  
98 decisions. The Commonwealth continue to ignore both the

99 Constitution of the United States, the Bill of Rights, and the decisions  
100 of the Supreme Court, to the level that the Commonwealth exhibits an  
101 attitude, and conducts legal matter related to firearm with utter  
102 disregard for the civil rights of the citizens, complete, willful  
103 arrogance in regards to the 2<sup>nd</sup> and 14<sup>th</sup> Amendments, and even bolder  
104 affront to the U.S. Supreme Court whereby the Commonwealth  
105 chooses merely to ignore the ruling by this nations highest court. The  
106 Commonwealth of Massachusetts further demonstrates their evil  
107 intentions by foisting a ruse of a licensing scheme that exists for no  
108 reason but to deprive law abiding citizens of defensive arms in their  
109 home or businesses.

110  
111 13. As if this arrogance of the Commonwealth could not run more afoul  
112 of the U.S. Constitution, the Bill of Rights, and the rulings of the U.S.  
113 Supreme Court, the Commonwealth continue to unlawfully enter law  
114 abiding, and homes of citizens who are qualified by law to possess  
115 same, and to take those arms away by force and by deception in direct  
116 violation of the law, and they do so with the approval of the Attorney  
117 General of the Commonwealth, and with a approval of the District  
118 Attorneys, who then empanel Grand Juries, so that the Attorney

119 General and District Attorneys are “making law” and misusing the  
120 Grand Jury systems, instead of obeying the law themselves. In some  
121 cases the police or the district attorneys will trick a Judge or  
122 Magistrate into issuing a search warrant or an arrest warrant, even  
123 when it is prohibited by law.

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125 14. Plaintiff seeks that this Court, on an emergency basis and without  
126 delay strike out, redact, or rescind a number of Massachusetts laws  
127 and regulation that are in fact Unconstitutional, and which are a very  
128 grave deprivation, and infringement of civil rights.

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130 15. Plaintiff further seeks that this Court immediately and without delay  
131 command the Attorney General to obey the decision of the Supreme  
132 Court in Heller and in McDonald, and if necessary, Plaintiff requests  
133 that this Court utilize the U.S. Marshall Service to compel the  
134 Attorney General, the District Attorneys, and the Police within the  
135 Commonwealth to abide by the will of the U.S. Supreme Court, and  
136 of the Bill of Rights.

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138 16. Plaintiff seek to establish that the recognition and incorporation of the

139 Second Amendment – the right to possess and carry weapons in case  
140 of confrontation – renders the State’s present regulatory choice  
141 unconstitutional. Whatever the contours of a constitutional scheme  
142 might be, the Second Amendment renders a ban on carrying guns  
143 impermissible.

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**17. JURISDICTION AND VENUE**

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147 18. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§  
148 1331, 1343, 2201, 2202 and 42 U.S.C. § 1983.

149

150 19. This Court has personal jurisdiction over each of the Defendants  
151 because, inter alia, they acted under the color of laws, policies,  
152 customs, and/or practices of the Commonwealth of Massachusetts  
153 and/or within the geographic confines of the Commonwealth of  
154 Massachusetts.

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156 20. Venue is proper pursuant to 28 U.S.C. § 1391 because the Defendants  
157 may be found in this district, and because the events and omissions  
158 giving rise to this action are State laws enacted in the State capital of



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Boston.

**21. PLAINTIFF**

22. Plaintiff ATKINSON, is representing himself at this time in this matter pro se and propria persona at this time, and hereby serves notice pursuant to Federal Rules of Civil Procedure, 5.1 “Constitutional Challenge to a Statute - Notice, Certification, and Intervention” and formal notice of “Civil Right Violation, Infringement, and Deprivation”. Plaintiff resides at 31R Broadway, Rockport, MA 01966

- a. The Supreme Court noted that "[i]n the federal courts, the right of self-representation has been protected by statute since the beginnings of our Nation. Section 35 of the Judiciary Act of 1789, 1 Stat. 73, 92, enacted by the First Congress and signed by President Washington one day before the Sixth Amendment was proposed, provided that 'in all the courts of the United States, the parties may plead and manage their own causes personally or by the assistance of counsel.'" *Faretta v. California*, 422 U.S. 806, 813 (1975).

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23.Plaintiff ATKINSON brings this notice, claim, and complaint forwards on his own behalf before this court.

24.Comes now the Plaintiff, James M. Atkinson, who is a U.S. Citizen by birth, a civil libertarian, a disabled U.S. Veteran with Honorable Service, a recognized, and published, expert in the subject matter of technical counter-intelligence, espionage defenses, spy hunting, an expert in the use and handing of arms, teaching of open handed combat, non-lethal use of force, less-lethal use of force, improvised weapons, small arms, SWAT, HRT, and ERT teams in all forms of firearms, chemical weapons instructor and master instructor, long range sniping instructor, machine gun instructor, explosive entry specialist, covert bio-regulators use instructor, nerve toxics and poisons at both the lethal and non-lethal levels, improvised explosive devices, concealed firearms carry instructor, vehicle combat driving instructor, vehicle commandeering instructor, highly skilled factory trained and certified armorer with every major weapons platform used by major law enforcement agencies, federal agencies, the U.S. Military, Diplomatic, Special Operations Forces, and the military,

200 diplomatic, and police agencies of foreign countries. He was also a  
201 volunteer EMT in his community, a CPR and First Aid Instructor,  
202 Life Member of the National Rifle Association, Life Member of the  
203 Police Marksmen Association, and Life Member of the Law  
204 Enforcement Association, of America.

205  
206 25. Plaintiff ATKINSON is a long-term resident of the Commonwealth of  
207 Massachusetts, and more specifically Rockport, MA; has testified  
208 multiple times before Congress as a subject matter expert in regards to  
209 technical counter-intelligence and counter-terrorism, and has been  
210 consulted in person on matters of diplomacy or technical espionage  
211 directly by sitting Presidents, and leaders of other countries, the  
212 intelligence services of a wide range of countries including the United  
213 States Government, and has provided goods, services, and advice to  
214 virtually every U.S. Intelligence Agency, and to all elements of the  
215 U.S. Military over a period spanning over three decade, including  
216 intelligence, diplomatic, and military contractors, sub-contractors, and  
217 covert cu-out companies. He is also a scientist, and a fine arts  
218 photographer.

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220 26. Plaintiff ATKINSON is a law-abiding citizen, who is over the age of  
221 21, with tremendous respect of the law, a kind, charitable, and gentle  
222 man, and has a sworn duty both as a citizen and a veteran to uphold  
223 and defend the Constitution of the United States (against all enemies  
224 foreign and domestic). He has never been convicted of any crime; has  
225 never been convicted of any felony; is not a fugitive from justice; is  
226 not under Indictment; is not an unlawful user of or addicted to any  
227 control substance; is not an alcoholic; has never been treated for any  
228 kind of drug or alcohol addiction or disorder; has not been adjudicated  
229 as a mental defective, nor has he been committed or confined to any  
230 mental institution; nor has he been discharged from the Armed Forces  
231 under dishonorable conditions. He is not now, nor has he been in the  
232 past the subject of any court order in regards to any intimate partner,  
233 or any other person. Plaintiff ATKINSON is not an alien, nor has he  
234 at any time renounced his citizenship, nor has he at anytime engaged  
235 in acts of war against the United States or America, or of any political  
236 division or subdivision.

237  
238 27. Plaintiff served honorably, and with distinction in the Active Duty  
239 Armed Forces of the United States, and was granted an Honorable

240 Discharge from the United States Air Force. Plaintiff has never been  
241 the subject of any court order in regards to harassing, stalking, or  
242 threatening an intimate partner. Nor has Plaintiff been convicted of  
243 any crime of domestic violence. Plaintiff has been a lawful, and safe  
244 user of projectile, edged, impact, chemical, and other arms for over 40  
245 years, and has both kept and borne arms for his own defense, and for  
246 the defense of the nation and of the state. In short, the Plaintiff  
247 ATKINSON is in no way disqualified is exercising his Constitutional  
248 rights in regards to the keeping and, or bearing arms of his choosing.

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250 **28.DEFENDANTS**

251  
252 29.Defendant TOWN OF ROCKPORT, hereinafter “Town”, is and was  
253 at all times mentioned herein a local political subdivision of the  
254 Commonwealth of Massachusetts, was at all times mentioned herein  
255 responsible for the supervisory and budgetary operations of its law  
256 enforcement agencies, fire department, and ambulance department.  
257 Town is also a recipient of federal funds, which it distributes to its  
258 subordinate law enforcement agencies, fire departments, and  
259 ambulance departments. Plaintiffs are informed and believe that

260 Defendant Town is the policy-maker and fiduciary supervisors of the  
261 remaining subordinates identified hereinafter. Plaintiffs are informed  
262 and believe that Defendant Town had knowledge that the wrongs  
263 hereinafter mentioned were and continue to be done; were about to be  
264 committed, and having power to prevent or aid in preventing the  
265 commission of the same, neglected or refused so to do. Plaintiff is  
266 informed and believe that it is through the leadership, ratification, and  
267 support of Defendant Town that its subordinate law enforcement  
268 agencies, fire department, and ambulance department, and Defendants  
269 identified hereinafter, had permission to implement the custom,  
270 practice and usage which violated and continue to violate Plaintiffs'  
271 constitutionally, statutory and regulatory rights, activities, privileges,  
272 and immunities in accordance with the United States Constitution, 1st,  
273 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.  
274 Constitution, Article Four, Section 2, and Massachusetts Constitution,  
275 Part the First, Article XVII; Defendant Town is being sued in its  
276 official Capacity. Plaintiff resides at 34 Broadway, Rockport, MA  
277 01966

280 30. Defendant COMMONWEALTH OF MASSACHUSETTS,  
281 hereinafter “Commonwealth”, is and was at all times mentioned  
282 herein a local political subdivision of the United States, was at all  
283 times mentioned herein responsible for the supervisory and budgetary  
284 operations of its law enforcement agencies. Commonwealth is also a  
285 recipient of federal funds, which it distributes to its subordinate law  
286 enforcement agencies. Plaintiffs are informed and believe that  
287 Defendant Commonwealth is the policy-maker and fiduciary  
288 supervisors of the remaining subordinates identified hereinafter.  
289 Plaintiffs are informed and believe that Defendant Commonwealth  
290 had knowledge that the wrongs hereinafter mentioned were and  
291 continue to be done; were about to be committed, and having power to  
292 prevent or aid in preventing the commission of the same, neglected or  
293 refused so to do. Plaintiff is informed and believe that it is through the  
294 leadership, ratification, and support of Defendant Commonwealth that  
295 its subordinate law enforcement agencies, and Defendants identified  
296 hereinafter, had permission to implement the custom, practice and  
297 usage which violated and continue to violate Plaintiffs’  
298 constitutionally, statutory and regulatory rights, activities, privileges,  
299 and immunities in accordance with the United States Constitution, 1st,

300 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.  
301 Constitution, Article Four, Section 2, and Massachusetts Constitution,  
302 Part the First, Article XVII; Defendant Commonwealth is being sued  
303 in its official Capacity. Plaintiff resides at One Ashburton Place,  
304 Boston, MA 02108 -1518

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307 31. Defendant SALEM STATE COLLEGE, hereinafter “Salem State”, is  
308 and was at all times mentioned herein a State agency, controlled and  
309 responsible for the supervisory and budgetary operations of its law  
310 enforcement agencies, school leadership, school administration.  
311 Salem State is also a recipient of federal funds, which it distributes to  
312 its with the school. Plaintiffs are informed and believe that Defendant  
313 Salem State is the policy-maker and fiduciary supervisors of the  
314 remaining subordinates identified hereinafter. Plaintiffs are informed  
315 and believe that Defendant Salem State had knowledge that the  
316 wrongs hereinafter mentioned were and continue to be done; were  
317 about to be committed, and having power to prevent or aid in  
318 preventing the commission of the same, neglected or refused so to do.  
319 Plaintiff is informed and believe that it is through the leadership,  
320 ratification, and support of Defendant Salem State that its subordinate



321 law enforcement agencies, and Defendants identified hereinafter, had  
322 permission to implement the custom, practice and usage which  
323 violated and continue to violate Plaintiffs' constitutionally, statutory  
324 and regulatory rights, activities, privileges, and immunities in  
325 accordance with the United States Constitution, 1st, 2nd, 4th, 5th, 6th,  
326 8th, 9th, and 14th Amendments, and the U.S. Constitution, Article  
327 Four, Section 2, and Massachusetts Constitution, Part the First, Article  
328 XVII; Defendant Salem State is being sued in its official Capacity.  
329 Plaintiff resides at 352 Lafayette Street, Salem, MA 01970-5353

330  
331 32. Defendant NORTH SHORE COMMUNITY COLLEGE, hereinafter  
332 "North Shore", is and was at all times mentioned herein a State  
333 agency, controlled and responsible for the supervisory and budgetary  
334 operations of its law enforcement agencies, school leadership, school  
335 administration. North Shore is also a recipient of federal funds, which  
336 it distributes to its with the school. Plaintiffs are informed and believe  
337 that Defendant North Shore is the policy-maker and fiduciary  
338 supervisors of the remaining subordinates identified hereinafter.  
339 Plaintiffs are informed and believe that Defendant North Shore had  
340 knowledge that the wrongs hereinafter mentioned were and continue

341 to be done; were about to be committed, and having power to prevent  
342 or aid in preventing the commission of the same, neglected or refused  
343 so to do. Plaintiff is informed and believe that it is through the  
344 leadership, ratification, and support of Defendant North Shore that its  
345 subordinate law enforcement agencies, and Defendants identified  
346 hereinafter, had permission to implement the custom, practice and  
347 usage which violated and continue to violate Plaintiffs'  
348 constitutionally, statutory and regulatory rights, activities, privileges,  
349 and immunities in accordance with the United States Constitution, 1st,  
350 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.  
351 Constitution, Article Four, Section 2, and Massachusetts Constitution,  
352 Part the First, Article XVII; Defendant North Shore is being sued in  
353 its official Capacity. Plaintiff resides at 1 Ferncroft Road, Danvers,  
354 MA 01923

355  
356 33. Defendant MONTSERRAT COLLEGE OF ART, hereinafter  
357 "Montserrat", is and was at all times mentioned herein a extension of  
358 a state agency, performing the bidding, and under the control and/or  
359 influence of state law enforcement agencies. The school leadership,  
360 and school administration is in fact an extension of the State, while

361 Montserrat falsely claims that it is a private college. Montserrat is also  
362 a recipient of federal funds, which it distributes to its departments  
363 with the school. Plaintiffs are informed and believe that Defendant  
364 Montserrat is the policy-maker and fiduciary supervisors of the  
365 remaining subordinates identified hereinafter. Plaintiffs are informed  
366 and believe that Defendant Montserrat had knowledge that the wrongs  
367 hereinafter mentioned were and continue to be done; were about to be  
368 committed, and having power to prevent or aid in preventing the  
369 commission of the same, neglected or refused so to do. Plaintiff is  
370 informed and believe that it is through the leadership, ratification, and  
371 support of Defendant Montserrat that its subordinate law enforcement  
372 agencies, and Defendants identified hereinafter, had permission to  
373 implement the custom, practice and usage which violated and  
374 continue to violate Plaintiffs' constitutionally, statutory and regulatory  
375 rights, activities, privileges, and immunities in accordance with the  
376 United States Constitution, 1st, 2nd, 4th, 5th, 6th, 8th, 9th, and 14th  
377 Amendments, and the U.S. Constitution, Article Four, Section 2, and  
378 Massachusetts Constitution, Part the First, Article XVII; Defendant  
379 Montserrat is being sued in its official Capacity. Plaintiff resides at 23  
380 Essex Street, Beverly, MA 01915-4508

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34. Defendant ESSEX COUNTY SHERIFFS DEPARTMENT,  
hereinafter “Sheriff”, is and was at all times mentioned herein a local  
law enforcement agency within the political subdivision of Essex  
Country within the Commonwealth of Massachusetts, was at all times  
mentioned herein responsible for the supervisory and budgetary  
operations of its law enforcement agencies. Sheriff is also a recipient  
of federal funds, which it distributes to its subordinate law  
enforcement agencies, fire departments, and ambulance departments.  
Plaintiffs are informed and believe that Defendant Sheriff is the  
policy-maker and fiduciary supervisors of the remaining subordinates  
identified hereinafter. Plaintiffs are informed and believe that  
Defendant Sheriff had knowledge that the wrongs hereinafter  
mentioned were and continue to be done; were about to be committed,  
and having power to prevent or aid in preventing the commission of  
the same, neglected or refused so to do. Plaintiff is informed and  
believe that it is through the leadership, ratification, and support of  
Defendant Sheriff that its subordinate law enforcement agencies, fire  
department, and ambulance department, and Defendants identified  
hereinafter, had permission to implement the custom, practice and

402 usage which violated and continue to violate Plaintiffs'  
403 constitutionally, statutory and regulatory rights, activities, privileges,  
404 and immunities in accordance with the United States Constitution, 1st,  
405 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.  
406 Constitution, Article Four, Section 2, and Massachusetts Constitution,  
407 Part the First, Article XVII; Defendant Sheriff is being sued in its  
408 official Capacity. Plaintiff resides at 20 Manning Rd, Middleton  
409

410 35. Defendant MARY ELIZABETH HEFFERNAN is sued in her official  
411 capacity and individually as Secretary of Public Safety and Executive  
412 Office of Public Safety and Security for the Commonwealth of  
413 Massachusetts, responsible for executing and administering the laws  
414 and policies at issue in this lawsuit. Defendant directly deprived  
415 Plaintiff of his civil rights, with malice, and with careful planning and  
416 conspiracy with others. Plaintiff resides at One Ashburton Place,  
417 Boston, MA 02108 -1518  
418

419 36. Defendant MARK DELANEY is sued in his official capacity and  
420 individually as Colonel of the State Police for the Commonwealth of  
421 Massachusetts, responsible for executing and administering the laws

422 and policies at issue in this lawsuit. Defendant directly deprived  
423 Plaintiff of his civil rights, with malice, and with careful planning and  
424 conspiracy with others. Plaintiff resides at One Ashburton Place,  
425 Boston, MA 02108 -1518

426  
427 37. Defendant JAMES F. SLATER is sued in his official capacity and  
428 individually as Criminal History Systems Board (CHSB), renamed the  
429 Department of Criminal Justice Information Services (DCJIS); for the  
430 Commonwealth of Massachusetts, responsible for executing and  
431 administering the laws and policies at issue in this lawsuit. Plaintiff  
432 resides at One Ashburton Place, Boston, MA 02108 -1518

433  
434 38. Defendant PATROLMAN JAMES HURST is sued in his/her official  
435 capacity and individually as a Police Officer for Town of Rockport,  
436 responsible for executing and administering the laws and policies at  
437 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
438 rights, with malice, and with careful planning and conspiracy with  
439 others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

440  
441 39. Defendant PATROLMAN DANIEL MAHONEY is sued in his/her

442 official capacity and individually as a Police Officer for Town of  
443 Rockport, responsible for executing and administering the laws and  
444 policies at issue in this lawsuit. Defendant directly deprived Plaintiff  
445 of his civil rights, with malice, and with careful planning and  
446 conspiracy with others. Plaintiff resides at 168 Main Street, Rockport,  
447 MA 10966

448  
449 40. Defendant SGT MICHAEL MARINO is sued in his/her official  
450 capacity and individually as a Police Officer for Town of Rockport,  
451 responsible for executing and administering the laws and policies at  
452 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
453 rights, with malice, and with careful planning and conspiracy with  
454 others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

455  
456 41. Defendant CHIEF JOHN T. MCCARTHY is sued in his/her official  
457 capacity and individually as a Chief of Police for Town of Rockport,  
458 responsible for executing and administering the laws and policies at  
459 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
460 rights, with malice, and with careful planning and conspiracy with  
461 others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

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42. Defendant PATROLMAN GREGORY GEORGE is sued in his/her

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official capacity and individually as a Police Officer for Town of

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Rockport, responsible for executing and administering the laws and

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policies at issue in this lawsuit. Defendant directly deprived Plaintiff

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of his civil rights, with malice, and with careful planning and

468

conspiracy with others. Plaintiff resides at 168 Main Street, Rockport,

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MA 10966

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471

43. Defendant PATROLMAN SEAN ANDRUS is sued in his/her official

472

capacity and individually as a Police Officer for Town of Rockport,

473

responsible for executing and administering the laws and policies at

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issue in this lawsuit. Defendant directly deprived Plaintiff of his civil

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rights, with malice, and with careful planning and conspiracy with

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others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

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44. Defendant PATROLMAN JAMES HURST is sued in his/her official

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capacity and individually as a Police Officer for Town of Rockport,

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responsible for executing and administering the laws and policies at

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issue in this lawsuit. Defendant directly deprived Plaintiff of his civil



482 rights, with malice, and with careful planning and conspiracy with  
483 others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

484

485 45. Defendant SGT. MARK SCHMINK is sued in his/her official  
486 capacity and individually as a Police Officer for Town of Rockport,  
487 responsible for executing and administering the laws and policies at  
488 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
489 rights, with malice, and with careful planning and conspiracy with  
490 others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

491

492 46. Defendant SGT. ROBERT TIBERT is sued in his/her official  
493 capacity and individually as a Police Officer for Town of Rockport,  
494 responsible for executing and administering the laws and policies at  
495 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
496 rights, with malice, and with careful planning and conspiracy with  
497 others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

498

499 47. Defendant MICHAEL ANDERSON is sued in his/her official  
500 capacity and individually as a Police Officer for Town of Rockport,  
501 responsible for executing and administering the laws and policies at

502 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
503 rights, with malice, and with careful planning and conspiracy with  
504 others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

505

506 48. Defendant TIMOTHY FRITHSEN is sued in his/her official capacity  
507 and individually as a Police Officer for Town of Rockport,  
508 responsible for executing and administering the laws and policies at  
509 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
510 rights, with malice, and with careful planning and conspiracy with  
511 others. Plaintiff resides at 168 Main Street, Rockport, MA 10966

512

513 49. Defendant JOHN DOE 001 is sued in his/her official capacity and  
514 individually as a Police Officer for Town of Rockport, responsible for  
515 executing and administering the laws and policies at issue in this  
516 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
517 malice, and with careful planning and conspiracy with others. Plaintiff  
518 resides at 168 Main Street, Rockport, MA 10966

519

520 50. Defendant JOHN DOE 002 is sued in his/her official capacity and  
521 individually as a Police Officer for Town of Rockport, responsible for

522 executing and administering the laws and policies at issue in this  
523 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
524 malice, and with careful planning and conspiracy with others. Plaintiff  
525 resides at 168 Main Street, Rockport, MA 10966

526  
527 51. Defendant JOHN DOE 003 is sued in his/her official capacity and  
528 individually as a Police Officer for Town of Rockport, responsible for  
529 executing and administering the laws and policies at issue in this  
530 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
531 malice, and with careful planning and conspiracy with others. Plaintiff  
532 resides at 168 Main Street, Rockport, MA 10966

533  
534 52. Defendant JOHN DOE 004 is sued in his/her official capacity and  
535 individually as a Police Officer for Town of Rockport, responsible for  
536 executing and administering the laws and policies at issue in this  
537 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
538 malice, and with careful planning and conspiracy with others. Plaintiff  
539 resides at 168 Main Street, Rockport, MA 10966

540  
541 53. Defendant JOHN DOE 005 is sued in his/her official capacity and

542 individually as a Police Officer for Town of Rockport, responsible for  
543 executing and administering the laws and policies at issue in this  
544 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
545 malice, and with careful planning and conspiracy with others. Plaintiff  
546 resides at 168 Main Street, Rockport, MA 10966

547  
548 54. Defendant JOHN DOE 006 is sued in his/her official capacity and  
549 individually as a Police Officer for Town of Rockport, responsible for  
550 executing and administering the laws and policies at issue in this  
551 lawsuit. Plaintiff resides at 168 Main Street, Rockport, MA 10966

552  
553 55. Defendant JOHN DOE 007 is sued in his/her official capacity and  
554 individually as a Police Officer for Town of Rockport, responsible for  
555 executing and administering the laws and policies at issue in this  
556 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
557 malice, and with careful planning and conspiracy with others. Plaintiff  
558 resides at 168 Main Street, Rockport, MA 10966

559  
560 56. Defendant JOHN DOE 008 is sued in his/her official capacity and  
561 individually as a Police Officer for Town of Rockport, responsible for

562 executing and administering the laws and policies at issue in this  
563 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
564 malice, and with careful planning and conspiracy with others. Plaintiff  
565 resides at 168 Main Street, Rockport, MA 10966

566  
567 57. Defendant JOHN DOE 009 is sued in his/her official capacity and  
568 individually as a Police Officer for Town of Rockport, responsible for  
569 executing and administering the laws and policies at issue in this  
570 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
571 malice, and with careful planning and conspiracy with others. Plaintiff  
572 resides at 168 Main Street, Rockport, MA 10966

573  
574 58. Defendant CHRISTIAN MCDOWELL is sued in his/her official  
575 capacity and individually as a Special Agent for Federal Bureau of  
576 Investigation, responsible for executing and administering the laws  
577 and policies at issue in this lawsuit. Defendant directly deprived  
578 Plaintiff of his civil rights, with malice, and with careful planning and  
579 conspiracy with others. Plaintiff resides at One Center Plaza. Boston  
580 MA 02108

581

582 59. Defendant JOHN DOE 010 is sued in his/her official capacity and  
583 individually as a Special Agent for Federal Bureau of Investigation,  
584 responsible for executing and administering the laws and policies at  
585 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
586 rights, with malice, and with careful planning and conspiracy with  
587 others. Plaintiff resides at One Center Plaza. Boston MA 02108

588  
589 60. Defendant JOHN DOE 011 is sued in his/her official capacity and  
590 individually as a Special Agent for Federal Bureau of Investigation,  
591 responsible for executing and administering the laws and policies at  
592 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
593 rights, with malice, and with careful planning and conspiracy with  
594 others. Plaintiff resides at One Center Plaza. Boston MA 02108

595  
596 61. Defendant JOHN DOE 012 is sued in his/her official capacity and  
597 individually as a Special Agent for Federal Bureau of Investigation,  
598 responsible for executing and administering the laws and policies at  
599 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
600 rights, with malice, and with careful planning and conspiracy with  
601 others. Plaintiff resides at One Center Plaza. Boston MA 02108

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603

62. Defendant JOHN DOE 013 is sued in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived Plaintiff of his civil rights, with malice, and with careful planning and conspiracy with others. Plaintiff resides at One Center Plaza. Boston MA 02108

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63. Defendant JOHN DOE 014 is sued in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived Plaintiff of his civil rights, with malice, and with careful planning and conspiracy with others. Plaintiff resides at One Center Plaza. Boston MA 02108

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64. Defendant JOHN DOE 015 is sued in his/her official capacity and individually as a Special Agent for Federal Bureau of Investigation, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived Plaintiff of his civil rights, with malice, and with careful planning and conspiracy with

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622 others. Plaintiff resides at One Center Plaza. Boston MA 02108

623

624 65. Defendant ROSEMARY LESCH is sued in his/her official capacity  
625 and individually as a Ambulance Department Head, EMT, and  
626 Harbormaster for Town of Rockport, responsible for executing and  
627 administering the laws and policies at issue in this lawsuit. Defendant  
628 directly deprived Plaintiff of his civil rights, with malice, and with  
629 careful planning and conspiracy with others. Plaintiff resides at 168  
630 Main Street, Rockport, MA 10966

631

632 66. Defendant SCOTT STORY is sued in his/her official capacity and  
633 individually as a Ambulance Department Head, EMT, and  
634 Harbormaster for Town of Rockport, responsible for executing and  
635 administering the laws and policies at issue in this lawsuit. Defendant  
636 directly deprived Plaintiff of his civil rights, with malice, and with  
637 careful planning and conspiracy with others. Plaintiff resides at 168  
638 Main Street, Rockport, MA 10966

639

640 67. Defendant RITA BUDROW is sued in his/her official capacity and  
641 individually as a EMT for Town of Rockport, responsible for



642 executing and administering the laws and policies at issue in this  
643 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
644 malice, and with careful planning and conspiracy with others. Plaintiff  
645 resides at 27 Hodgkin's St., Rockport MA 01966

646

647 68. Defendant JANE CARR is sued in his/her official capacity and  
648 individually as a EMT for Town of Rockport, responsible for  
649 executing and administering the laws and policies at issue in this  
650 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
651 malice, and with careful planning and conspiracy with others. Plaintiff  
652 resides at 27 Granite St, Rockport MA 01966

653

654 69. Defendant JANE CARR is sued in his/her official capacity and  
655 individually as a EMT for Lyons Ambulance, responsible for  
656 executing and administering the laws and policies at issue in this  
657 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
658 malice, and with careful planning and conspiracy with others. Plaintiff  
659 resides at 27 Granite St, Rockport MA 01966

660

661 70. Defendant JANE CARR is sued in his/her official capacity and

662 individually as a EMT and Nurses Aid for Beverly Hospital,  
663 responsible for executing and administering the laws and policies at  
664 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
665 rights, with malice, and with careful planning and conspiracy with  
666 others. Plaintiff resides at 27 Granite St, Rockport MA 01966

667

668 71. Defendant DIANNA CRUDDEN is sued in his/her official capacity  
669 and individually as a EMT for Town of Rockport, responsible for  
670 executing and administering the laws and policies at issue in this  
671 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
672 malice, and with careful planning and conspiracy with others. Plaintiff  
673 resides at 3 Hilltop Lane, Rockport MA 01966

674

675 72. Defendant JOHN DOE 016 is sued in his/her official capacity and  
676 individually as a EMT for Town of Rockport, responsible for  
677 executing and administering the laws and policies at issue in this  
678 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
679 malice, and with careful planning and conspiracy with others. Plaintiff  
680 resides at 34 Broadway, Rockport, MA 01966.

681

682 73. Defendant JOHN DOE 017 is sued in his/her official capacity and  
683 individually as a EMT for Town of Rockport, responsible for  
684 executing and administering the laws and policies at issue in this  
685 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
686 malice, and with careful planning and conspiracy with others.

687  
688 74. Defendant JOHN DOE 018 is sued in his/her official capacity and  
689 individually as a EMT for Town of Rockport, responsible for  
690 executing and administering the laws and policies at issue in this  
691 lawsuit. Plaintiff resides at 34 Broadway, Rockport, MA 01966.

692  
693 75. Defendant JOHN DOE 019 is sued in his/her official capacity and  
694 individually as a EMT for Town of Rockport, responsible for  
695 executing and administering the laws and policies at issue in this  
696 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
697 malice, and with careful planning and conspiracy with others. Plaintiff  
698 resides at 34 Broadway, Rockport, MA 01966.

699  
700 76. Defendant JOHN DOE 020 is sued in his/her official capacity and  
701 individually as a EMT for Town of Rockport, responsible for

702 executing and administering the laws and policies at issue in this  
703 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
704 malice, and with careful planning and conspiracy with others. Plaintiff  
705 resides at 34 Broadway, Rockport, MA 01966.

706  
707 77. Defendant JOHN DOE 021 is sued in his/her official capacity and  
708 individually as a EMT for Town of Rockport, responsible for  
709 executing and administering the laws and policies at issue in this  
710 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
711 malice, and with careful planning and conspiracy with others. Plaintiff  
712 resides at 34 Broadway, Rockport, MA 01966.

713  
714 78. Defendant JOHN DOE 022 is sued in his/her official capacity and  
715 individually as a EMT for Town of Rockport, responsible for  
716 executing and administering the laws and policies at issue in this  
717 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
718 malice, and with careful planning and conspiracy with others. Plaintiff  
719 resides at 34 Broadway, Rockport, MA 01966.

720  
721 79. Defendant JOHN DOE 023 is sued in his/her official capacity and

722 individually as a EMT for Town of Rockport, responsible for  
723 executing and administering the laws and policies at issue in this  
724 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
725 malice, and with careful planning and conspiracy with others. Plaintiff  
726 resides at 34 Broadway, Rockport, MA 01966.

727

728 80. Defendant JOHN DOE 024 is sued in his/her official capacity and  
729 individually as a Fireman for Town of Rockport, responsible for  
730 executing and administering the laws and policies at issue in this  
731 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
732 malice, and with careful planning and conspiracy with others. Plaintiff  
733 resides at 34 Broadway, Rockport, MA 01966.

734

735 81. Defendant JOHN DOE 025 is sued in his/her official capacity and  
736 individually as a Fireman for Town of Rockport, responsible for  
737 executing and administering the laws and policies at issue in this  
738 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
739 malice, and with careful planning and conspiracy with others. Plaintiff  
740 resides at 34 Broadway, Rockport, MA 01966.

741

742 82. Defendant JOHN DOE 026 is sued in his/her official capacity and  
743 individually as a Fireman for Town of Rockport, responsible for  
744 executing and administering the laws and policies at issue in this  
745 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
746 malice, and with careful planning and conspiracy with others. Plaintiff  
747 resides at 34 Broadway, Rockport, MA 01966.

748  
749 83. Defendant JOHN DOE 027 is sued in his/her official capacity and  
750 individually as a Fireman for Town of Rockport, responsible for  
751 executing and administering the laws and policies at issue in this  
752 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
753 malice, and with careful planning and conspiracy with others. Plaintiff  
754 resides at 34 Broadway, Rockport, MA 01966.

755  
756 84. Defendant JOHN DOE 028 is sued in his/her official capacity and  
757 individually as a Fireman for Town of Rockport, responsible for  
758 executing and administering the laws and policies at issue in this  
759 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
760 malice, and with careful planning and conspiracy with others. Plaintiff  
761 resides at 34 Broadway, Rockport, MA 01966.

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85. Defendant JOHN DOE 029 is sued in his/her official capacity and individually as a Fireman for Town of Rockport, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived Plaintiff of his civil rights, with malice, and with careful planning and conspiracy with others. Plaintiff resides at 34 Broadway, Rockport, MA 01966.

86. Defendant JOHN DOE 030 is sued in his/her official capacity and individually as a Fireman for Town of Rockport, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived Plaintiff of his civil rights, with malice, and with careful planning and conspiracy with others. Plaintiff resides at 34 Broadway, Rockport, MA 01966.

87. Defendant JOHN DOE 031 is sued in his/her official capacity and individually as a Fireman for Town of Rockport, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived Plaintiff of his civil rights, with malice, and with careful planning and conspiracy with others. Plaintiff

782 resides at 34 Broadway, Rockport, MA 01966.

783

784 88. Defendant HENRY MICHALSKI is sued in his/her official capacity  
785 and individually as a EMT Instructor for Lyons Ambulance,  
786 responsible for executing and administering the laws and policies at  
787 issue in this lawsuit. Defendant MICHALSKI has convicted of  
788 conducting wide spread EMT training fraud, and during a EMT  
789 training course which the Plaintiff attended, Defendant Michalski  
790 instructed students to fraudulently cheat on their class times and to  
791 take credit for class sessions or courses which they never attended,  
792 and then conspired with other people involved in the class as either a  
793 student or instructor to harass, and to violate the civil rights of the  
794 Plaintiff. Defendant directly deprived Plaintiff of his civil rights, with  
795 malice, and with careful planning and conspiracy with others. Plaintiff  
796 resides at 135 Maple St., Danvers MA 01923

797

798 89. Defendant PENNY MICHALSKI is sued in his/her official capacity  
799 and individually as a n employee of the Attorney Generals Office,  
800 responsible for executing and administering the laws and policies at  
801 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil



802 rights, with malice, and with careful planning and conspiracy with  
803 others.

804

805 90. Defendant KEVIN M. LYONS is sued in his/her official capacity and  
806 individually as a Owner for Lyons Ambulance Service LLC,  
807 responsible for executing and administering the laws and policies at  
808 issue in this lawsuit. Defendant KEVIN M. LYONS was well aware  
809 for the fraudulent training courses, that were being held in business  
810 building, mere feet from his desk. Defendant directly deprived  
811 Plaintiff of his civil rights, with malice, and with careful planning and  
812 conspiracy with others. Plaintiff resides at 135 Maple St., Danvers  
813 MA 01923

814

815 91. Defendant FRANK CARABELLO is sued in his/her official capacity  
816 and individually as a Director of Operations for Lyons Ambulance  
817 Service LLC, responsible for executing and administering the laws  
818 and policies at issue in this lawsuit. Defendant FRANK  
819 CARABELLO was well aware for the fraudulent training courses, that  
820 were being held in business building, mere feet from his desk.  
821 Defendant directly deprived Plaintiff of his civil rights, with malice,

822 and with careful planning and conspiracy with others. Plaintiff resides  
823 at 135 Maple St., Danvers MA 01923

824

825 92. Defendant DARRELL MOORE is sued in his/her official capacity  
826 and individually as a EMT Instructor for Lyons Ambulance Service  
827 LLC, responsible for executing and administering the laws and  
828 policies at issue in this lawsuit, and then conspired with other people  
829 involved in the class as either a student or instructor to harass, and to  
830 violate the civil rights of the Plaintiff. Defendant directly deprived  
831 Plaintiff of his civil rights, with malice, and with careful planning and  
832 conspiracy with others. Plaintiff resides at 135 Maple St., Danvers  
833 MA 01923

834

835 93. Defendant ROBERT PIEPIORA is sued in his/her official capacity  
836 and individually as a EMT Instructor for Lyons Ambulance Service  
837 LLC, responsible for executing and administering the laws and  
838 policies at issue in this lawsuit, and then conspired with other people  
839 involved in the class as either a student or instructor to harass, and to  
840 violate the civil rights of the Plaintiff. Defendant directly deprived  
841 Plaintiff of his civil rights, with malice, and with careful planning and

842 conspiracy with others. Plaintiff resides at 135 Maple St., Danvers  
843 MA 01923

844  
845 94. Defendant DAVID RAYMOND is sued in his/her official capacity  
846 and individually as a EMT Instructor for Lyons Ambulance Service  
847 LLC, responsible for executing and administering the laws and  
848 policies at issue in this lawsuit, and then conspired with other people  
849 involved in the class as either a student of instructor to harass, and to  
850 violate the civil rights of the Plaintiff. Plaintiff resides at 135 Maple  
851 St., Danvers MA 01923

852  
853 95. Defendant JOHN DOE 032 is sued in his/her official capacity and  
854 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
855 responsible for executing and administering the laws and policies at  
856 issue in this lawsuit, and then conspired with other people involved in  
857 the class as either a student of instructor to harass, and to violate the  
858 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
859 MA 01923

860  
861 96. Defendant JOHN DOE 033 is sued in his/her official capacity and

862 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
863 responsible for executing and administering the laws and policies at  
864 issue in this lawsuit, and then conspired with other people involved in  
865 the class as either a student of instructor to harass, and to violate the  
866 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
867 MA 01923

868  
869 97. Defendant JOHN DOE 034 is sued in his/her official capacity and  
870 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
871 responsible for executing and administering the laws and policies at  
872 issue in this lawsuit, and then conspired with other people involved in  
873 the class as either a student of instructor to harass, and to violate the  
874 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
875 MA 01923

876  
877 98. Defendant JOHN DOE 035 is sued in his/her official capacity and  
878 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
879 responsible for executing and administering the laws and policies at  
880 issue in this lawsuit, and then conspired with other people involved in  
881 the class as either a student of instructor to harass, and to violate the

882 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
883 MA 01923

884  
885 99. Defendant JOHN DOE 036 is sued in his/her official capacity and  
886 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
887 responsible for executing and administering the laws and policies at  
888 issue in this lawsuit, and then conspired with other people involved in  
889 the class as either a student of instructor to harass, and to violate the  
890 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
891 MA 01923

892  
893 100. Defendant JOHN DOE 037 is sued in his/her official capacity and  
894 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
895 responsible for executing and administering the laws and policies at  
896 issue in this lawsuit, and then conspired with other people involved in  
897 the class as either a student of instructor to harass, and to violate the  
898 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
899 MA 01923

900  
901 101. Defendant JOHN DOE 038 is sued in his/her official capacity and

902 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
903 responsible for executing and administering the laws and policies at  
904 issue in this lawsuit, and then conspired with other people involved in  
905 the class as either a student of instructor to harass, and to violate the  
906 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
907 MA 01923

908  
909 102. Defendant JOHN DOE 039 is sued in his/her official capacity and  
910 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
911 responsible for executing and administering the laws and policies at  
912 issue in this lawsuit, and then conspired with other people involved in  
913 the class as either a student of instructor to harass, and to violate the  
914 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
915 MA 01923

916  
917 103. Defendant JOHN DOE 040 is sued in his/her official capacity and  
918 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
919 responsible for executing and administering the laws and policies at  
920 issue in this lawsuit, and then conspired with other people involved in  
921 the class as either a student of instructor to harass, and to violate the

922 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
923 MA 01923

924  
925 104. Defendant JOHN DOE 041 is sued in his/her official capacity and  
926 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
927 responsible for executing and administering the laws and policies at  
928 issue in this lawsuit, and then conspired with other people involved in  
929 the class as either a student of instructor to harass, and to violate the  
930 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
931 MA 01923

932  
933 105. Defendant JOHN DOE 042 is sued in his/her official capacity and  
934 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
935 responsible for executing and administering the laws and policies at  
936 issue in this lawsuit, and then conspired with other people involved in  
937 the class as either a student of instructor to harass, and to violate the  
938 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
939 MA 01923

940  
941 106. Defendant JOHN DOE 043 is sued in his/her official capacity and

942 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
943 responsible for executing and administering the laws and policies at  
944 issue in this lawsuit, and then conspired with other people involved in  
945 the class as either a student of instructor to harass, and to violate the  
946 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
947 MA 01923

948  
949 107. Defendant JOHN DOE 044 is sued in his/her official capacity and  
950 individually as a EMT Instructor for Lyons Ambulance Service LLC,  
951 responsible for executing and administering the laws and policies at  
952 issue in this lawsuit, and then conspired with other people involved in  
953 the class as either a student of instructor to harass, and to violate the  
954 civil rights of the Plaintiff. Plaintiff resides at 135 Maple St., Danvers  
955 MA 01923

956  
957 108. Defendant JOHN L. GOOD is sued in his/her official capacity  
958 and individually as a Executive Vice President for Beverly National  
959 Bank, also as an EMT Instructor for Lyons Ambulance, an Executive  
960 at Beverly Hospital, and a loan officer for Montserrat Collage of Art  
961 and responsible for executing and administering the laws and policies



962 at issue in this lawsuit., and then conspired with other people involved  
963 in the class as either a student of instructor to harass, and to violate the  
964 civil rights of the Plaintiff. Defendant directly deprived Plaintiff of his  
965 civil rights, with malice, and with careful planning and conspiracy  
966 with others. Plaintiff resides at 135 Maple St., Danvers MA 01923

967  
968 109. Defendant LT. MICHAEL COONEY is sued in his/her official  
969 capacity and individually as a Investigator for Massachusetts State  
970 Police, responsible for executing and administering the laws and  
971 policies at issue in this lawsuit. Plaintiff resides at One Ashburton  
972 Place Boston, MA 02108 -1518.

973  
974 110. Defendant PAUL COFFEY is sued in his/her official capacity and  
975 individually as a OEMS Investigator for Commonwealth of  
976 Massachusetts, responsible for executing and administering the laws  
977 and policies at issue in this lawsuit. Further, this Defendant engaged  
978 in a scheme to obstruct justice, and to cover-up extensive EMT  
979 training fraud within the state for political gain, and to deprive  
980 Plaintiff of due process and has violate civil rights when Plaintiff  
981 reported this extensive fraud to this office. Defendant directly

982 deprived Plaintiff of his civil rights, with malice, and with careful  
983 planning and conspiracy with others. Plaintiff resides at 99 Chauncy  
984 Street, 11th Floor, Boston MA 02111

985

986 111. Defendant ABDULLAH REHAYEM is sued in his/her official  
987 capacity and individually as a OEMS Director for Commonwealth of  
988 Massachusetts, responsible for executing and administering the laws  
989 and policies at issue in this lawsuit. Further, this Defendant engaged  
990 in a scheme to obstruct justice, and to cover-up extensive EMT  
991 training fraud within the state for political gain, and to deprive  
992 Plaintiff of due process and has violate civil rights when Plaintiff  
993 reported this extensive fraud to this office. Defendant directly  
994 deprived Plaintiff of his civil rights, with malice, and with careful  
995 planning and conspiracy with others. Plaintiff resides at 99 Chauncy  
996 Street, 11th Floor, Boston MA 02111

997

998 112. Defendant RENEE D. LAKE is sued in his/her official capacity  
999 and individually as a OEMS Compliance Coordinator for  
1000 Commonwealth of Massachusetts, responsible for executing and  
1001 administering the laws and policies at issue in this lawsuit. Further,

1002 this Defendant engaged in a scheme to obstruct justice, and to cover-  
1003 up extensive EMT training fraud within the state for political gain,  
1004 and to deprive Plaintiff of due process and has violate civil rights  
1005 when Plaintiff reported this extensive fraud to this office. Defendant  
1006 directly deprived Plaintiff of his civil rights, with malice, and with  
1007 careful planning and conspiracy with others. Plaintiff resides at 99  
1008 Chauncy Street, 11th Floor, Boston MA 02111

1009  
1010 113. Defendant M. THOMAS QUAIL is sued in his/her official  
1011 capacity and individually as a OEMS Clinical Coordinator for  
1012 Commonwealth of Massachusetts, responsible for executing and  
1013 administering the laws and policies at issue in this lawsuit. Further,  
1014 this Defendant engaged in a scheme to obstruct justice, and to cover-  
1015 up extensive EMT training fraud within the state for political gain,  
1016 and to deprive Plaintiff of due process and has violate civil rights  
1017 when Plaintiff reported this extensive fraud to this office. Defendant  
1018 directly deprived Plaintiff of his civil rights, with malice, and with  
1019 careful planning and conspiracy with others. Plaintiff resides at 99  
1020 Chauncy Street, 11th Floor, Boston MA 02111

1021

1022 114. Defendant BRENDAN MURPHY is sued in his/her official  
1023 capacity and individually as a OEMS Investigator for Commonwealth  
1024 of Massachusetts, responsible for executing and administering the  
1025 laws and policies at issue in this lawsuit. Further, this Defendant  
1026 engaged in a scheme to obstruct justice, and to cover-up extensive  
1027 EMT training fraud within the state for political gain, and to deprive  
1028 Plaintiff of due process and has violate civil rights when Plaintiff  
1029 reported this extensive fraud to this office. Defendant directly  
1030 deprived Plaintiff of his civil rights, with malice, and with careful  
1031 planning and conspiracy with others. Plaintiff resides at 99 Chauncy  
1032 Street, 11th Floor, Boston MA 02111

1033  
1034 115. Defendant MARK MILLET is sued in his/her official capacity  
1035 and individually as a EMS Coordinator for Beverly Hospital,  
1036 responsible for executing and administering the laws and policies at  
1037 issue in this lawsuit. Plaintiff resides at 85 Herrick St., Beverly MA  
1038 01915

1039  
1040 116. Defendant STEVEN KRENDEL is sued in his/her official  
1041 capacity and individually as a Medical Control Physician for Beverly

1042 Hospital, responsible for executing and administering the laws and  
1043 policies at issue in this lawsuit. Plaintiff resides at 85 Herrick St.,  
1044 Beverly MA 01915

1045

1046 117. Defendant JOHN AUERBACH is sued in his/her official capacity  
1047 and individually as a Commissioner, Department of Public Health for  
1048 Commonwealth of Massachusetts, responsible for executing and  
1049 administering the laws and policies at issue in this lawsuit. Defendant  
1050 refuses to protect, enforce, or defend the U.S. Constitution, refuses,  
1051 enforce, to protect or defend the Bill of Rights, and steadfastly refuses  
1052 to enforce or obey the decisions of the U.S. Supreme Court in regards  
1053 to the second and fourteenth amendment and other laws describe  
1054 herein. Plaintiff resides at One Ashburton Place Boston, MA 02108 -  
1055 1518. Plaintiff resides at 85 Herrick St., Beverly MA 01915

1056

1057 118. Defendant MARTHA COAKLEY is sued in his/her official  
1058 capacity and individually as a Attorney General for Commonwealth of  
1059 Massachusetts, responsible for executing and administering the laws  
1060 and policies at issue in this lawsuit. Defendant refuses to protect,  
1061 enforce, or defend the U.S. Constitution, refuses, enforce, to protect or

1062 defend the Bill of Rights, and steadfastly refuses to enforce or obey  
1063 the decisions of the U.S. Supreme Court in regards to the second and  
1064 fourteenth amendment and other laws describe herein. Defendant  
1065 directly deprived Plaintiff of his civil rights, with malice, and with  
1066 careful planning and conspiracy with others. Plaintiff resides at One  
1067 Ashburton Place Boston, MA 02108 -1518.

1068  
1069 119. Defendant KATHERINE HARTIGAN is sued in his/her official  
1070 capacity and individually as a Assistant District Attorney for  
1071 Commonwealth of Massachusetts, responsible for executing and  
1072 administering the laws and policies at issue in this lawsuit. Defendant  
1073 refuses to protect, enforce, or defend the U.S. Constitution, refuses,  
1074 enforce, to protect or defend the Bill of Rights, and steadfastly refuses  
1075 to enforce or obey the decisions of the U.S. Supreme Court in regards  
1076 to the second and fourteenth amendment and other laws describe  
1077 herein. Defendant directly deprived Plaintiff of his civil rights, with  
1078 malice, and with careful planning and conspiracy with others. Plaintiff  
1079 resides at 10 Federal St, Salem, MA 01970

1080  
1081 120. Defendant JOHN B. BRENNAN is sued in his/her official

1082 capacity and individually as a Assistant District Attorney for  
1083 Commonwealth of Massachusetts, responsible for executing and  
1084 administering the laws and policies at issue in this lawsuit. Defendant  
1085 refuses to protect, enforce, or defend the U.S. Constitution, refuses,  
1086 enforce, to protect or defend the Bill of Rights, and steadfastly refuses  
1087 to enforce or obey the decisions of the U.S. Supreme Court in regards  
1088 to the second and fourteenth amendment and other laws describe  
1089 herein. Defendant directly deprived Plaintiff of his civil rights, with  
1090 malice, and with careful planning and conspiracy with others. Plaintiff  
1091 resides at 10 Federal St, Salem, MA 01970

1092  
1093 121. Defendant KEVIN P. BURKE is sued in his/her official capacity  
1094 and individually as a Clerk-Magistrate for Commonwealth of  
1095 Massachusetts, responsible for executing and administering the laws  
1096 and policies at issue in this lawsuit. Defendant refuses to protect,  
1097 enforce, or defend the U.S. Constitution, refuses, enforce, to protect or  
1098 defend the Bill of Rights, and steadfastly refuses to enforce or obey  
1099 the decisions of the U.S. Supreme Court in regards to the second and  
1100 fourteenth amendment and other laws describe herein. Defendant  
1101 misused his position to approve illegal, unreasonable, illegal arrest

1102 and search warrants, that were not based on probably cause, and were  
1103 instead approved purely for political gains, and other consideration in  
1104 violation of Plaintiff civil rights. Defendant directly deprived Plaintiff  
1105 of his civil rights, with malice, and with careful planning and  
1106 conspiracy with others. Plaintiff resides at 197 Main Street,  
1107 Gloucester, MA 01930

1108  
1109 122. Defendant MARK PULLI is sued in his/her official capacity and  
1110 individually as a Investigator for Commonwealth of Massachusetts,  
1111 responsible for executing and administering the laws and policies at  
1112 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
1113 rights, with malice, and with careful planning and conspiracy with  
1114 others. Plaintiff resides at One Ashburton Place Boston, MA 02108 -  
1115 1518.

1116  
1117 123. Defendant LLOYD A. HOLMES is sued in his/her official  
1118 capacity and individually as a Dean of Students for North Shore  
1119 Community College, responsible for executing and administering the  
1120 laws and policies at issue in this lawsuit. Defendant directly deprived  
1121 Plaintiff of his civil rights, with malice, and with careful planning and



1122 conspiracy with others. Plaintiff resides at 1 Ferncroft Road, Danvers,  
1123 MA 01923

1124  
1125 124. Defendant WAYNE BURTON is sued in his/her official capacity  
1126 and individually as a President for North Shore Community College,  
1127 responsible for executing and administering the laws and policies at  
1128 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
1129 rights, with malice, and with careful planning and conspiracy with  
1130 others. Plaintiff resides at 1 Ferncroft Road, Danvers, MA 01923

1131  
1132 125. Defendant DONNA RICHEMOND is sued in his/her official  
1133 capacity and individually as a Vice President, Student and Enrollment  
1134 Services for North Shore Community College, responsible for  
1135 executing and administering the laws and policies at issue in this  
1136 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
1137 malice, and with careful planning and conspiracy with others. Plaintiff  
1138 resides at 1 Ferncroft Road, Danvers, MA 01923

1139  
1140 126. Defendant DOUG PUSKA is sued in his/her official capacity and  
1141 individually as a Chief of Police for North Shore Community College,

1142 responsible for executing and administering the laws and policies at  
1143 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
1144 rights, with malice, and with careful planning and conspiracy with  
1145 others. Plaintiff resides at 1 Ferncroft Road, Danvers, MA 01923

1146

1147 127. Defendant KENNETH TASHJY is sued in his/her official  
1148 capacity and individually as a College Legal Counsel for North Shore  
1149 Community College, responsible for executing and administering the  
1150 laws and policies at issue in this lawsuit. Plaintiff resides at 1  
1151 Ferncroft Road, Danvers, MA 01923

1152

1153 128. Defendant MARSHALL J. HANDLY is sued in his/her official  
1154 capacity and individually as a Legal Department for Montserrat  
1155 College of Art, responsible for executing and administering the laws  
1156 and policies at issue in this lawsuit. Defendant directly deprived  
1157 Plaintiff of his civil rights, with malice, and with careful planning and  
1158 conspiracy with others. Plaintiff resides at 23 Essex Street, Beverly,  
1159 MA 01915-4508

1160

1161 129. Defendant STEPHEN D. IMMERMANN is sued in his/her official

1162 capacity and individually as a President for Montserrat College of Art,  
1163 responsible for executing and administering the laws and policies at  
1164 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
1165 rights, with malice, and with careful planning and conspiracy with  
1166 others. Plaintiff resides at 23 Essex Street, Beverly, MA 01915-4508

1167  
1168 130. Defendant BRIAN BICKNELL is sued in his/her official capacity  
1169 and individually as a Dean for Montserrat College of Art, responsible  
1170 for executing and administering the laws and policies at issue in this  
1171 lawsuit. Defendant directly deprived Plaintiff of his civil rights, with  
1172 malice, and with careful planning and conspiracy with others. Plaintiff  
1173 resides at 23 Essex Street, Beverly, MA 01915-4508

1174  
1175 131. Defendant LEE DELLICKER is sued in his/her official capacity  
1176 and individually as a Trustee for Montserrat College of Art,  
1177 responsible for executing and administering the laws and policies at  
1178 issue in this lawsuit. Defendant directly deprived Plaintiff of his civil  
1179 rights, with malice, and with careful planning and conspiracy with  
1180 others. Plaintiff resides at 23 Essex Street, Beverly, MA 01915-4508

1181

1182 132. Defendant LECIA TURCOTTE is sued in his/her official capacity  
1183 and individually as a Trustee for Montserrat College of Art,  
1184 responsible for executing and administering the laws and policies at  
1185 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1186 01915-4508

1187  
1188 133. Defendant DONALD BOWEN is sued in his/her official capacity  
1189 and individually as a Trustee for Montserrat College of Art,  
1190 responsible for executing and administering the laws and policies at  
1191 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1192 01915-4508

1193  
1194 134. Defendant MARTHA BUSKIRK is sued in his/her official  
1195 capacity and individually as a Trustee for Montserrat College of Art,  
1196 responsible for executing and administering the laws and policies at  
1197 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA

1198  
1199 135. Defendant CHRISTOPHER COLLINS is sued in his/her official  
1200 capacity and individually as a Trustee for Montserrat College of Art,  
1201 responsible for executing and administering the laws and policies at

1202 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1203 01915-4508

1204 136. Defendant NANCY CRATE is sued in his/her official capacity  
1205 and individually as a Trustee for Montserrat College of Art,  
1206 responsible for executing and administering the laws and policies at  
1207 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1208 01915-4508

1209 137.

1210 138. Defendant CRAIG H. DEERY is sued in his/her official  
1211 capacity and individually as a Trustee for Montserrat College of Art,  
1212 responsible for executing and administering the laws and policies at  
1213 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1214 01915-4508

1215 139.

1216 140. Defendant STEVEN DODGE is sued in his/her official  
1217 capacity and individually as a Trustee for Montserrat College of Art,  
1218 responsible for executing and administering the laws and policies at  
1219 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1220 01915-4508

1221

1222 141. Defendant HENRIETTA GATES is sued in his/her official  
1223 capacity and individually as a Trustee for Montserrat College of Art,  
1224 responsible for executing and administering the laws and policies at  
1225 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1226 01915-4508

1227  
1228 142. Defendant MIRANDA GOODING is sued in his/her official  
1229 capacity and individually as a Trustee for Montserrat College of Art,  
1230 responsible for executing and administering the laws and policies at  
1231 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1232 01915-4508

1233  
1234 143. Defendant LINDA HARVEY is sued in his/her official capacity  
1235 and individually as a Trustee for Montserrat College of Art,  
1236 responsible for executing and administering the laws and policies at  
1237 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1238 01915-4508

1239  
1240 144. Defendant BETSY HOPKINS is sued in his/her official  
1241 capacity and individually as a Trustee for Montserrat College of Art,

1242 responsible for executing and administering the laws and policies at  
1243 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1244 01915-4508

1245

1246 145. Defendant JOHN PETERMAN is sued in his/her official  
1247 capacity and individually as a Trustee for Montserrat College of Art,  
1248 responsible for executing and administering the laws and policies at  
1249 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1250 01915-4508

1251

1252 146. Defendant JURRIEN TIMMER is sued in his/her official  
1253 capacity and individually as a Trustee for Montserrat College of Art,  
1254 responsible for executing and administering the laws and policies at  
1255 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1256 01915-4508

1257

1258 147. Defendant CHARLES WHITTEN is sued in his/her official  
1259 capacity and individually as a Trustee for Montserrat College of Art,  
1260 responsible for executing and administering the laws and policies at

1261 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1262 01915-4508

1263

1264 148. Defendant ALAN WILSON is sued in his/her official capacity  
1265 and individually as a Trustee for Montserrat College of Art,  
1266 responsible for executing and administering the laws and policies at  
1267 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1268 01915-4508

1269

1270 149. Defendant KATHERINE WINTER is sued in his/her official  
1271 capacity and individually as a Trustee for Montserrat College of Art,  
1272 responsible for executing and administering the laws and policies at  
1273 issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA  
1274 01915-4508

1275

1276 150. Defendant JO BRODERICK is sued in his/her official capacity  
1277 and individually as a Dean of College Relations for Montserrat  
1278 College of Art, responsible for executing and administering the laws  
1279 and policies at issue in this lawsuit. Plaintiff resides at 23 Essex  
1280 Street, Beverly, MA 01915-4508



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151. Defendant RICK LONGO is sued in his/her official capacity and individually as a Dean of Admissions & Enrollment Management for Montserrat College of Art, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA 01915-4508

152. Defendant LAURA TONELLI is sued in his/her official capacity and individually as a Dean of Faculty and Academic Affairs for Montserrat College of Art, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA 01915-4508

153. Defendant THERESA SKELLY is sued in his/her official capacity and individually as a Registrar for Montserrat College of Art, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 23 Essex Street, Beverly, MA 01915-4508

1300 154. Defendant JEFFREY NEWELL is sued in his/her official  
1301 capacity and individually as a Director of Admissions for Montserrat  
1302 College of Art, responsible for executing and administering the laws  
1303 and policies at issue in this lawsuit. Plaintiff resides at 23 Essex  
1304 Street, Beverly, MA 01915-4508

1305  
1306 155. Defendant LAURA TONELLI is sued in his/her official  
1307 capacity and individually as a Dean of Faculty and Academic Affairs  
1308 for Montserrat College of Art, responsible for executing and  
1309 administering the laws and policies at issue in this lawsuit. Plaintiff  
1310 resides at 23 Essex Street, Beverly, MA 01915-4508

1311  
1312 156. Defendant SCOTT JAMES is sued in his/her official capacity  
1313 and individually as a Associate Vice President for Salem State  
1314 College, responsible for executing and administering the laws and  
1315 policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette  
1316 Street, Salem, MA 01970-5353

1317  
1318 157. Defendant PATRICIA MAGUIRE MESERVEY is sued in  
1319 his/her official capacity and individually as a President for Salem

1320 State College, responsible for executing and administering the laws  
1321 and policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette  
1322 Street, Salem, MA 01970-5353

1323

1324 158. Defendant JAMES STOLL is sued in his/her official capacity  
1325 and individually as a Associate Vice President and Dean of Students  
1326 for Salem State College, responsible for executing and administering  
1327 the laws and policies at issue in this lawsuit. Plaintiff resides at 352  
1328 Lafayette Street, Salem, MA 01970-5353

1329

1330 159. Defendant SHAWN A. NEWTON is sued in his/her official  
1331 capacity and individually as a Assistant Dean of Students, Student  
1332 Life for Salem State College, responsible for executing and  
1333 administering the laws and policies at issue in this lawsuit. Plaintiff  
1334 resides at 352 Lafayette Street, Salem, MA 01970-5353

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1336 160. Defendant WILLIAM ANGLIN is sued in his/her official  
1337 capacity and individually as a Chief, Public Safety for Salem State  
1338 College, responsible for executing and administering the laws and

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policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette Street, Salem, MA 01970-5353

161. Defendant JOHN DOE 045 is sued in his/her official capacity and individually as a Campus Security for Salem State College, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette Street, Salem, MA 01970-5353

162. Defendant JOHN DOE 046 is sued in his/her official capacity and individually as a Campus Security for Salem State College, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette Street, Salem, MA 01970-5353

163. Defendant JOHN DOE 047 is sued in his/her official capacity and individually as a Judicial Board Member for Salem State College, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette Street, Salem, MA 01970-5353

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164. Defendant JOHN DOE 048 is sued in his/her official capacity and individually as a Judicial Board Member for Salem State College, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette Street, Salem, MA 01970-5353

165. Defendant JOHN DOE 049 is sued in his/her official capacity and individually as a Judicial Board Member for Salem State College, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette Street, Salem, MA 01970-5353

166. Defendant JOHN DOE 050 is sued in his/her official capacity and individually as a Judicial Board Member for Salem State College, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette Street, Salem, MA 01970-5353

1378 167. Defendant JOHN DOE 051 is sued in his/her official capacity  
1379 and individually as a Judicial Board Member for Salem State College,  
1380 responsible for executing and administering the laws and policies at  
1381 issue in this lawsuit. Plaintiff resides at 352 Lafayette Street, Salem,  
1382 MA 01970-5353

1383  
1384 168. Defendant SHANE RODRIGUEZ is sued in his/her official  
1385 capacity and individually as a Deputy Chief, Campus Police for Salem  
1386 State College, responsible for executing and administering the laws  
1387 and policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette  
1388 Street, Salem, MA 01970-5353

1389  
1390 169. Defendant KEMAH TRAVERS is sued in his/her official  
1391 capacity and individually as a Judicial Board Member for Salem State  
1392 College, responsible for executing and administering the laws and  
1393 policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette  
1394 Street, Salem, MA 01970-5353

1395  
1396 170. Defendant KRISTINA MASON is sued in his/her official  
1397 capacity and individually as a Judicial Board Member for Salem State

1398 College, responsible for executing and administering the laws and  
1399 policies at issue in this lawsuit. Plaintiff resides at 352 Lafayette  
1400 Street, Salem, MA 01970-5353

1401

1402 171. Defendant LEE BROSSOIT is sued in his/her official capacity  
1403 and individually as a Assistant Dean for Graduate Admissions for  
1404 Salem State College, responsible for executing and administering the  
1405 laws and policies at issue in this lawsuit. Plaintiff resides at 352  
1406 Lafayette Street, Salem, MA 01970-5353

1407

1408 172. Defendant JOHN DOE 052 is sued in his/her official capacity  
1409 and individually as a Nurse for Essex County Sheriff's Department,  
1410 responsible for executing and administering the laws and policies at  
1411 issue in this lawsuit. Plaintiff resides at 20 Manning Rd, Middleton

1412

1413 173. Defendant JOHN DOE 053 is sued in his/her official capacity  
1414 and individually as a Nurse for Essex County Sheriff's Department,  
1415 responsible for executing and administering the laws and policies at  
1416 issue in this lawsuit. Plaintiff resides at 20 Manning Rd, Middleton

1417

1418 174. Defendant MELANIE GOODLAXSON is sued in his/her  
1419 official capacity and individually as a Nurse for Essex County  
1420 Sheriff's Department, responsible for executing and administering the  
1421 laws and policies at issue in this lawsuit. Plaintiff resides at 20  
1422 Manning Rd, Middleton

1423  
1424 175. Defendant JOHN DOE 054 is sued in his/her official capacity  
1425 and individually as a Prison Physician for Essex County Sheriff's  
1426 Department, responsible for executing and administering the laws and  
1427 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1428 Middleton

1429  
1430 176. Defendant JOHN DOE 055 is sued in his/her official capacity  
1431 and individually as a Intake Guard for Essex County Sheriff's  
1432 Department, responsible for executing and administering the laws and  
1433 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1434 Middleton

1435  
1436 177. Defendant JOHN DOE 056 is sued in his/her official capacity  
1437 and individually as a Intake Guard for Essex County Sheriff's



1438 Department, responsible for executing and administering the laws and  
1439 policies at issue in this lawsuit. Plaintiff resides at

1440

1441 178. Defendant JOHN DOE 057 is sued in his/her official capacity  
1442 and individually as a Medical Unit Guard for Essex County Sheriff's  
1443 Department, responsible for executing and administering the laws and  
1444 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1445 Middleton

1446

1447 179. Defendant JOHN DOE 058 is sued in his/her official capacity  
1448 and individually as a Medical Unit Guard for Essex County Sheriff's  
1449 Department, responsible for executing and administering the laws and  
1450 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1451 Middleton

1452

1453 180. Defendant JOHN DOE 059 is sued in his/her official capacity  
1454 and individually as a Medical Unit Guard for Essex County Sheriff's  
1455 Department, responsible for executing and administering the laws and  
1456 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1457 Middleton

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181. Defendant JOHN DOE 060 is sued in his/her official capacity

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and individually as a Medical Unit Guard for Essex County Sheriff's

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Department, responsible for executing and administering the laws and

1462

policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,

1463

Middleton

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182. Defendant JOHN DOE 061 is sued in his/her official capacity

1466

and individually as a Medical Unit Guard for Essex County Sheriff's

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Department, responsible for executing and administering the laws and

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policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,

1469

Middleton

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1471

183. Defendant JOHN DOE 062 is sued in his/her official capacity

1472

and individually as a Medical Unit Guard for Essex County Sheriff's

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Department, responsible for executing and administering the laws and

1474

policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,

1475

Middleton

1476

1477 184. Defendant JOHN DOE 063 is sued in his/her official capacity  
1478 and individually as a Out Processing Guard for Essex County Sheriff's  
1479 Department, responsible for executing and administering the laws and  
1480 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1481 Middleton

1482  
1483 185. Defendant JOHN DOE 064 is sued in his/her official capacity  
1484 and individually as a Out Processing Guard for Essex County Sheriff's  
1485 Department, responsible for executing and administering the laws and  
1486 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1487 Middleton

1488  
1489 186. Defendant JOHN DOE 065 is sued in his/her official capacity  
1490 and individually as a Out Processing Guard for Essex County Sheriff's  
1491 Department, responsible for executing and administering the laws and  
1492 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1493 Middleton

1494  
1495 187. Defendant JOHN DOE 066 is sued in his/her official capacity  
1496 and individually as a Out Processing Guard for Essex County Sheriff's

1497 Department, responsible for executing and administering the laws and  
1498 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1499 Middleton

1500

1501 188. Defendant JOHN DOE 067 is sued in his/her official capacity  
1502 and individually as a Out Processing Guard for Essex County Sheriff's  
1503 Department, responsible for executing and administering the laws and  
1504 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1505 Middleton

1506

1507 189. Defendant JOHN DOE 068 is sued in his/her official capacity  
1508 and individually as a Out Processing Guard for Essex County Sheriff's  
1509 Department, responsible for executing and administering the laws and  
1510 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1511 Middleton

1512

1513 190. Defendant JOHN DOE 069 is sued in his/her official capacity  
1514 and individually as a Transport Guard/Driver for Essex County  
1515 Sheriff's Department, responsible for executing and administering the

1516 laws and policies at issue in this lawsuit. Plaintiff resides at 20  
1517 Manning Rd, Middleton

1518

1519 191. Defendant JOHN DOE 070 is sued in his/her official capacity  
1520 and individually as a Transport Guard/Driver for Essex County  
1521 Sheriff's Department, responsible for executing and administering the  
1522 laws and policies at issue in this lawsuit. Plaintiff resides at 20  
1523 Manning Rd, Middleton

1524

1525 192. Defendant JOHN DOE 071 is sued in his/her official capacity  
1526 and individually as a Transport Guard/Driver for Essex County  
1527 Sheriff's Department, responsible for executing and administering the  
1528 laws and policies at issue in this lawsuit. Plaintiff resides at 20  
1529 Manning Rd, Middleton

1530

1531 193. Defendant JOHN DOE 072 is sued in his/her official capacity  
1532 and individually as a Transport Guard/Driver for Essex County  
1533 Sheriff's Department, responsible for executing and administering the  
1534 laws and policies at issue in this lawsuit. Plaintiff resides at 20  
1535 Manning Rd, Middleton

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1537

194. Defendant JOHN DOE 073 is sued in his/her official capacity and individually as a Out Processing Guard/Release for Essex County Sheriff's Department, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd, Middleton

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195. Defendant JOHN DOE 074 is sued in his/her official capacity and individually as a Shift Supervisor - Intake for Essex County Sheriff's Department, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd, Middleton

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196. Defendant JOHN DOE 075 is sued in his/her official capacity and individually as a Shift Supervisor - Release for Essex County Sheriff's Department, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd, Middleton

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1555 197. Defendant JOHN DOE 076 is sued in his/her official capacity  
1556 and individually as a Administrator for Essex County Sheriff's  
1557 Department, responsible for executing and administering the laws and  
1558 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1559 Middleton

1560  
1561 198. Defendant FRANK G. COUSINS, JR. is sued in his/her official  
1562 capacity and individually as a Sheriff for Essex County Sheriff's  
1563 Department, responsible for executing and administering the laws and  
1564 policies at issue in this lawsuit. Plaintiff resides at 20 Manning Rd,  
1565 Middleton

1566  
1567 199. Defendant MICHAEL MARKS is sued in his/her official  
1568 capacity and individually as a Superintendent - Essex County  
1569 Correctional Facility for Essex County Sheriff's Department,  
1570 responsible for executing and administering the laws and policies at  
1571 issue in this lawsuit. Plaintiff resides at 20 Manning Rd, Middleton

1572  
1573 200. Defendant MICHAEL FROST is sued in his/her official  
1574 capacity and individually as a Assistant Superintendent V - Essex

1575 County Correctional Facility for Essex County Sheriff's Department,  
1576 responsible for executing and administering the laws and policies at  
1577 issue in this lawsuit. Plaintiff resides at 20 Manning Rd, Middleton  
1578

1579 201. Defendant JOHN DOE 077 is sued in his/her official capacity  
1580 and individually as a Bailiff for Commonwealth of Massachusetts -  
1581 Gloucester District Court, responsible for executing and administering  
1582 the laws and policies at issue in this lawsuit. Plaintiff resides at 20  
1583 Manning Rd, Middleton  
1584

1585 202. Defendant JOHN DOE 078 is sued in his/her official capacity  
1586 and individually as a Bailiff for Commonwealth of Massachusetts -  
1587 Gloucester District Court, responsible for executing and administering  
1588 the laws and policies at issue in this lawsuit. Plaintiff resides at 197  
1589 Main Street, Gloucester, MA 01930  
1590

1591 203. Defendant JOHN DOE 079 is sued in his/her official capacity  
1592 and individually as a Jailer for Commonwealth of Massachusetts -  
1593 Gloucester District Court, responsible for executing and administering  
1594 the laws and policies at issue in this lawsuit. Plaintiff resides at 197



1595 Main Street, Gloucester, MA 01930

1596

1597 204. Defendant MICHAEL RACICOT is sued in his/her official  
1598 capacity and individually as a Town Administrator for Town of  
1599 Rockport, responsible for executing and administering the laws and  
1600 policies at issue in this lawsuit. Plaintiff resides at 34 Broadway,  
1601 Rockport, MA 01966

1602

1603 205. Defendant LINDA SANDERS is sued in his/her official  
1604 capacity and individually as a Town Administrator for Town of  
1605 Rockport, responsible for executing and administering the laws and  
1606 policies at issue in this lawsuit. Plaintiff resides at 34 Broadway,  
1607 Rockport, MA 01966

1608

1609 206. Defendant SANDY JACQUES is sued in his/her official  
1610 capacity and individually as a Selectman for Town of Rockport,  
1611 responsible for executing and administering the laws and policies at  
1612 issue in this lawsuit. Plaintiff resides at 34 Broadway, Rockport, MA  
1613 01966

1614

1615 207. Defendant SARAH WILKINSON is sued in his/her official  
1616 capacity and individually as a Selectman for Town of Rockport,  
1617 responsible for executing and administering the laws and policies at  
1618 issue in this lawsuit. Plaintiff resides at 34 Broadway, Rockport, MA  
1619 01966

1620  
1621 208. Defendant ANDREW HEINZE is sued in his/her official  
1622 capacity and individually as a Selectman for Town of Rockport,  
1623 responsible for executing and administering the laws and policies at  
1624 issue in this lawsuit. Plaintiff resides at 34 Broadway, Rockport, MA  
1625 01966

1626  
1627 209. Defendant ELLEN CANAVAN is sued in his/her official  
1628 capacity and individually as a Selectman for Town of Rockport,  
1629 responsible for executing and administering the laws and policies at  
1630 issue in this lawsuit. Plaintiff resides at 34 Broadway, Rockport, MA  
1631 01966

1632  
1633 210. Defendant CHARLES CLARK is sued in his/her official  
1634 capacity and individually as a Selectman for Town of Rockport,

1635 responsible for executing and administering the laws and policies at  
1636 issue in this lawsuit. Plaintiff resides at 34 Broadway, Rockport, MA  
1637 01966

1638

1639 211. Defendant VINCENT P. MEOLI is sued in his/her official  
1640 capacity and individually as a Emergency Room Physician for  
1641 Addison Gilbert Hospital, responsible for executing and administering  
1642 the laws and policies at issue in this lawsuit. Plaintiff resides at 298  
1643 Washington St., Gloucester MA 01930

1644

1645 212. Defendant MICHAEL ARSENIAN is sued in his/her official  
1646 capacity and individually as a Physician for Addison Gilbert Hospital,  
1647 responsible for executing and administering the laws and policies at  
1648 issue in this lawsuit. Plaintiff resides at 298 Washington St.,  
1649 Gloucester MA 01930

1650

1651 213. Defendant PETER W. CURATOLO is sued in his/her official  
1652 capacity and individually as a Physician for Addison Gilbert Hospital,  
1653 responsible for executing and administering the laws and policies at  
1654 issue in this lawsuit. Plaintiff resides at

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1656

214. Defendant JOHN DOE 080 is sued in his/her official capacity and individually as a Nurse for Addison Gilbert Hospital, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 298 Washington St., Gloucester MA 01930

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215. Defendant JOHN DOE 081 is sued in his/her official capacity and individually as a Nurse for Addison Gilbert Hospital, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 298 Washington St., Gloucester MA 01930

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216. Defendant JOHN DOE 082 is sued in his/her official capacity and individually as a Nurse for Addison Gilbert Hospital, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 298 Washington St., Gloucester MA 01930

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217. Defendant JOHN DOE 083 is sued in his/her official capacity and individually as a Nurses Aide for Addison Gilbert Hospital, responsible for executing and administering the laws and policies at

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1674 issue in this lawsuit. Plaintiff resides at 298 Washington St.,  
1675 Gloucester MA 01930

1676  
1677 218. Defendant JOHN DOE 084 is sued in his/her official capacity  
1678 and individually as a Nurses Aide for Addison Gilbert Hospital,  
1679 responsible for executing and administering the laws and policies at  
1680 issue in this lawsuit. Plaintiff resides at 298 Washington St.,  
1681 Gloucester MA 01930

1682  
1683 219. Defendant THOMAS H. JONES is sued in his/her official  
1684 capacity and individually as a Owner for Research Electronics,  
1685 responsible for executing and administering the laws and policies at  
1686 issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood  
1687 TN 38506

1688  
1689 220. Defendant BRUCE BARSUMIAN is sued in his/her official  
1690 capacity and individually as a Owner for Research Electronics,  
1691 responsible for executing and administering the laws and policies at  
1692 issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood  
1693 TN 38506

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221. Defendant MICHELLE GAW is sued in his/her official capacity and individually as a Sales for Research Electronics, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

222. Defendant TRISH WEBB is sued in his/her official capacity and individually as a Accounting for Research Electronics, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

223. Defendant PAMELA MCINTYRE is sued in his/her official capacity and individually as a Employee for Research Electronics, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

1713 224. Defendant LEE JONES is sued in his/her official capacity and  
1714 individually as a Sales Manager for Research Electronics, responsible  
1715 for executing and administering the laws and policies at issue in this  
1716 lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

1717

1718 225. Defendant ARLENE J. BARSUMIAN is sued in his/her official  
1719 capacity and individually as a Owner for Research Electronics,  
1720 responsible for executing and administering the laws and policies at  
1721 issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood  
1722 TN 38506

1723

1724 226. Defendant DARLENE JONES is sued in his/her official  
1725 capacity and individually as a Owner for Research Electronics,  
1726 responsible for executing and administering the laws and policies at  
1727 issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood  
1728 TN 38506

1729

1730 227. Defendant ARLENE J. BARSUMIAN is sued in his/her official  
1731 capacity and individually as a Owner for A and L Enterprises,  
1732 responsible for executing and administering the laws and policies at

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issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood  
TN 38506

228. Defendant DARLENE JONES is sued in his/her official  
capacity and individually as a Owner for A and L Enterprises,  
responsible for executing and administering the laws and policies at  
issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood  
TN 38506

229. Defendant JOHN DOE 084 is sued in his/her official capacity  
and individually as a Employee for Research Electronics, responsible  
for executing and administering the laws and policies at issue in this  
lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

230. Defendant JOHN DOE 085 is sued in his/her official capacity  
and individually as a Employee for Research Electronics, responsible  
for executing and administering the laws and policies at issue in this  
lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506



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231. Defendant JOHN DOE 086 is sued in his/her official capacity and individually as a Employee for Research Electronics, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

232. Defendant JOHN DOE 087 is sued in his/her official capacity and individually as a Employee for Research Electronics, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

233. Defendant JOHN DOE 088 is sued in his/her official capacity and individually as a Employee for Research Electronics, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

234. Defendant JOHN DOE 089 is sued in his/her official capacity and individually as a Employee for Research Electronics, responsible for executing and administering the laws and policies at issue in this lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

1772 235. Defendant JOHN DOE 090 is sued in his/her official capacity  
1773 and individually as a Employee for Research Electronics, responsible  
1774 for executing and administering the laws and policies at issue in this  
1775 lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

1776  
1777 236. Defendant JOHN DOE 091 is sued in his/her official capacity  
1778 and individually as a Employee for Research Electronics, responsible  
1779 for executing and administering the laws and policies at issue in this  
1780 lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

1781  
1782 237. Defendant JOHN DOE 092 is sued in his/her official capacity  
1783 and individually as a Employee for Research Electronics, responsible  
1784 for executing and administering the laws and policies at issue in this  
1785 lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

1786  
1787 238. Defendant JOHN DOE 093 is sued in his/her official capacity  
1788 and individually as a Employee for Research Electronics, responsible  
1789 for executing and administering the laws and policies at issue in this  
1790 lawsuit. Plaintiff resides at 455 Security Place, Algood TN 38506

1791 239.

1792 240. Defendant CHARLENE BROWN is sued in his/her official  
1793 capacity and individually as a Worker for Cape Ann Chamber of  
1794 Commerce, responsible for executing and administering the laws and  
1795 policies at issue in this lawsuit. Plaintiff resides at 33 Commercial  
1796 Street, Gloucester, MA 01930

1797  
1798 241. Defendant John Doe's 094 – 265 is sued in their official capacity,  
1799 responsible for executing and administering the laws and policies at  
1800 issue in this lawsuit. Defendants directly deprived Plaintiff of his civil  
1801 rights, with malice, and with careful planning and conspiracy with  
1802 others. Plaintiff resides an address that is currently unknown at this  
1803 time. Current residence is unknown.

1804

1805 **242. CONSTITUTIONAL PROVISIONS**

1806

1807

1808 243. The Second Amendment provides:

1809 244. A well regulated Militia, being necessary to the security of a free

1810 245. State, the right of the people to keep and bear Arms, shall not be

1811 infringed. - U.S. Const. Amndt. II.

1812

1813 246. The Second Amendment guarantees individuals a fundamental

1814 right to carry operable handguns in non-sensitive public places for the  
1815 purpose of self-defense.

1816

1817 247. The Fourteenth Amendment incorporates the requirements of the  
1818 Second Amendment against the States and their units of local  
1819 government. *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S. Ct. 3020,  
1820 3042 (Jun. 28, 2010).

1821

1822 248. The States retain the ability to regulate the manner of carrying  
1823 handguns within constitutional parameters; to prohibit the carrying of  
1824 handguns in specific, narrowly defined sensitive places; to prohibit the  
1825 carrying of arms that are not within the scope of Second Amendment  
1826 protection; and, to disqualify specific, particularly dangerous  
1827 individuals from carrying handguns.

1828

1829 249. The States may not completely ban the possession or carrying of  
1830 handguns for self defense, may not deny individuals the right to carry  
1831 handguns in non-sensitive places, may not deprive individuals of the  
1832 right to carry handguns in an arbitrary and capricious manner, or  
1833 impose regulations on the right to carry handguns, or impose any

1834 licensing scheme or any sort which that are inconsistent with the  
1835 Second Amendment.

1836  
1837 250. The States also may not restrict, or license the possession of  
1838 firearms, pistols, rifles, revolvers, swords, foils, daggers, or other  
1839 useful arms that the own selects as being most suited to their own  
1840 defense, and which have been historically useful in defending the  
1841 home or business. The States are not allowed to dictate which  
1842 weapons may or may not be kept within the home, only that certain  
1843 overly unstable or overly dangerous firearms (by reason on a design  
1844 flaw). For example, a carriage-mounted cannon would be most  
1845 unsuited for defense inside the home, but pretty much any modern  
1846 shotgun, rifle, pistol, revolver, or edged or impact weapons or other  
1847 weapons would be suited.

1848

1849 **251. FACTS**

1850 252. Plaintiff was repeatedly and falsely arrested as a result that  
1851 there was no probable cause; however, the initiating officers  
1852 manipulated the "facts" in order to obtain arrest warrants for falsely  
1853 filed charges. In addition, the issuing magistrate knew or should have

1854 known, of the falsity of the "facts" related in order to obtain the  
1855 warrants used to injure Plaintiff. In addition, Plaintiff was charged  
1856 with various violations of Massachusetts' gun laws; however, all of  
1857 these charges were again false arrests since no criminal conduct  
1858 existed under the U.S. Supreme Court decisions in *McDonald v.*  
1859 *Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010), and also in *District of*  
1860 *Columbia v. Heller*, 554 U.S. 570 (2008), The continued and false  
1861 arrests were malicious and designed to obtain a purpose and result not  
1862 within the ambit of criminal prosecutions.

1863  
1864 253. The Rockport Police Department, Rockport Ambulance  
1865 Department, Rockport Fire Department, Lyons Ambulance, OEMS,  
1866 Beverly Hospital, and several John Does working in their official  
1867 capacity AND INDIVIDUALLY deprived Plaintiff Atkinson of his  
1868 civil right while operating under the color of authority and engaged in  
1869 activities to harm and attempted injure, rob, steal from, and to  
1870 discredit Plaintiff Atkinson as a witness, when it was discovered in  
1871 August 2009 that Plaintiff would be a States witness against half of  
1872 the Police officers, Firemen, and EMT's in Rockport, and likely a  
1873 witness against several hundred corrupt public safety employees on

1874 the North Shore of Boston. The police officers confected a conspiracy  
1875 whereby they would get a shipment of the Plaintiff goods delay for a  
1876 weeks by causing export documents not required by law to be  
1877 repeatedly rejected or approved delayed, and would then arrest and  
1878 charge the Plaintiff, falsely charging Plaintiff with a crime by virtue of  
1879 these delays in shipment caused by the police and others. Based on  
1880 this manipulations by the police alone, that when arrested the Plaintiff  
1881 involved his 5th Amendment rights at all times, the Chief of Police in  
1882 Rockport punitively and unlawfully revoked the License to Carry  
1883 Firearms, and then demanded that all firearms be turned in, even  
1884 though such a request was a violations of the Plaintiff civil rights, an  
1885 infringement, and a deprivation. The DEFENDANT Tibert then  
1886 threatened to use violence to forcibly break into the Plaintiff's home  
1887 and to seize the firearms, and to charge Plaintiff with other crimes if  
1888 he did not comply knowing thereafter that plaintiff experienced a  
1889 heart attack and was hospitalized being unable to comply. Upon  
1890 plaintiff's return to his home from the hospital at 8:30 PM on Saturday  
1891 night, he was awoken by a multitude of armed officer of the Rockport  
1892 Police Department and federal agencies, who unlawfully smashed  
1893 thought the door while the Plaintiff was still asleep, brutalized the

1894 Plaintiff, and caused a secondary cardiac emergency, from which the  
1895 plaintiff was unable to recover. In fact, this situation turned into a life-  
1896 threatening medical situation, which eventually required surgical  
1897 intervention within days. The DEFENDANTS then proceeded to  
1898 STEAL for their own personal use, coins, gold, silver, cash, radio  
1899 equipment, computers, keys, batons, body bunkers, books, manuals,  
1900 not covered under any warrant and never reflected on the police  
1901 inventory, although photographs provided by defendants of several  
1902 stolen possessions appeared in newspapers. During this wholesale  
1903 looting of the Plaintiffs home, two DEFENDANTS (FBI agents not  
1904 reflected as being present in police documents) joined in, removed  
1905 computers, and other things, which have not yet been accounted for in  
1906 any way. Additional Rockport Police Office, including the Chief of  
1907 the Rockport Police Department, also joined the sacking if the  
1908 Plaintiffs home, and removed several hundred thousands dollars of  
1909 American Gold Eagles and gold bullion, \$5,000 in cash, and over  
1910 1600 ounces of silver bullion, plus tools, goods, equipment, and  
1911 supplies, and well as destroyed at least \$300,000 of high sophisticated  
1912 test equipment. Further, an inert and inactive expended rocket  
1913 launcher tube and fireworks were planted in plaintiff's home by these



1914 defendants. Plaintiff was then charged with multiple felony charges in  
1915 regards to lawfully possessed firearms. The Rockport Police lied to  
1916 confect the initial case, and then they and others lied to confect the  
1917 search warrant, and even went so far as to burglarize and search the  
1918 Plaintiff home a full day before they got the actual warrant by illegally  
1919 entering plaintiff's home and copied several thousand files of  
1920 damaging information to various Defendants along with deleted  
1921 several thousand files of incriminating evidence against Defendants  
1922 which plaintiff had obtained through various dealings in the past with  
1923 the FBI and other federal agencies (this illegal search took place while  
1924 the Plaintiff was still in the Hospital, and before any search warrant  
1925 was issued).

1926  
1927 254. The Rockport Police Department and others unlawfully seized  
1928 five computers, and maliciously smashed the motherboards of two of  
1929 these, and smashed the cases, and in other they removed, and lost the  
1930 hard drives. The Police also stolen over 1200 DVD full of source  
1931 code, the computer on which a highly valuable and proprietary  
1932 database was maintained, back-up tapes, and pieces of computer  
1933 media related to the database. The Database has a minimal

1934 approximate value of \$40 MILLION, and represents decades of work.  
1935 The police also seized customer records, and records that were not on  
1936 the search warrant, just scooping up armloads OF this and dumping  
1937 them into the back of an unsecure pickup truck, that was in no way  
1938 supervised. The business records on these computers are valued well  
1939 in excess of eight million dollars.

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1941 255. The Rockport Police and others then notified at least three  
1942 different defendant colleges that the Plaintiff was attending as a  
1943 student on either a full time or part time basis, and did conspire with  
1944 others to get the Plaintiffs at the schools enrollment suspended, and to  
1945 deny the Plaintiff any process to appeal this suspension in a timely  
1946 manner in order to violate the Plaintiffs civil rights under the color of  
1947 authority. These schools then punitively suspended the Plaintiff  
1948 without any due process, seize his property that was on school  
1949 property, refused to allow student to return to school, or to come on  
1950 school property. The police and the schools deprived Plaintiff of his  
1951 civil rights for political and monetary gain.

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256. The Police and other Defendants conspired with OEMS, who then illegally suspended the Plaintiffs EMT license (which the Plaintiff held as a volunteer EMT in his community), and refused to provide due process, and refused to afford Plaintiff his civil rights. The police and OEMS deprived Plaintiff of his civil rights for political and monetary gain.

**257. CAUSES OF ACTION (1-54 inclusive)**

258. Plaintiff ATKINSON, calls into question the constitutionality of the following Massachusetts General Laws, Statutes, Regulations, Policies, Codes, and Procedures, and asserts that both each is individually, and as a whole body of statues are in fact unlawful, that all are individually, and together a violation of Federal law and the Constitution of the United States, a violation of the Amendments to the Constitution to include the Bill of Rights and the Subsequent Amendments, 42 U.S.C. § 1983, including but not limited to the Constitution of the United States, Article IV, Section 2, and other civil rights laws, and that they represent a serious and very grave and direct infringement upon the civil rights of the Plaintiff ATKINSON, and

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also an infringement upon the civil rights upon all citizens of the Commonwealth of Massachusetts, and an infringement of the civil rights all Citizens of the United States of America who may travel to, from, or through the Commonwealth of Massachusetts.

259. Plaintiff ATKINSON, asserts that based on the decisions published by Supreme Court of the United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008), that most, if not all of the Massachusetts Firearms statutes, regulations, and policies are fundamentally flawed, a violation of Federal Law, a violation of the most basic of American civil rights, an affront to justice and due process, a corruption of government, and a grave danger to the security of a free State, of country, and Constitution of the United States by a domestic enemy and tyrant. That most of the Commonwealth of Massachusetts “Gun Control Laws” and related statues are so fundamentally flawed, vague, perverted, discriminatory, arbitrary, biased, self serving, and unlawfully imposed or enforced that it utterly shocks the conscience.

1993 260. Plaintiff ATKINSON, further asserts the Commonwealth of  
1994 Massachusetts Laws, Statutes, and Regulations listed below are in  
1995 violation of an infringement upon and deprivation of the guarantees,  
1996 privileges, and immunities of Massachusetts Constitution Part The  
1997 First, Article XVII; the U.S. Constitution as a whole; Constitution of  
1998 the United States, Article IV, Section 2; the U.S. Constitution,  
1999 Amendment II (also known as the Second Amendment); and the U.S.  
2000 Constitution, Amendment IX (also known as the Ninth Amendment);  
2001 and the U.S. Constitution, Amendment XIV (also known as the  
2002 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights  
2003 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), including  
2004 but not limited to the Constitution of the United States, Article IV,  
2005 Section 2, English Bill of Rights of 1689, and other relevant laws.

2006  
2007 261. Plaintiff ATKINSON, asserts the under that Fourteenth  
2008 Amendment, that no State (including the Commonwealth of  
2009 Massachusetts) may make any law to the “abridge the privileges and  
2010 immunities of citizens,” and the rulings by the U.S. Supreme Court in  
2011 *Heller* (2008) and in *McDonald* (2010) make it clear that the 2<sup>nd</sup>  
2012 Amendment fully applies to the States, and that in turn no State may

2013 make, pass, or enforce any law which infringes upon the 2<sup>nd</sup>  
2014 Amendment with regards to the keeping and, or of bearing arms.  
2015 Further, because of this ruling by the U.S. Supreme court, the laws of  
2016 the Commonwealth of Massachusetts in regards to both the keeping of  
2017 arms, and the bearing of arms is thus unconstitutional, null and void,  
2018 an infringement and deprivation of civil rights of not only the  
2019 Plaintiff, but also upon all of the citizens of the Commonwealth of  
2020 Massachusetts.

2021  
2022 262. **M.G.L. c. 140, § 121** in that it is deliberately vague, overly broad  
2023 and ambiguous, violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the  
2024 Constitution of the United States, in regards to firearms, pistols,  
2025 revolvers, rifles, shotguns, machine guns, other arms and weapons,  
2026 ammunition, chemical weapons, feeding devices, firearms licenses  
2027 and the rights of Massachusetts citizens to keep and bear arms, and  
2028 thus is an infringement of civil rights. This statute infringes the 2<sup>nd</sup>  
2029 Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2030 privileges and immunities of U.S. citizenship, the “Equal Protections  
2031 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2032 Constitution of the United States, Article IV, Section 2, and is thus

2033 unlawful prior restraint, as well as a deprivation of the civil rights of  
2034 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2035 or parts is unconstitutional, an infringement, and a deprivation of civil  
2036 rights of Plaintiff ATKINSON.

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2038 263. **M.G.L. c. 140, § 121** definition of “Assault Weapons” in that it  
2039 relies upon a now repealed federal statute (18 USC 921, Repealed.  
2040 Pub. L. 103-322, title XI, Sec. 110105(2), Sept. 13, 1994, 108 Stat.  
2041 2000.]) is deliberately vague, overly broad and ambiguous, violates  
2042 the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of the United States,  
2043 in regards to so called “Assault Weapons”, firearms, pistols,  
2044 revolvers, rifles, shotguns, machine guns, other arms and weapons,  
2045 ammunition, chemical weapons, feeding devices, firearms licenses  
2046 and the rights of Massachusetts citizens to keep and bear arms, and  
2047 thus is an infringement of civil rights. This statute infringes the 2<sup>nd</sup>  
2048 Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2049 privileges and immunities of U.S. citizenship, the “Equal Protections  
2050 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2051 Constitution of the United States, Article IV, Section 2, and is thus  
2052 unlawful prior restraint, as well as a deprivation of the civil rights of

2053 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2054 or parts is unconstitutional, an infringement, and a deprivation of civil  
2055 rights of Plaintiff ATKINSON.

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2057 264. **M.G.L. c. 140, § 121** definition of “Large Capacity Feeding  
2058 Device” in that it relies upon a now repealed federal statute (18 USC  
2059 921, Repealed. Pub. L. 103-322, title XI, Sec. 110105(2), Sept. 13,  
2060 1994, 108 Stat. 2000.) is deliberately vague, overly broad and  
2061 ambiguous, violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution  
2062 of the United States, in regards to so called “Assault Weapons”,  
2063 firearms, pistols, revolvers, rifles, shotguns, machine guns, other arms  
2064 and weapons, ammunition, chemical weapons, feeding devices,  
2065 firearms licenses and the rights of Massachusetts citizens to keep and  
2066 bear arms, and thus is an infringement of civil rights. This statute  
2067 infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup>  
2068 Amendment privileges and immunities of U.S. citizenship, the “Equal  
2069 Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited  
2070 to the Constitution of the United States, Article IV, Section 2, and is  
2071 thus unlawful prior restraint, as well as a deprivation of the civil rights  
2072 of the Plaintiff ATKINSON. This statute as a whole, and also in



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sections or parts is unconstitutional, an infringement, and a deprivation of civil rights of Plaintiff ATKINSON.

265. **M.G.L. c. 140, § 121** in regards to “licensing authority” is deliberately vague, overly broad and ambiguous, violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of the United States, firearms, pistols, revolvers, rifles, shotguns, machine guns, other arms and weapons, ammunition, chemical weapons, feeding devices, firearms licenses and the rights of Massachusetts citizens to keep and bear arms, and thus is an infringement of civil rights. Federal law as interpreted by the Supreme Court of the United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008) emphatically deny and refute any and all such state schemes or mechanism, fraud, or infringements. The Supreme Court of the United States has further ruled in these cases that the only citizens who may be disqualified from keeping, possessing, or bearing are those who are convicted felons, or those citizens who have not be adjudicate as mentally defective, and confined to a mental hospital. Thus, the only “licensing authority” is outside of state or local control, and any claim to the

2093 contrary is an utter farce, and an affront to our basic and essential civil  
2094 rights. This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear  
2095 arms, and the 14<sup>th</sup> Amendment privileges and immunities of U.S.  
2096 citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment,  
2097 including but not limited to the Constitution of the United States,  
2098 Article IV, Section 2, and is thus unlawful prior restraint, as well as a  
2099 deprivation of the civil rights of the Plaintiff ATKINSON. This statute  
2100 as a whole, and also in sections or parts is unconstitutional, an  
2101 infringement, and a deprivation of civil rights of Plaintiff  
2102 ATKINSON.

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2104 266. **M.G.L. c. 140, § 121** definition of “Weapon” in that it fails to list  
2105 common and generally recognized weapons such as edged weapons,  
2106 impact weapons, or other timely arms or means to defend oneself  
2107 including improvised weapons, the shod foot, pointed sticks,  
2108 bayonets, blackjacks, batons, come-alones, staffs, handfuls of keys,  
2109 knitting needles, box cutters, scissors, shoes, ice axes, ice picks, meat  
2110 cleavers, sabers, swords, fencing foils, baseball bats, cricket bats,  
2111 dumbbells, hand weights, golf clubs, hockey sticks, pool cues, ski  
2112 poles, utility knives, disposable razors, razor cartridges, axes,

2113 hatchets, crowbars, hammers, drills, drill bits, power drills or saws,  
2114 screwdrivers, wrenches, pliers, pressure washers, billy clubs, black  
2115 jacks, brass knuckles, kubatons, gasoline, butane, propane, matches,  
2116 torches, cigarette lighters, cuts of hot coffee, turpentine, chlorine, gas  
2117 cartridges, bleach, battery acid, pain, hair spray, gell shoe inserts,  
2118 snow globes, candles, keys, and other common tools or customary or  
2119 historical weapons and arms of self defense (as defined by Federal  
2120 regulation). The definition as listed is deliberately vague, overly broad  
2121 and ambiguous, violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the  
2122 Constitution of the United States, firearms, pistols, revolvers, rifles,  
2123 shotguns, machine guns, other arms and weapons, ammunition,  
2124 chemical weapons, feeding devices, firearms licenses and the rights of  
2125 Massachusetts citizens to keep and bear arms, and thus is an  
2126 infringement of civil rights. This statute infringes the 2<sup>nd</sup> Amendment  
2127 right to keep and bear arms, and the 14<sup>th</sup> Amendment privileges and  
2128 immunities of U.S. citizenship, the “Equal Protections Clause” of the  
2129 14<sup>th</sup> Amendment, including but not limited to the Constitution of the  
2130 United States, Article IV, Section 2, and is thus unlawful prior  
2131 restraint, as well as a deprivation of the civil rights of the Plaintiff  
2132 ATKINSON. This statute as a whole, and also in sections or parts is

2133 unconstitutional, an infringement, and a deprivation of civil rights of  
2134 Plaintiff ATKINSON.

2135  
2136 267. **M.G.L. c. 140, § 121** definition of “Large Capacity Weapon” in  
2137 that it relies upon a now repealed federal statute (18 USC 921,  
2138 Repealed. Pub. L. 103-322, title XI, Sec. 110105(2), Sept. 13, 1994,  
2139 108 Stat. 2000.]) is deliberately vague, overly broad and ambiguous,  
2140 violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of the United  
2141 States, in regards to so called “Assault Weapons”, firearms, pistols,  
2142 revolvers, rifles, shotguns, machine guns, other arms and weapons,  
2143 ammunition, chemical weapons, feeding devices, firearms licenses  
2144 and the rights of Massachusetts citizens to keep and bear arms, and  
2145 thus is an infringement of civil rights. This statute infringes the 2<sup>nd</sup>  
2146 Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2147 privileges and immunities of U.S. citizenship, the “Equal Protections  
2148 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2149 Constitution of the United States, Article IV, Section 2, and is thus  
2150 unlawful prior restraint, as well as a deprivation of the civil rights of  
2151 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2152 or parts is unconstitutional, an infringement, and a deprivation of civil

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rights of Plaintiff ATKINSON.

268. **M.G.L. c. 140, § 121** sets an arbitrary manufacture date of 1899 for firearms, rifles, and shotguns, which are equally, if not vastly more dangerous and/or more unstable and dangerous to the user than modern firearms, and is deliberately vague, overly broad and ambiguous, violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of the United States, in regards to so called “Assault Weapons”, firearms, pistols, revolvers, rifles, shotguns, machine guns, other arms and weapons, ammunition, chemical weapons, feeding devices, firearms licenses and the rights of Massachusetts citizens to keep and bear arms, and thus is an infringement of civil rights. This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited to the Constitution of the United States, Article IV, Section 2, and is thus unlawful prior restraint, as well as a deprivation of the civil rights of the Plaintiff ATKINSON. This statute as a whole, and also in sections or parts is unconstitutional, an infringement, and a deprivation of civil rights of Plaintiff ATKINSON.

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269. **M.G.L. c. 140, § 123** Federal law as interpreted by the Supreme Court of the United States in *McDonald v. Chicago*, 561 U.S. \_\_\_\_, 130 S.Ct. 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008) forbids any form of “Firearms Identification Card” under whatever scheme, scam, ruse, or fraud under which the Commonwealth may try to conceal the keeping and possess of any pistol, revolver, rifle, shotgun, machine gun, assault weapon, edged weapon, impact weapons, broken beer bottle, or pointed stick or any arms of ones own choosing inside a citizens own home or upon the property of a citizen. The requirement to be in possession of any kind of state issued identification card, or license to possess “Arms” is deliberately vague, overly broad and ambiguous, violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of the United States. It in turn feeds and enables many other civil rights crimes and infringements of the Commonwealth on the citizens of the State including infringing upon the rights of the Plaintiff. Any requirement by the Commonwealth to possess an “Firearms Identification Card” or any scheme or substitute is thus null and void, and to be stricken from all state statues. This statute infringes the 2<sup>nd</sup> Amendment right to keep

2193 and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of  
2194 U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup>  
2195 Amendment, including but not limited to the Constitution of the  
2196 United States, Article IV, Section 2, and is thus unlawful prior  
2197 restraint, as well as a deprivation of the civil rights of the Plaintiff  
2198 ATKINSON. This statute as a whole, and also in sections or parts is  
2199 unconstitutional, an infringement, and a deprivation of civil rights of  
2200 Plaintiff ATKINSON.

2201  
2202 270. **M.G.L. c. 140, § 123** requires that dealers in firearms, pistols,  
2203 revolvers, rifles, shotguns, machine guns, other arms and weapons,  
2204 ammunition, chemical weapons, feeding devices act as agents of the  
2205 police, and agents of the state government to unlawfully seize  
2206 “Firearms Identifications Cards”, “Licenses to Carry”, “Permits to  
2207 Purchase” violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of  
2208 the United States it does not afford sufficient due process in regards to  
2209 such seizures. This statute infringes the 2<sup>nd</sup> Amendment right to keep  
2210 and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of  
2211 U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup>  
2212 Amendment, including but not limited to the Constitution of the

2213 United States, Article IV, Section 2, and is thus unlawful prior  
2214 restraint, as well as a deprivation of the civil rights of the Plaintiff  
2215 ATKINSON. This statute as a whole, and also in sections or parts is  
2216 unconstitutional, an infringement, and a deprivation of civil rights of  
2217 Plaintiff ATKINSON.

2218  
2219 271. **M.G.L. c. 140, § 123** specifies, under Clause 14, “assault weapons  
2220 or large capacity feeding device that was not otherwise lawfully  
2221 possessed on September 13, 1994” and relies upon the now repealed  
2222 (18 USC 921, Repealed. Pub. L. 103-322, title XI, Sec. 110105(2),  
2223 Sept. 13, 1994, 108 Stat. 2000.) Federal statute. Thus, this restriction  
2224 or definition violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution  
2225 of the United States, and is a civil rights infringement. This statute  
2226 infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup>  
2227 Amendment privileges and immunities of U.S. citizenship, the “Equal  
2228 Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited  
2229 to the Constitution of the United States, Article IV, Section 2, and is  
2230 thus unlawful prior restraint, as well as a deprivation of the civil rights  
2231 of the Plaintiff ATKINSON. This statute as a whole, and also in  
2232 sections or parts is unconstitutional, an infringement, and a



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deprivation of civil rights of Plaintiff ATKINSON.

272. **M.G.L. c. 140, § 123** specifies, under Clause 14, various scheme, fantasies, or devices to render a firearm under the control of a citizen unable and inaccessible, and which is Supreme Court of the United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008). Thus, this restriction or definition violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of the United States, and is a civil rights infringement. This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited to the Constitution of the United States, Article IV, Section 2, and is thus unlawful prior restraint, as well as a deprivation of the civil rights of the Plaintiff ATKINSON. This statute as a whole, and also in sections or parts is unconstitutional, an infringement, and a deprivation of civil rights of Plaintiff ATKINSON

273. **M.G.L. c. 140, § 123** specifies, under Clause 14, various scheme,

2253 fantasies, or devices to render a firearm under the control of a citizen  
2254 unusable and inaccessible, and which in Supreme Court of the United  
2255 States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010),  
2256 and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008). Thus,  
2257 this restriction or definition violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to  
2258 the Constitution of the United States, and is a civil rights  
2259 infringement. This statute infringes the 2<sup>nd</sup> Amendment right to keep  
2260 and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of  
2261 U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup>  
2262 Amendment, including but not limited to the Constitution of the  
2263 United States, Article IV, Section 2, and is thus unlawful prior  
2264 restraint, as well as a deprivation of the civil rights of the Plaintiff  
2265 ATKINSON.

2266  
2267 274. **M.G.L. c. 140, § 123** specifies, under Clauses 18-21, various  
2268 technical parameters that must be met for the retail sale of certain  
2269 firearms, and while the Plaintiff ATKINSON acknowledges that  
2270 suitable firearms capable of assuring the administering and inflicting  
2271 mortal injury against the person toward who such firearms are  
2272 directed by the lawful user of said firearms or other weapons, the

2273 Commonwealth steps over the limited outlined by the U.S. Supreme  
2274 Court in both McDonald and in Heller by requiring such weapons be  
2275 possess or lawfully owned October 12, 1998. Thus, this restriction or  
2276 definition violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of  
2277 the United States, and is a civil rights infringement. This statute  
2278 infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup>  
2279 Amendment privileges and immunities of U.S. citizenship, the “Equal  
2280 Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited  
2281 to the Constitution of the United States, Article IV, Section 2, and is  
2282 thus unlawful prior restraint, as well as a deprivation of the civil rights  
2283 of the Plaintiff ATKINSON. This statute as a whole, and also in  
2284 sections or parts is unconstitutional, an infringement, and a  
2285 deprivation of civil rights of Plaintiff ATKINSON.

2286  
2287 275. **M.G.L. c. 140, § 127** in that as defined by the Supreme Court of  
2288 the United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct.  
2289 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570  
2290 (2008), Massachusetts Constitution Part The First, Article XVII; the  
2291 U.S. Constitution as a whole; the U.S. Constitution, Amendment II  
2292 (also known as the Second Amendment); and the U.S. Constitution,

2293 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2294 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983  
2295 (also called "section 1983"), and other relevant laws do not grant any  
2296 “officials authorized to issue a license” and power to effect such a  
2297 transfer and any scheme, statute, artifice, or regulation to the contract  
2298 violates the 2<sup>nd</sup> and 14<sup>th</sup> Amendments to the Constitution of the United  
2299 States, including but not limited to the Constitution of the United  
2300 States, Article IV, Section 2, and is a civil rights infringement. This  
2301 statute as a whole, and also in sections or parts is unconstitutional, an  
2302 infringement, and a deprivation of civil rights of Plaintiff  
2303 ATKINSON.

2304  
2305 276. **M.G.L. c. 140, § 128A** requires the “Firearms Identification Card”  
2306 for application of section 128, but requires both buyer and seller to  
2307 have possession of a “Firearms Identification Card” or a “Permit to  
2308 Purchase” both of which have been outlawed by the U.S. Supreme  
2309 Court under *Heller* and *McDonald* as an attempt by the  
2310 Commonwealth to subvert the 2<sup>nd</sup> and 14<sup>th</sup> amendment, and to impose  
2311 a revocable licensing or permitting scheme in violation of civil rights.  
2312 This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms,

2313 and the 14<sup>th</sup> Amendment privileges and immunities of U.S.  
2314 citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment,  
2315 including but not limited to the Constitution of the United States,  
2316 Article IV, Section 2, and is thus unlawful prior restraint, as well as a  
2317 deprivation of the civil rights of the Plaintiff ATKINSON. This statute  
2318 as a whole, and also in sections or parts is unconstitutional, an  
2319 infringement, and a deprivation of civil rights of Plaintiff  
2320 ATKINSON.

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2322 277. **M.G.L. c. 140, § All Sections**, The Commonwealth can no more  
2323 require a permit to purchase or possess firearms as they can attempt to  
2324 compel the purchaser of pen and ink to apply for a “Literary  
2325 Identification Card”, or a “Permit to Purchase Ink Pens” or even any  
2326 permitting scheme in order to license the ownership of a printing  
2327 press, computer printer, mimeograph, or copy machine. The U.S.  
2328 Supreme Court has stated strongly that firearms rights are no different  
2329 than the freedom of the press, and the government may not control or  
2330 restrict either. Such a repeated requirement in the General laws of the  
2331 Commonwealth for a fanciful and lofty sounding “Firearms  
2332 Identification Card” is little more than prior restraint of 2<sup>nd</sup>, 4<sup>th</sup>, and

2333 14<sup>th</sup> Amendment rights, and thus a blatant infringement of civil rights.  
2334 This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms,  
2335 and the 14<sup>th</sup> Amendment privileges and immunities of U.S.  
2336 citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment,  
2337 including but not limited to the Constitution of the United States,  
2338 Article IV, Section 2, and is thus unlawful prior restraint, as well as a  
2339 deprivation of the civil rights of the Plaintiff ATKINSON. This statute  
2340 as a whole, and also in sections or parts is unconstitutional, an  
2341 infringement, and a deprivation of civil rights of Plaintiff ATKINSON

2342  
2343 278. **M.G.L. c. 140, § 129B in its entirety** is unlawful, and a violation  
2344 of the 2<sup>nd</sup> and 14<sup>th</sup> amendments as defined by the Supreme Court of  
2345 the United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct.  
2346 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570  
2347 (2008), Massachusetts Constitution Part The First, Article XVII; the  
2348 U.S. Constitution as a whole; the U.S. Constitution, Amendment II  
2349 (also known as the Second Amendment); and the U.S. Constitution,  
2350 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2351 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983  
2352 (also called "section 1983"), and other relevant laws, as a violation

2353 and infringement of civil rights. This statute infringes the 2<sup>nd</sup>  
2354 Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2355 privileges and immunities of U.S. citizenship, the “Equal Protections  
2356 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2357 Constitution of the United States, Article IV, Section 2, and is thus  
2358 unlawful prior restraint, as well as a deprivation of the civil rights of  
2359 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2360 or parts is unconstitutional, an infringement, and a deprivation of civil  
2361 rights of Plaintiff ATKINSON.

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2363 279. **M.G.L. c. 140, § 129B, Section (9)** outlines a process by which  
2364 the “Executive Director of the Criminal History Systems Board” shall  
2365 notify holders of “Firearms Identifications Cards” of the expiration of  
2366 such document. Notwithstanding that such a document is not required  
2367 by Federal law to purchase and, or to possess firearms, yet the scheme  
2368 to make such notifications has not yet actually been instituted by the  
2369 Commonwealth despite extended fraudulent claims by the “Executive  
2370 Director of the Criminal History Systems Board” to contrary, and this  
2371 fraud by the Commonwealth is widely known and recognized. M.G.L.  
2372 c. 140, § 129B, Section (9) requires that such notification by made by

2373 first class mail, yet the Commonwealth well knows that using the U.S.  
2374 Mail to foist such a fraud upon holders of allegedly expiring  
2375 “Firearms Identifications Cards” would involve mail fraud on a grand  
2376 scale, and be a violation of the RICO statutes. This “expiration” of a  
2377 “Firearms Identifications Cards”, and the utter farce which the  
2378 Commonwealth uses in order not to notify holders of such documents  
2379 which there is no basis in law is beyond the boundaries of a Kafka or  
2380 Orwellian state, and is a violation and infringement of civil rights.  
2381 This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms,  
2382 and the 14<sup>th</sup> Amendment privileges and immunities of U.S.  
2383 citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment,  
2384 including but not limited to the Constitution of the United States,  
2385 Article IV, Section 2, and is thus unlawful prior restraint, as well as a  
2386 deprivation of the civil rights of the Plaintiff ATKINSON. This statute  
2387 as a whole, and also in sections or parts is unconstitutional, an  
2388 infringement, and a deprivation of civil rights of Plaintiff  
2389 ATKINSON.

2390

2391 280. **M.G.L. c. 140, § 129B, Section (12)** outlines a process by which  
2392 lawfully owned and possessed firearms may be unlawfully



2393 confiscated, and disposed of by police due to an expired “Firearms  
2394 Identification Card”, and is a violation and infringement of civil rights  
2395 as the U.S. Supreme Court in *McDonald* and *Heller* has affirmed that  
2396 no such document, permit, or license is required for a citizen to keep  
2397 this type of weapon, or pretty much any other weapon in their home,  
2398 or on their property. Thus, this is a blatant infringement of civil rights.  
2399 This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms,  
2400 and the 14<sup>th</sup> Amendment privileges and immunities of U.S.  
2401 citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment,  
2402 including but not limited to the Constitution of the United States,  
2403 Article IV, Section 2, and is thus unlawful prior restraint, as well as a  
2404 deprivation of the civil rights of the Plaintiff ATKINSON. This statute  
2405 as a whole, and also in sections or parts is unconstitutional, an  
2406 infringement, and a deprivation of civil rights of Plaintiff  
2407 ATKINSON.

2408  
2409 281. **M.G.L. c. 140, § 129C** in that provides a definition of “exempted  
2410 persons and uses” which under clause (o) defines “any jurisdictions”  
2411 in regards to military and police officers, and peace officers. This  
2412 permits a “good old boy network” by which any police officer from

2413 well outside the boundaries of the Commonwealth may keep and bear  
2414 arms inside the state, with no oversight of either local or State entities.  
2415 This is a violation of the 14<sup>th</sup> amendment as an issue of “equal  
2416 protection” as well as an “immunities and privileges issue” including  
2417 but not limited to the 14<sup>th</sup>, and 2<sup>nd</sup> amendments. This statute infringes  
2418 the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup>  
2419 Amendment privileges and immunities of U.S. citizenship, the “Equal  
2420 Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited  
2421 to the Constitution of the United States, Article IV, Section 2, and is  
2422 thus unlawful prior restraint, as well as a deprivation of the civil rights  
2423 of the Plaintiff ATKINSON. This statute as a whole, and also in  
2424 sections or parts is unconstitutional, an infringement, and a  
2425 deprivation of civil rights of Plaintiff ATKINSON.

2426  
2427 282. **M.G.L. c. 140, § 129C, Section (f), and other sections of**  
2428 **M.G.L. c. 140, § 129C**, provides possession and “keeping and bearing  
2429 of arms” by non-residents, children, not even old enough to drive,  
2430 aliens, and others, yet denies this same access to regular citizens of the  
2431 Commonwealth. This is a violation of the 14<sup>th</sup> amendment as an issue  
2432 of “equal protection” as well as an “immunities and privileges issue”

2433 including but not limited to the 14<sup>th</sup>, and 2<sup>nd</sup> amendments. This statute  
2434 infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup>  
2435 Amendment privileges and immunities of U.S. citizenship, the “Equal  
2436 Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited  
2437 to the Constitution of the United States, Article IV, Section 2, and is  
2438 thus unlawful prior restraint, as well as a deprivation of the civil rights  
2439 of the Plaintiff ATKINSON. This statute as a whole, and also in  
2440 sections or parts is unconstitutional, an infringement, and a  
2441 deprivation of civil rights of Plaintiff ATKINSON.

2442  
2443 283. **M.G.L. c. 140, § 129D**, requires the surrender of firearms and  
2444 ammunition upon denial or revocation of any of several different  
2445 varieties of Commonwealth firearms licenses, permits, schemes, and  
2446 frauds. This is an infringement of civil rights including but not limited  
2447 to the 14<sup>th</sup>, 4<sup>th</sup>, and 2<sup>nd</sup> amendments. This statute infringes the 2<sup>nd</sup>  
2448 Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2449 privileges and immunities of U.S. citizenship, the “Equal Protections  
2450 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2451 Constitution of the United States, Article IV, Section 2, and is thus  
2452 unlawful prior restraint, as well as a deprivation of the civil rights of

2453 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2454 or parts is unconstitutional, an infringement, and a deprivation of civil  
2455 rights of Plaintiff ATKINSON.

2456

2457 284. **M.G.L. c. 140, § 129D**, requires the surrender of firearms and  
2458 ammunition “without delay”, but this time period is not dictated  
2459 anywhere in Chapter 140, and in fact the only place in entirety of  
2460 Massachusetts General Law where the time period of “without delay”  
2461 is even remotely approached is in Chapter 12, Section 28 where it is  
2462 given as "within sixty days". Thus, any attempt by the Commonwealth  
2463 or any law enforcement agency to compel the immediate surrender of  
2464 firearms on the spot, or within 6 hours, 12, hours, 24, hours, 48 hours,  
2465 72 hours, or in anything amount of time of less than “within sixty  
2466 days”. Further Massachusetts General law allows for a 90 day appeal  
2467 period of any revocation or suspension, and even allows for a “license  
2468 to carry” or “firearms identification card” to remains active for 90  
2469 days beyond the expiration date, thus “without delay” is arbitrarily  
2470 defined by statute as some period of time well beyond 60 days, but  
2471 less then 91 days”. The lack of the M.G.L. c. 140, § 129D to specify a  
2472 number of hours, days, or weeks is a violation of the 4<sup>th</sup>, 9<sup>th</sup>, 14<sup>th</sup>, and

2473 2<sup>nd</sup> Amendments and an infringement and deprivations of the civil  
2474 rights of anybody whom the police or the state may lawfully or  
2475 unlawfully revoke or suspend the right to keep or the bear arms. This  
2476 statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and  
2477 the 14<sup>th</sup> Amendment privileges and immunities of U.S. citizenship, the  
2478 “Equal Protections Clause” of the 14<sup>th</sup> Amendment, including but not  
2479 limited to the Constitution of the United States, Article IV, Section 2,  
2480 and is thus unlawful prior restraint, as well as a deprivation of the civil  
2481 rights of the Plaintiff ATKINSON. This statute as a whole, and also in  
2482 sections or parts is unconstitutional, an infringement, and a  
2483 deprivation of civil rights of Plaintiff ATKINSON.

2484

2485 285. **M.G.L. c. 140, § 130B(b)** is a violation of 18 USC 922 and 18  
2486 USC 921, wherein felons are banned for life under Federal law from  
2487 regaining access to firearms by way of “the board” including but not  
2488 limited to the Secretary of Public Safety, Colonel of the State Police,  
2489 the Attorney General, and others. The seven members of this “board”  
2490 are violating federal law and committing misprision of a felony, and  
2491 criminal conspiracy by permitting dangerous felons as well as  
2492 “reformed” to obtain Commonwealth sanctioned, albeit Federally

2493 forbidden access to arms. This is an infringement of civil rights of law  
2494 abiding (non-felons) including but not limited to the 14<sup>th</sup>, 9<sup>th</sup>, and 2<sup>nd</sup>  
2495 amendments. This statute infringes the 2<sup>nd</sup> Amendment right to keep  
2496 and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of  
2497 U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup>  
2498 Amendment, including but not limited to the Constitution of the  
2499 United States, Article IV, Section 2, and is thus unlawful prior  
2500 restraint, as well as a deprivation of the civil rights of the Plaintiff  
2501 ATKINSON. This statute as a whole, and also in sections or parts is  
2502 unconstitutional, an infringement, and a deprivation of civil rights of  
2503 Plaintiff ATKINSON.

2504  
2505 286. **M.G.L. c. 140, § 131** in that it does not afford sufficient due  
2506 process with respect to the revocation or suspension of firearms  
2507 licenses and the rights of Massachusetts citizens to keep and bear  
2508 arms, and thus is an infringement and deprivation of civil rights.  
2509 Further this section violates the keeping and bearing arms and is in  
2510 conflict with the decisions of the Supreme Court of the United States  
2511 in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010), and  
2512 also in *District of Columbia v. Heller*, 554 U.S. 570 (2008),

2513 Massachusetts Constitution Part The First, Article XVII; the U.S.  
2514 Constitution as a whole; the U.S. Constitution, Amendment II (also  
2515 known as the Second Amendment); and the U.S. Constitution,  
2516 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2517 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983  
2518 (also called "section 1983"), and other relevant laws, as a violation  
2519 and infringement of civil rights. This statute infringes the 2<sup>nd</sup>  
2520 Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2521 privileges and immunities of U.S. citizenship, the “Equal Protections  
2522 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2523 Constitution of the United States, Article IV, Section 2, and is thus  
2524 unlawful prior restraint, as well as a deprivation of the civil rights of  
2525 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2526 or parts is unconstitutional, an infringement, and a deprivation of civil  
2527 rights of Plaintiff ATKINSON.

2528  
2529 287. **M.G.L. c. 140, § 131A** in that it does not afford sufficient due  
2530 process with respect to the revocation or suspension of firearms  
2531 licenses and the rights of Massachusetts citizens to keep and bear  
2532 arms, and thus is an infringement and deprivation of civil rights. This

2533 statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and  
2534 the 14<sup>th</sup> Amendment privileges and immunities of U.S. citizenship, the  
2535 “Equal Protections Clause” of the 14<sup>th</sup> Amendment, including but not  
2536 limited to the Constitution of the United States, Article IV, Section 2,  
2537 and is thus unlawful prior restraint, as well as a deprivation of the civil  
2538 rights of the Plaintiff ATKINSON. This statute as a whole, and also in  
2539 sections or parts is unconstitutional, an infringement, and a  
2540 deprivation of civil rights of Plaintiff ATKINSON.

2541

2542 288. **M.G.L. c. 140, § 131C(a-e)** unlawfully restricts certain weapons  
2543 by model number and style, which are particularly useful for vehicle  
2544 defense from being loaded while being carried by people in vehicles.  
2545 Section 131C in its entirety is thus an infringement and deprivation of  
2546 civil rights. This statute infringes the 2<sup>nd</sup> Amendment right to keep  
2547 and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of  
2548 U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup>  
2549 Amendment, including but not limited to the Constitution of the  
2550 United States, Article IV, Section 2, and is thus unlawful prior  
2551 restraint, as well as a deprivation of the civil rights of the Plaintiff  
2552 ATKINSON. This statute as a whole, and also in sections or parts is



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unconstitutional, an infringement, and a deprivation of civil rights of Plaintiff ATKINSON.

289. **M.G.L. c. 140, § 131E** violates the keeping and bearing arms and is in conflict with the decisions of the Supreme Court of the *United States in McDonald v. Chicago*, 561 U.S. \_\_\_\_, 130 S.Ct. 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The First, Article XVII; the U.S. Constitution as a whole; the U.S. Constitution, Amendment II (also known as the Second Amendment); and the U.S. Constitution, Amendment XIV (also known as the Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other relevant laws, as a violation and infringement of civil rights. This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited to the Constitution of the United States, Article IV, Section 2, and is thus unlawful prior restraint, as well as a deprivation of the civil rights of the Plaintiff ATKINSON. This statute as a whole, and also in sections

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or parts is unconstitutional, an infringement, and a deprivation of civil rights of Plaintiff ATKINSON

290. **M.G.L. c. 140, § 131K** violates the keeping and bearing arms and is in conflict with the decisions of the Supreme Court of the United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The First, Article XVII; the U.S. Constitution as a whole; the U.S. Constitution, Amendment II (also known as the Second Amendment); and the U.S. Constitution, Amendment XIV (also known as the Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other relevant laws, as a violation and infringement of civil rights. This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited to the Constitution of the United States, Article IV, Section 2, and is thus unlawful prior restraint, as well as a deprivation of the civil rights of the Plaintiff ATKINSON. This statute as a whole, and also in sections

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or parts is unconstitutional, an infringement, and a deprivation of civil rights of Plaintiff ATKINSON.

291. **M.G.L. c. 140, § 131 ¾** the Commonwealth has not to date published or distributed a roster “in newspapers **of general circulation throughout** the Commonwealth” a listing of large capacity rifles, shotguns, firearms, and feeding devices, beyond perhaps burying a tiny, essentially invisible listing hidden in the pages of a section barely read by readers, of less than mainstream papers and in fact published in such limited size scope, and publications that in essence it went unpublished as defined by and required in section 131 ¾ . Even with such a publication, even if such a roster of devices was published as provided in this section, it would remain a violation of Constitutional law to restrict such ownership or keeping such arms in any way. This is a scheme to defraud the public, and to infringe upon the 2<sup>nd</sup>, 9<sup>th</sup>, and 14<sup>th</sup> amendments, and other civil rights. This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment privileges and immunities of U.S. citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment, including but not limited to the Constitution of the United States, Article IV, Section 2, and is

2613 thus unlawful prior restraint, as well as a deprivation of the civil rights  
2614 of the Plaintiff ATKINSON.

2615  
2616 292. **M.G.L. c. 140, § 131L** violates Federal laws and Constitutional  
2617 Amendments regarding the keeping and bearing arms and is in open  
2618 conflict with the decisions of the Supreme Court of the *United States*  
2619 *in McDonald v. Chicago*, 561 U.S. \_\_\_\_, 130 S.Ct. 3020 (2010), and  
2620 also in *District of Columbia v. Heller*, 554 U.S. 570 (2008),  
2621 Massachusetts Constitution Part The First, Article XVII; the U.S.  
2622 Constitution as a whole; the U.S. Constitution, Amendment II (also  
2623 known as the Second Amendment); and the U.S. Constitution,  
2624 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2625 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983  
2626 (also called "section 1983"), and other relevant laws, as a violation,  
2627 deprivation and infringement of civil rights. This statute infringes the  
2628 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2629 privileges and immunities of U.S. citizenship, the “Equal Protections  
2630 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2631 Constitution of the United States, Article IV, Section 2, and is thus  
2632 unlawful prior restraint, as well as a deprivation of the civil rights of

2633 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2634 or parts is unconstitutional, an infringement, and a deprivation of civil  
2635 rights of Plaintiff ATKINSON.

2636

2637 293. **M.G.L. c. 140, § 131M** violates the keeping and bearing arms and  
2638 is in conflict with the decisions of the Supreme Court of the *United*  
2639 *States in McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010),  
2640 and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008),  
2641 Massachusetts Constitution Part The First, Article XVII; the U.S.  
2642 Constitution as a whole; the U.S. Constitution, Amendment II (also  
2643 known as the Second Amendment); and the U.S. Constitution,  
2644 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2645 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983  
2646 (also called "section 1983"), and other relevant laws, as a violation,  
2647 deprivation and infringement of civil rights. This statute infringes the  
2648 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2649 privileges and immunities of U.S. citizenship, the “Equal Protections  
2650 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2651 Constitution of the United States, Article IV, Section 2, and is thus  
2652 unlawful prior restraint, as well as a deprivation of the civil rights of

2653 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2654 or parts is unconstitutional, an infringement, and a deprivation of civil  
2655 rights of Plaintiff ATKINSON.

2656

2657 294. **M.G.L. c. 140, § 131M** further creates an Orwellian “more  
2658 privileged, but equal” level of citizen in the form of retired law  
2659 enforcement officers, which violated the equal protections of the 14<sup>th</sup>  
2660 amendment. Hence, all citizens are equal in the eyes of the law, and  
2661 no persons respective of their prior occupation(s) are “more equal” by  
2662 virtual of a gold watch or gold badge. This section (and other related  
2663 statutes) is in conflict with the decisions of the Supreme Court of the  
2664 United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020  
2665 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570  
2666 (2008), Massachusetts Constitution Part The First, Article XVII; the  
2667 U.S. Constitution as a whole; the U.S. Constitution, Amendment II  
2668 (also known as the Second Amendment); and the U.S. Constitution,  
2669 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2670 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983  
2671 (also called "section 1983"), and other relevant laws, as a violation,  
2672 deprivation and infringement of civil rights. This statute infringes the

2673 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2674 privileges and immunities of U.S. citizenship, the “Equal Protections  
2675 Clause” of the 14<sup>th</sup> Amendment, and is thus unlawful prior restraint,  
2676 as well as a deprivation of the civil rights of the Plaintiff ATKINSON.  
2677 This statute as a whole, and also in sections or parts is  
2678 unconstitutional, an infringement, and a deprivation of civil rights of  
2679 Plaintiff ATKINSON.

2680  
2681 295. **M.G.L. c. 140, § 131N** violates the keeping and bearing covert  
2682 arms and is in conflict with the decisions of the Supreme Court of the  
2683 United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020  
2684 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570  
2685 (2008), Massachusetts Constitution Part The First, Article XVII; the  
2686 U.S. Constitution as a whole; the U.S. Constitution, Amendment II  
2687 (also known as the Second Amendment); and the U.S. Constitution,  
2688 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2689 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983  
2690 (also called "section 1983"), and other relevant laws, as a violation,  
2691 deprivation and infringement of civil rights. This statute infringes the  
2692 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment

2693 privileges and immunities of U.S. citizenship, the “Equal Protections  
2694 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
2695 Constitution of the United States, Article IV, Section 2, and is thus  
2696 unlawful prior restraint, as well as a deprivation of the civil rights of  
2697 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2698 or parts is unconstitutional, an infringement, and a deprivation of civil  
2699 rights of Plaintiff ATKINSON.

2700

2701 296. **M.G.L. c. 140, § 131P** is a licensing scheme with little or no bona  
2702 fide reason to exist other than to harvest a record of citizens who may  
2703 attend such training so that their right to keep or bear arms may be  
2704 infringed upon at some future date. The statute fails to state any  
2705 standard of training, duration of training, records keeping  
2706 requirements, or any legitimate method of instruction, or any other  
2707 outline or syllabus but which such a course or orientation would be  
2708 taught. This statute, is an utter farce, overly vague, and violates the  
2709 keeping and bearing covert arms and is in conflict with the decisions  
2710 of the Supreme Court of the United States in *McDonald v. Chicago*,  
2711 561 U.S. \_\_\_\_, 130 S.Ct. 3020 (2010), and also in *District of Columbia*  
2712 *v. Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The



2713 First, Article XVII; the U.S. Constitution as a whole; the U.S.  
2714 Constitution, Amendment II (also known as the Second Amendment);  
2715 and the U.S. Constitution, Amendment XIV (also known as the  
2716 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights  
2717 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other  
2718 relevant laws, as a violation, deprivation and infringement of civil  
2719 rights. This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear  
2720 arms, and the 14<sup>th</sup> Amendment privileges and immunities of U.S.  
2721 citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment,  
2722 including but not limited to the Constitution of the United States,  
2723 Article IV, Section 2, and is thus unlawful prior restraint, as well as a  
2724 deprivation of the civil rights of the Plaintiff ATKINSON. This statute  
2725 as a whole, and also in sections or parts is unconstitutional, an  
2726 infringement, and a deprivation of civil rights of Plaintiff  
2727 ATKINSON.

2728  
2729 297. **M.G.L. c. 269, § 10** is overly vague, and violates the keeping and  
2730 bearing various types of arms and is in conflict with the decisions of  
2731 the Supreme Court of the United States in *McDonald v. Chicago*, 561  
2732 U.S. \_\_\_\_, 130 S.Ct. 3020 (2010), and also in *District of Columbia v.*

2733 *Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The  
2734 First, Article XVII; the U.S. Constitution as a whole; the U.S.  
2735 Constitution, Amendment II (also known as the Second Amendment);  
2736 and the U.S. Constitution, Amendment XIV (also known as the  
2737 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights  
2738 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other  
2739 relevant laws, as a violation, deprivation and infringement of civil  
2740 rights. This statute infringes the 2<sup>nd</sup> Amendment right to keep and bear  
2741 arms, and the 14<sup>th</sup> Amendment privileges and immunities of U.S.  
2742 citizenship, the “Equal Protections Clause” of the 14<sup>th</sup> Amendment,  
2743 including but not limited to the Constitution of the United States,  
2744 Article IV, Section 2, and is thus unlawful prior restraint, as well as a  
2745 deprivation of the civil rights of the Plaintiff ATKINSON. This statute  
2746 as a whole, and also in sections or parts is unconstitutional, an  
2747 infringement, and a deprivation of civil rights of Plaintiff  
2748 ATKINSON.

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2750 298. **M.G.L. c. 269, § 10(m)** the U.S. Constitution, Amendment II  
2751 (also known as the Second Amendment) is in fact a “statue” as  
2752 defined in paragraph (m), the U.S. Constitution, Amendment XIV

2753 (also known as the Fourteenth Amendment) expands the 2<sup>nd</sup>  
2754 Amendment and applies to all citizens of the Commonwealth, and to  
2755 all Citizens of the United States as an unqualified right onto which the  
2756 government can not and shall not infringe. Thusly, where **M.G.L. c.**  
2757 **269, § 10(m)** refers to “all people not exempted by statute”, this in  
2758 reality includes all law abiding citizens of the Commonwealth, not  
2759 merely the chosen few who a “licensing authority” arbitrarily decides  
2760 may or may not possess firearms, or even a certain class or type of  
2761 firearm or ammunition. This section violates the 14<sup>th</sup>, 9<sup>th</sup>, and 2<sup>nd</sup>  
2762 Amendments, and other relevant laws, as a violation, deprivation, and  
2763 infringement of civil rights. This statute infringes the 2<sup>nd</sup> Amendment  
2764 right to keep and bear arms, and the 14<sup>th</sup> Amendment privileges and  
2765 immunities of U.S. citizenship, the “Equal Protections Clause” of the  
2766 14<sup>th</sup> Amendment, including but not limited to the Constitution of the  
2767 United States, Article IV, Section 2, and is thus unlawful prior  
2768 restraint, as well. This statute as a whole, and also in sections or parts  
2769 is unconstitutional, an infringement, and a deprivation of civil rights  
2770 of Plaintiff ATKINSON as a deprivation of the civil rights of the  
2771 Plaintiff ATKINSON.

2772

2773 299. **M.G.L. c. 269, § 10** bans a useful type of arm called a “silencer”,  
2774 and while the Statue is flawed with its technical description of such an  
2775 arm or accessory to an arm, they are nonetheless useful for lawful  
2776 defense of the home, or business, so much so that SWAT teams and  
2777 tactical entry teams routinely utilize this devices and related arms in  
2778 order to protect their hearing in order to provide a tactical advantage.  
2779 These arms or attachments to arms exists and are used as hearing  
2780 protection devices both by the police, by the military, and by law  
2781 abiding citizens. The Commonwealth has no legitimate reason to ban  
2782 such a useful arm or attachment, when it is recognized so universally  
2783 as being so useful in home or business defense situations. The statute  
2784 is overly vague, and violates the keeping and bearing various types of  
2785 arms and is in conflict with the decisions of the Supreme Court of the  
2786 United States in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020  
2787 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570  
2788 (2008), Massachusetts Constitution Part The First, Article XVII; the  
2789 U.S. Constitution as a whole; the U.S. Constitution, Amendment II  
2790 (also known as the Second Amendment); and the U.S. Constitution,  
2791 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2792 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983

2793 (also called "section 1983"), and other relevant laws, as a violation,  
2794 deprivation and infringement of civil rights. This statute infringes the  
2795 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
2796 privileges and immunities of U.S. citizenship, the "Equal Protections  
2797 Clause" of the 14<sup>th</sup> Amendment, including but not limited to the  
2798 Constitution of the United States, Article IV, Section 2, and is thus  
2799 unlawful prior restraint, as well as a deprivation of the civil rights of  
2800 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2801 or parts is unconstitutional, an infringement, and a deprivation of civil  
2802 rights of Plaintiff ATKINSON.

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2804 300. **M.G.L c 111C** provides mechanism by which (under **105 CMR**  
2805 **170.750**) the Commonwealth may revoke the professional licenses  
2806 and medical credentials of Emergency Medical Technicians on an  
2807 arbitrary, vague, and capricious manner under a mere accusation of a  
2808 act, absent any probable cause, absent any tangible proof the act  
2809 actually took place, absent any form of probable cause hearing, absent  
2810 any form of dangerousness hearing, absent any scientific proof, absent  
2811 any examination of the evidence, absent the cross examination of  
2812 witness, no ability to cross examine witnesses, nor to refute the

2813 charges, or to examine documents, or evidence which the state may  
2814 hold before such a suspension is imposed. In reality, the State revokes  
2815 or suspends the licenses of certain EMT's when it is politically  
2816 beneficial for them to do so, absent any actual evidence of wrong  
2817 doing, and places the burden of proving innocence upon the person on  
2818 whom the State is depriving of civil rights. This statute and/or  
2819 regulation is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment, 8<sup>th</sup>  
2820 Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment, including but not  
2821 limited to the Constitution of the United States, Article IV, Section 2,  
2822 and is a violation of civil rights, and deprivation of the civil rights of  
2823 the Plaintiff ATKINSON. Further, as the State is depriving patients of  
2824 the services of a qualified volunteer Emergency Medical Technician  
2825 in his community, the deprivation extends to the patients of Plaintiff  
2826 ATKINSON (acting as an EMT) as he is not allowed to render  
2827 emergency care, and in fact the State is needless prolonging the pain  
2828 and suffering, and promoting the death to citizens in need of  
2829 emergency medical services, thus in turn depriving them of their civil  
2830 rights. This statute as a whole, and also in sections or parts is  
2831 unconstitutional, an infringement, and a deprivation of civil rights of  
2832 Plaintiff ATKINSON.

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301. M.G.L c 30Ac § 2 provides mechanism by which (under 105  
CMR 170.750) the Commonwealth may revoke the professional  
licenses and medical credentials of Emergency Medical Technicians  
on an arbitrary, vague, and capricious manner under a mere accusation  
of a act, absent any probable cause, absent any tangible proof the act  
actually took place, absent any form of probable cause hearing, absent  
any form of dangerousness hearing, absent any scientific proof, absent  
any examination of the evidence, absent the cross examination of  
witness, no ability to cross examine witnesses, nor to refute the  
charges, or to examine documents, or evidence which the state may  
hold before such a suspension is imposed. In reality, the State revokes  
or suspends the licenses of certain EMT's when it is politically  
beneficial for then to do so, absent any actual evidence of wrong  
doing, and places the burden of proving innocence upon the person on  
whom the State is depriving of civil rights. This statute and/or  
regulation is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment, 8<sup>th</sup>  
Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment, including but not  
limited to the Constitution of the United States, Article IV, Section 2,  
and is a violation of civil rights, and deprivation of the civil rights of

2853 the Plaintiff ATKINSON. Further, as the State is depriving patients of  
2854 the services of a qualified volunteer Emergency Medical Technician  
2855 in his community, the deprivation extends to the patients of Plaintiff  
2856 ATKINSON (acting as an EMT) as he is not allowed to render  
2857 emergency care, and in fact the State is needless prolonging the pain  
2858 and suffering, and promoting the death to citizens in need of  
2859 emergency medical services, thus in turn depriving them of their civil  
2860 rights. This statute as a whole, and also in sections or parts is  
2861 unconstitutional, an infringement, and a deprivation of civil rights of  
2862 Plaintiff ATKINSON.

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2864 302. **105 CMR 170 (all sections)** provides mechanism by which (under  
2865 **105 CMR 170.750**) the Commonwealth may revoke the professional  
2866 licenses and medical credentials of Emergency Medical Technicians  
2867 on an arbitrary, vague, and capricious manner under a mere accusation  
2868 of a act, absent any probable cause, absent any tangible proof the act  
2869 actually took place, absent any form of probable cause hearing, absent  
2870 any form of dangerousness hearing, absent any scientific proof, absent  
2871 any examination of the evidence, absent the cross examination of  
2872 witness, no ability to cross examine witnesses, nor to refute the



2873 charges, or to examine documents, or evidence which the state may  
2874 hold before such a suspension is imposed. In reality, the State revokes  
2875 or suspends the licenses of certain EMT's when it is politically  
2876 beneficial for then to do so, absent any actual evidence of wrong  
2877 doing, and places the burden of proving innocence upon the person on  
2878 whom the State is depriving of civil rights. This statute and/or  
2879 regulation is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment, 8<sup>th</sup>  
2880 Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment, including but not  
2881 limited to the Constitution of the United States, Article IV, Section 2,  
2882 and is a violation of civil rights, and deprivation of the civil rights of  
2883 the Plaintiff ATKINSON. Further, as the State is depriving patients of  
2884 the services of a qualified volunteer Emergency Medical Technician  
2885 in his community, the deprivation extends to the patients of Plaintiff  
2886 ATKINSON (acting as an EMT) as he is not allowed to render  
2887 emergency care, and in fact the State is needless prolonging the pain  
2888 and suffering, and promoting the death to citizens in need of  
2889 emergency medical services, thus in turn depriving them of their civil  
2890 rights. This statute as a whole, and also in sections or parts is  
2891 unconstitutional, an infringement, and a deprivation of civil rights of  
2892 Plaintiff ATKINSON.

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303. **105 CMR 171 (all sections)** provides mechanism by which (under **105 CMR 170.750**) the Commonwealth may revoke the professional licenses and medical credentials of Emergency Medical Technicians on an arbitrary, vague, and capricious manner under a mere accusation of a act, absent any probable cause, absent any tangible proof the act actually took place, absent any form of probable cause hearing, absent any form of dangerousness hearing, absent any scientific proof, absent any examination of the evidence, absent the cross examination of witness, no ability to cross examine witnesses, nor to refute the charges, or to examine documents, or evidence which the state may hold before such a suspension is imposed. In reality, the State revokes or suspends the licenses of certain EMT's when it is politically beneficial for then to do so, absent any actual evidence of wrong doing, and places the burden of proving innocence upon the person on whom the State is depriving of civil rights. This statute and/or regulation is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment, 8<sup>th</sup> Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment, including but not limited to the Constitution of the United States, Article IV, Section 2, and is a violation of civil rights, and deprivation of the civil rights of

2913 the Plaintiff ATKINSON. Further, as the State is depriving patients of  
2914 the services of a qualified volunteer Emergency Medical Technician  
2915 in his community, the deprivation extends to the patients of Plaintiff  
2916 ATKINSON (acting as an EMT) as he is not allowed to render  
2917 emergency care, and in fact the State is needless prolonging the pain  
2918 and suffering, and promoting the death to citizens in need of  
2919 emergency medical services, thus in turn depriving them of their civil  
2920 rights. This statute as a whole, and also in sections or parts is  
2921 unconstitutional, an infringement, and a deprivation of civil rights of  
2922 Plaintiff ATKINSON.

2923

2924 304. **Town of Rockport – Rockport Ambulance Department, Policy**

2925 **Manual** provides mechanism by which **(under 105 CMR 170.750)**  
2926 the Town Ambulance Department may suspend or terminate without  
2927 pay and Emergency Medical Technicians or Emergency First  
2928 Responder on an arbitrary, vague, and capricious manner under a  
2929 mere accusation of a act, absent any probable cause, absent any  
2930 tangible proof the act actually took place, absent any form of probable  
2931 cause hearing, absent any form of dangerousness hearing, absent any  
2932 scientific proof, absent any examination of the evidence, absent the

2933 cross examination of witness, no ability to cross examine witnesses,  
2934 nor to refute the charges, or to examine documents, or evidence which  
2935 the state may hold before such a suspension is imposed. In reality, the  
2936 State revokes or suspends the licenses of certain EMT's when it is  
2937 politically beneficial for then to do so, absent any actual evidence of  
2938 wrong doing, and places the burden of proving innocence upon the  
2939 person on whom the State is depriving of civil rights. This statute  
2940 and/or regulation is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment, 8<sup>th</sup>  
2941 Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment, including but not  
2942 limited to the Constitution of the United States, Article IV, Section 2,  
2943 and is a violation of civil rights, and deprivation of the civil rights of  
2944 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
2945 or parts is unconstitutional, an infringement, and a deprivation of civil  
2946 rights of Plaintiff ATKINSON.

2947  
2948 305. **Town of Rockport – Employment Policy Manual** provides  
2949 mechanism by which Town of Rockport may suspend or terminate  
2950 without pay an employee on an arbitrary, vague, and capricious  
2951 manner under a mere accusation of a act, absent any probable cause,  
2952 absent any tangible proof the act actually took place, absent any form

2953 of probable cause hearing, absent any form of dangerousness hearing,  
2954 absent any scientific proof, absent any examination of the evidence,  
2955 absent the cross examination of witness, no ability to cross examine  
2956 witnesses, nor to refute the charges, or to examine documents, or  
2957 evidence which the state may hold before such a suspension is  
2958 imposed. In reality, the suspends or terminates of certain employees  
2959 when it is politically beneficial for then to do so, absent any actual  
2960 evidence of wrong doing, and places the burden of proving innocence  
2961 upon the person on whom the State is depriving of civil rights. This  
2962 statute and/or regulation is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup>  
2963 Amendment, 8<sup>th</sup> Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment,  
2964 including but not limited to the Constitution of the United States,  
2965 Article IV, Section 2, and is a violation of civil rights, and deprivation  
2966 of the civil rights of the Plaintiff ATKINSON. This statute as a whole,  
2967 and also in sections or parts is unconstitutional, an infringement, and a  
2968 deprivation of civil rights of Plaintiff ATKINSON.

2969  
2970 306. **M.G.L c. 30A (all sections)** is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup>  
2971 Amendment, 8<sup>th</sup> Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment,  
2972 including but not limited to the Constitution of the United States,

2973 Article IV, Section 2, and is a violation of civil rights, and deprivation  
2974 of the civil rights of the Plaintiff ATKINSON. This statute as a whole,  
2975 and also in sections or parts is unconstitutional, an infringement, and a  
2976 deprivation of civil rights of Plaintiff ATKINSON.

2977

2978 307. **Standard Rules of Practice and Procedure, 801 CMR 1.01** is an  
2979 affront to 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment, 8<sup>th</sup> Amendment, 9<sup>th</sup>  
2980 Amendment, and 14<sup>th</sup> Amendment, including but not limited to the  
2981 Constitution of the United States, Article IV, Section 2, and is a  
2982 violation of civil rights, and deprivation of the civil rights of the  
2983 Plaintiff ATKINSON. This statute as a whole, and also in sections or  
2984 parts is unconstitutional, an infringement, and a deprivation of civil  
2985 rights of Plaintiff ATKINSON.

2986

2987 308. **501 CMR 7.00 “Approved Weapons Roster”** published by the  
2988 Executive Office of Public Safety is a tool for violation, deprivation,  
2989 and infringement of civil rights. The statute is overly vague, and  
2990 violates the keeping and bearing of various types of arms and is in  
2991 conflict with the decisions of the Supreme Court of the United States  
2992 in *McDonald v. Chicago*, 561 U.S. \_\_\_, 130 S.Ct. 3020 (2010), and

2993 also in *District of Columbia v. Heller*, 554 U.S. 570 (2008),  
2994 Massachusetts Constitution Part The First, Article XVII; the U.S.  
2995 Constitution as a whole; the U.S. Constitution, Amendment II (also  
2996 known as the Second Amendment); and the U.S. Constitution,  
2997 Amendment XIV (also known as the Fourteenth Amendment); the Ku  
2998 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983  
2999 (also called "section 1983"), and other relevant laws, as a violation,  
3000 deprivation and infringement of civil rights. This statute infringes the  
3001 2<sup>nd</sup> Amendment right to keep and bear arms, and the 14<sup>th</sup> Amendment  
3002 privileges and immunities of U.S. citizenship, the “Equal Protections  
3003 Clause” of the 14<sup>th</sup> Amendment, including but not limited to the  
3004 Constitution of the United States, Article IV, Section 2, and is thus  
3005 unlawful prior restraint, as well as a deprivation of the civil rights of  
3006 the Plaintiff ATKINSON. This statute as a whole, and also in sections  
3007 or parts is unconstitutional, an infringement, and a deprivation of civil  
3008 rights of Plaintiff ATKINSON.

3010 **309. North Shore Community College Student Conduct Code, 2008**

3011 (NSCC is a state run College, and an extension of the state in all  
3012 respects); published and circulated by the “Judicial Affairs Office,

3013 Division of Student Life” is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup>  
3014 Amendment, 8<sup>th</sup> Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment,  
3015 including but not limited to the Constitution of the United States,  
3016 Article IV, Section 2, and is a violation of civil rights, and deprivation  
3017 of the civil rights of the Plaintiff ATKINSON. The Handbook  
3018 Outlines methods by which the School may conduct sham trials, and  
3019 impose unlawful punishments upon students, without allowing the  
3020 student to be fairly represented at, and other time not even told about  
3021 the hearing, not allowed to confront witnesses or examine evidence,  
3022 the Student is not permitted the ability to cross examine witnesses,  
3023 there is lack of due process, and vague, and arbitrary guidelines by  
3024 which the President of the College may suspend, ban, and expel any  
3025 student for many reason, at any time, based even on a whim, or  
3026 political convince, unproven accusation, and even to punish and to  
3027 muzzle and restrain student who may choose to lawfully exercise a  
3028 civil right. This statute as a whole, and also in sections or parts is  
3029 unconstitutional, an infringement, and a deprivation of civil rights of  
3030 Plaintiff ATKINSON.

3031  
3032 310. The college (North Shore Community College) further takes it



3033 upon itself (as a State agency) to zealously punish any student who is  
3034 merely ACCUSED of a deed off campus, with no regards that such a  
3035 deed in fact took place, or consider if the student is guilty, by default  
3036 the college assumes the student is guilty, imposed punishment  
3037 illegally, and then threatens to further punish the student should they  
3038 refuse to accept the original unlawful punishment. This is a  
3039 deprivation of rights provided by the 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment,  
3040 8<sup>th</sup> Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment including but  
3041 not limited to the Constitution of the United States, Article IV,  
3042 Section 2, and an infringement of the civil rights of Plaintiff  
3043 ATKINSON. This statute as a whole, and also in sections or parts is  
3044 unconstitutional, an infringement, and a deprivation of civil rights of  
3045 Plaintiff ATKINSON.

3046  
3047 **311. North Shore Community College Student Conduct Code, 2008**  
3048 (NSCC is a state run College, and an extension of the state in all  
3049 respects); is used by the Commonwealth and by the College to more  
3050 specifically to infringe on the lawfully possession of arms in the  
3051 private home of the student (well away from campus), and to deprive  
3052 the student of their civil rights, and to infringe upon the 2<sup>nd</sup>

3053 Amendment right to keep and to bear arms (outside of the College,  
3054 and well off Campus). This statute as a whole, and also in sections or  
3055 parts is unconstitutional, an infringement, and a deprivation of civil  
3056 rights of Plaintiff ATKINSON.

3057

3058 **312. Salem State College (also called Salem State College) Student**  
3059 **Handbook, 2008-2010** (SSC is a state run College, and an extension  
3060 of the state in all respects) is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup>  
3061 Amendment, 8<sup>th</sup> Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment,  
3062 including but not limited to the Constitution of the United States,  
3063 Article IV, Section 2, and is a violation of civil rights, and deprivation  
3064 of the civil rights of the Plaintiff ATKINSON. The Handbook  
3065 Outlines methods by which the School may conduct sham trials, and  
3066 impose unlawful punishments upon students, without allowing the  
3067 student to be fairly represented at, and other time not even told about  
3068 the hearing, not allowed to confront witnesses or examine evidence,  
3069 the Student is not permitted the ability to cross examine witnesses,  
3070 there is lack of due process, and vague, and arbitrary guidelines by  
3071 which the President of the College may suspend, ban, and expel any  
3072 student for any reason, at any time, based even on a whim, or political

3073 convince, unproven accusation, and even for student who may choose  
3074 to lawfully exercise a civil right. This statute as a whole, and also in  
3075 sections or parts is unconstitutional, an infringement, and a  
3076 deprivation of civil rights of Plaintiff ATKINSON.

3077

3078 313. The college (Salem State College (also called Salem State  
3079 College) further takes it upon itself (as a State agency) to zealously  
3080 punish any student who is merely ACCUSED if a deed off campus,  
3081 with no regards that such a deed in fact took place, or consider if the  
3082 student is guilt, by default the college assumes the student is guilty,  
3083 imposed punishment illegally, and then threatens to further punish the  
3084 student should they refuse to accept the original unlawful punishment.  
3085 This is a depravation of rights provided by the 5<sup>th</sup> Amendment, 6<sup>th</sup>  
3086 Amendment, 8<sup>th</sup> Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment  
3087 including but not limited to the Constitution of the United States,  
3088 Article IV, Section 2, and an infringement of the civil rights of  
3089 Plaintiff ATKINSON. This statute as a whole, and also in sections or  
3090 parts is unconstitutional, an infringement, and a deprivation of civil  
3091 rights of Plaintiff ATKINSON.

3092

3093 314. **Salem State College (also called Salem State College) Student**  
3094 **Handbook, 2008-2010** (SSC is a state run College, and an extension  
3095 of the state in all respects); is used by the Commonwealth and by the  
3096 College to more specifically to infringe on the lawfully possession of  
3097 arms in the private home of the student (well away from campus), and  
3098 to deprive the student of their civil rights, and to infringe upon the 2<sup>nd</sup>  
3099 Amendment right to keep and to bear arms (outside of the College,  
3100 and well off Campus). This statute as a whole, and also in sections or  
3101 parts is unconstitutional, an infringement, and a deprivation of civil  
3102 rights of Plaintiff ATKINSON.

3103  
3104 315. **Student Conduct Code** of University of Massachusetts at  
3105 Amherst, Boston, Dartmouth, Lowell and Worcester; Bridgewater  
3106 State University, Fitchburg State University, Framingham State  
3107 University, the Massachusetts College of Art and Design, the  
3108 Massachusetts Maritime Academy, the Massachusetts College of  
3109 Liberal Arts, Westfield State University and Worcester State  
3110 University; Berkshire Community College, Bristol Community  
3111 College, Bunker Hill Community College, Cape Cod Community  
3112 College, Greenfield Community College, Holyoke Community

3113 College, Massachusetts Bay Community College, Massasoit  
3114 Community College, Middlesex Community College, Mount  
3115 Wachusett Community College, Northern Essex Community College,  
3116 North Shore Community College, Quinsigamond Community  
3117 College, Roxbury Community College and Springfield Technical  
3118 Community College (all of which are state run College, and an  
3119 extension of the state in all respects); published and circulated by the  
3120 school is an affront to 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment, 8<sup>th</sup>  
3121 Amendment, 9<sup>th</sup> Amendment, and 14<sup>th</sup> Amendment, including but not  
3122 limited to the Constitution of the United States, Article IV, Section 2,  
3123 and is a violation of civil rights, and deprivation of the civil rights of  
3124 the Plaintiff ATKINSON. The Handbook Outlines methods by which  
3125 the School may conduct sham trials, and impose unlawful  
3126 punishments upon students, without allowing the student to be fairly  
3127 represented at, and other time not even told about the hearing, not  
3128 allowed to confront witnesses or examine evidence, the Student is not  
3129 permitted the ability to cross examine witnesses, there is lack of due  
3130 process, and vague, and arbitrary guidelines by which the President of  
3131 the College may suspend, ban, and expel any student for many reason,  
3132 at any time, based even on a whim, or political convince, unproven

3133 accusation, and even to punish and to muzzle and restrain student who  
3134 may choose to lawfully exercise a civil right. This statute as a whole,  
3135 and also in sections or parts is unconstitutional, an infringement, and a  
3136 deprivation of civil rights of Plaintiff ATKINSON. These additional  
3137 state run college further takes it upon itself (as a State agency) to  
3138 zealously punish any student who is merely ACCUSED of a deed off  
3139 campus, with no regards that such a deed in fact took place, or  
3140 consider if the student is guilty, by default the college assumes the  
3141 student is guilty, imposed punishment illegally, and then threatens to  
3142 further punish the student should they refuse to accept the original  
3143 unlawful punishment. This is a deprivation of rights provided by the  
3144 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment, 8<sup>th</sup> Amendment, 9<sup>th</sup> Amendment, and  
3145 14<sup>th</sup> Amendment including but not limited to the Constitution of the  
3146 United States, Article IV, Section 2, and an infringement of the civil  
3147 rights of Plaintiff ATKINSON. This statute as a whole, and also in  
3148 sections or parts is unconstitutional, an infringement, and a  
3149 deprivation of civil rights of Plaintiff ATKINSON. The is used by the  
3150 Commonwealth and by the College to more specifically to infringe on  
3151 the lawfully possession of arms in the private home of the student  
3152 (well away from campus), and to deprive the student of their civil

3153 rights, and to infringe upon the 2<sup>nd</sup> Amendment right to keep and to  
3154 bear arms (outside of the College, and well off Campus). This statute  
3155 as a whole, and also in sections or parts is unconstitutional, an  
3156 infringement, and a deprivation of civil rights of Plaintiff  
3157 ATKINSON.

3158  
3159 316. Plaintiff ATKINSON further brings to the courts attention the U.S.  
3160 Supreme Court cases and other authorities of: *United States v.*  
3161 *Cruikshank*, 92 U.S. 542 (1875); *Miller v. Texas*, 153 U.S. 535  
3162 (1894); *United States v. Rene E.*, 583 F.3d 8 (1st Cir. 2009); *Maloney*  
3163 *v. Cuomo*, 554 F.3d 56 (2d Cir. 2009); *United States v. Dorosan*, 350  
3164 Fed. Appx. 874 (5th Cir. 2009); *United States v. Scroggins*, 551 F.3d  
3165 257 (5th Cir. 2010); *United States v. Heredia-Mendoza* (9th Cir.  
3166 2008); *United States v. Artez*, 290 Fed. Appx. 203 (10th Cir. 2008);  
3167 *United States v. Boffil-Rivera* (11th Cir. 2008).; *Bach v. Pataki*, 408  
3168 F.3d 75 (2nd Cir. 2005); *Charette v. Town of Oyster Bay*, 159 F.3d  
3169 749 (2d Cir. 1998); *Chicago B. & Q. R. Co. v. Chicago*, 166 U.S. 226  
3170 (1897); *City of Lakewood v. Plain Dealer Publishing Co.*, 486 U.S.  
3171 750 (1988); *Cohens v. Virginia*, 19 U.S. (6 Wheat.) 264 (1821);  
3172 *Commonwealth v. Seay*, 376 Mass. 735, 383 N.E.2d 828 (1978);

3173 *Crowe v. Bolduc*, 365 F.3d 86 (1st Cir. 2004); *Dearth v. Holder*, 2011  
3174 U.S. App. LEXIS 7737 (D.C. Cir. Apr. 15, 2011); *Houghton v.*  
3175 *Shafer*, 392 U.S. 639 (1968); *Jones v. Opelika*, 316 U.S. 584 (1942);  
3176 *Kaplan v. Bd. of Registration in Pub. Accountancy*, 452 Mass. 1026,  
3177 897 N.E.2d 67 (2008); *Lovell v. Griffin*, 303 U.S. 444 (1938); *Lujan*  
3178 *v. Defenders of Wildlife*, 504 U.S. 555 (1992); *Sarah C. Roberts vs.*  
3179 *the city of Boston*, December 4, 1849 (1870); *Muscarello v. United*  
3180 *States*, 524 U.S. 125 (1998); *Newman v. Piggie Park Enterprises,*  
3181 *Inc.*, 390 US 400 - Supreme Court 1968; *New Hampshire Hemp*  
3182 *Council, Inc. v. Marshall*, 203 F.3d 1 (1st Cir. 2000); *Nordyke v.*  
3183 *King*, 563 F.3d 439 (9th Cir. 2009); *Number Three Lounge, Inc. v.*  
3184 *Alcoholic Beverages Control Commission*, 7 Mass. App. Ct. 301, 387  
3185 N.E.2d 181 (1979); *Ord v. District of Columbia*, 587 F.3d 1136 (D.C.  
3186 Cir. 2009); *Parker v. District of Columbia*, 478 F.3d 370 (D.C. Cir.  
3187 2007); *Peruta v. County of San Diego*, 2010 U.S. Dist. LEXIS  
3188 130878 (S.D. Cal. Dec. 10, 2010); *Peruta v. County of San Diego*,  
3189 678 F. Supp. 2d 1046 (S.D. Cal. 2010) ); *Plummer v. United States*,  
3190 983 A.2d 323 (D.C. 2009); *Seegars v. Gonzales*, 413 F.3d 1 (D.C.  
3191 Cir. 2005); *Shuttlesworth v. City of Birmingham*, 394 U.S. 147  
3192 (1969); *The Slaughter-House Cases*, 83 U.S. (16 Wall.) 36 (1873);



3193 *United States v. Baugh*, 187 F.3d 1037 (9th Cir. 1999); *United States*  
3194 *v. Masciandaro*, 2011 U.S. App. LEXIS 5964 (4th Cir. March 24,  
3195 2011); *United States v. Miller*, 307 U.S. 174 (1939); *United States v.*  
3196 *Skoien*, 614 F.3d 638 (7th Cir. 2010); *Williams v. State*, 417 Md. 479,  
3197 10 A.3d 1167 (2011); *Woollard v. Sheridan*, 2010 U.S. Dist. LEXIS  
3198 137031 (D. Md. Dec. 30, 2010).

3199

3200 317. “[T]he concept of due process is equivalent to ‘fundamental  
3201 fairness.’” *Newman v. Massachusetts*, 884 F. 2d 19, 23 (1<sup>st</sup> Cir. 1989)  
3202 (citation omitted). Due process requires that impacted individuals be  
3203 “entitled to the Constitutional minimum of ‘some kind of hearing’ and  
3204 ‘some pre termination opportunity to respond.’” *O’Neil v. Baker*, 210  
3205 F. 3d 41, 47-78 (1<sup>st</sup> Cir. 2000) (quoting *Cleveland Bd. Of Educ. v.*  
3206 *Loudermill*, 470 U.S. 532, 542 (1985) (footnote omitted). “The  
3207 ubiquity of the ‘notice and opportunity to be heard’ principle as a  
3208 matter of fundamental fairness is deeply engrained in our  
3209 jurisprudence.” *Oakes v. United States*, 400 F. 3d 92, 98 (1<sup>st</sup> Cir.  
3210 2005) citations omitted.

3211

3212 318. In *Snyder v. Massachusetts*, 291 U. S. 97, 105 (1934), the  
3213 Court spoke of rights that are “so rooted in the traditions and  
3214 conscience of our people as to be ranked as fundamental.” As the  
3215 Supreme Court has found in the *McDonald*, and *Heller* decisions, the  
3216 right to keep and bear arms, particularly within the sanctity of one’s  
3217 home, is an ordered liberty of United States citizenship fundamental  
3218 and beyond the pale of discretionary, subjective regulations by the  
3219 States.

3220  
3221 319. Plaintiff ATKINSON, respectfully submitted that any statutory  
3222 scheme which invades the fundamental liberty right of self defense  
3223 within the home by enacting any scheme which attempts to regulate  
3224 the possession and/or storage of any firearm(s) providing a basis to  
3225 interfere in any way or attempt to revoke or impinge upon such a right  
3226 without the barest of fundamental fairness and due process such as a  
3227 *Loudermill* type hearing, is fatally flawed and wholly prohibited under  
3228 the application of the Second Amendment to all of the States in light  
3229 of the newly decided authority contained herein. Under the present  
3230 status of jurisprudence, in light of newly decided authorities, it is  
3231 respectfully submitted that without a prior showing cloaked with the

3232 fairness of a *Loudermill* type hearing that an individual is either a  
3233 convicted felon or legally and previously adjudged insane, any  
3234 interfere with a Massachusetts citizen’s unqualified right to keep arms  
3235 within the sanctity of the citizen’s home is *per se* unreasonable and  
3236 prohibited.

3237

3238 320. Although McDonald’s five Justice majority reached the  
3239 conclusion that the right to keep and bear arms is a protected liberty  
3240 interest under the Second Amendment in different ways, under either  
3241 the Due Process Clause or Privileges or Immunities Clause, a majority  
3242 confirmed that “the Second Amendment right is fully applicable to the  
3243 States.” *McDonald* at 3026. Where a “fourteenth amendment liberty  
3244 interest is implicated...the state therefore must adhere to rigorous  
3245 procedural safeguards.” *Valdivieso Ortiz v. Burgos*, 807 F. 2d 6, 8 (1<sup>st</sup>  
3246 Cir. 1986); see also *Kuck v. Danaher*, 600 F. 3d 159, 165 (2d Cir.  
3247 2010) (same).

3248

3249 321. “[T]he concept of due process is equivalent to ‘fundamental  
3250 fairness.’” *Newman v. Massachusetts*, 884 F. 2d 19, 23 (1<sup>st</sup> Cir. 1989)  
3251 (citation omitted). Due process requires that impacted individuals are

3252 “entitled to the Constitutional minimum of ‘some kind of hearing’ and  
3253 ‘some pre termination opportunity to respond.’” *O’Neil v. Baker*, 210  
3254 F. 3d 41, 47-78 (1<sup>st</sup> Cir. 2000) (quoting *Cleveland Bd. Of Educ. v.*  
3255 *Loudermill*, 470 U.S. 532, 542 (1985) (footnote omitted). “The  
3256 ubiquity of the ‘notice and opportunity to be heard’ principle as a  
3257 matter of fundamental fairness is deeply engrained in our  
3258 jurisprudence.” *Oakes v. United States*, 400 F. 3d 92, 98 (1<sup>st</sup> Cir.  
3259 2005) citations omitted.

3260

3261 322. In *Snyder v. Massachusetts*, 291 U. S. 97, 105 (1934), the  
3262 Court spoke of rights that are “so rooted in the traditions and  
3263 conscience of our people as to be ranked as fundamental.” As the  
3264 Supreme Court has found in the McDonald, Heller decisions, the right  
3265 to keep and bear arms, particularly within the sanctity of one’s home,  
3266 is an ordered liberty of United States citizenship fundamental and  
3267 beyond the pale of discretionary, subjective regulations by the States.

3268

3269 323. The Supreme Court’s prior restraint doctrine mandates higher  
3270 standards:

3271

3272

**a. It is settled by a long line of recent decisions of this  
Court that an ordinance which... makes the**

3273 peaceful enjoyment of freedoms which the  
3274 Constitution guarantees contingent upon the  
3275 uncontrolled will of an official – as by requiring a  
3276 permit or license which may be granted or withheld  
3277 in the discretion of such official – is an  
3278 unconstitutional censorship or prior restraint upon  
3279 the enjoyment of those freedoms.  
3280

3281 324. *Staub v. City of Baxley*, 355 U.S. 313, 322 (1958) (citations  
3282 omitted); see also *FW/PBS v. City of Dallas*, 493 U.S. 215, 226  
3283 (1990) (plurality opinion); *Shuttlesworth v. Birmingham*, 394 U.S.  
3284 147, 151 (1969); *Strasser v. Doorley*, 432 F.2d 567, 569 (1st Cir.  
3285 1970); *Berger v. Rhode Island Bd. Of Governors*, 832 F. Supp. 515,  
3286 519 (D.R.I. 1993)

3287  
3288 **325. PRAYER FOR RELIEF**

3289  
3290 326. WHEREFORE, Plaintiffs pray for the following relief:

3291  
3292 327. Immediate declaratory judgment that the Massachusetts Statutes  
3293 described herein are facially invalid and/or void under the Second and  
3294 Fourteenth Amendments, and under Heller and/or McDonald and a  
3295 multitude of related case law and federal statutes.  
3296

3297 328. Issue an order from this court, which immediately compels the  
3298 Commonwealth of Massachusetts to obey, and abide by the 2<sup>nd</sup> and  
3299 14<sup>th</sup> Amendment both in sprit and intent.

3300

3301 329. Issue an order from this court, which immediately compels the  
3302 Commonwealth of Massachusetts stop ALL criminal proceedings in  
3303 ALL cases where the defendant in each case was merely peacefully  
3304 possessing arms (and were not using them to commit criminal acts)  
3305 within their homes or business in accordance with the Heller and  
3306 McDonald decisions, without a “Firearms Identification Card” or  
3307 “License to Carry”, as no such document is required under Federal  
3308 law.

3309

3310 330. Issue an order to the Commonwealth to release any prisoner who  
3311 is being held due to solely on firearms possession charges, when those  
3312 same firearms were lawfully obtained, and lawfully possessed within  
3313 the home as mandated in Heller and McDonald. In essence, the  
3314 Plaintiff seeks that this Court intervene and free the innocent citizens  
3315 who may have fallen victim to a “gun hysteria witch-hunt” and on  
3316 who the Commonwealth has violated their civil rights.

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331. Issue an order from this court, which immediately compels the Commonwealth of Massachusetts to recognize, obey, and abide by opinion of the U.S. Supreme Court in Heller (2008) and in McDonald (2010).

332. Other relief, which the court may find, appropriate.

333. Award Plaintiff actual damages BOTH LIQUIDATED AND UNLIQUIDATED IN an amount to be determined at the time of trial.

334. Award Plaintiff very strong punitive damages against the Commonwealth for willfully violating, infringing, and depriving Plaintiff of his civil rights, and at a level that send a clear message to both the Commonwealth at to other states which are acting unlawfully, and to punishes the Commonwealth by depriving them of 40 years of all state revenues (assuming a budget of 24 billion dollars per year) BASED UPON THE WEALTH OF THIS DEFENDANT, in an amount to be determined at the time of trial.

3337 335. Impose very strong punitive damages against the Essex County  
3338 Sheriffs Department for willfully violating, infringing, and depriving  
3339 Plaintiff of his civil rights, BASED UPON THE WEALTH OF THIS  
3340 DEFENDANT, or an amount to be determined at the time of trial.

3341  
3342 336. Impose very strong punitive damages against the Town of  
3343 Rockport, Rockport Police Department, and Rockport Ambulance  
3344 Department for willfully violating, infringing, and depriving Plaintiff  
3345 of his civil rights, at monetary level that punishes, equal to all real  
3346 estate, buildings, moveable equipment, water treatment plants, roads,  
3347 boats, docks, harbors, water reservoirs, water wells, quarries,  
3348 undeveloped lands, and other assets of the Town of Rockport, BASED  
3349 UPON THE WEALTH OF THIS DEFENDANT IN an amount to be  
3350 determined at the time of trial.

3351  
3352 337. An injunction permanently restraining all Defendants and their  
3353 officers, agents, servants, employees, and all persons in concert or  
3354 participation with them who receive notice of this injunction, from  
3355 enforcing any Massachusetts Firearms Law which does not comply  
3356 with the Heller and McDonald decisions, or which is not in full



3357 compliance with the Constitution and the Bill of Rights, or an amount  
3358 to be determined at the time of trial.

3359  
3360 338. Impose very strong punitive damages against the North Shore  
3361 Community College, Salem State College, and Montserrat College of  
3362 Art, in the amount BASED UPON THE WEALTH OF THIS  
3363 DEFENDANT for willfully violating, infringing, and depriving  
3364 Plaintiff of his civil rights, or an amount to be determined at the time  
3365 of trial.

3366  
3367 339. Impose strong punitive damages against all other DEFENDANTS  
3368 BASED UPON THEIR INDIVIDUAL WEALTH each for willfully  
3369 violating, infringing, and depriving Plaintiff of his civil rights, or an  
3370 amount to be determined at the time of trial.

3371  
3372 340. Award General Damages, Special Damages, Compensatory  
3373 Damages, Punitive Damages, and other relief, which the court deems  
3374 to be just and equitable.

3375  
3376 341. Award attorney's fees and/or costs pursuant to 42 U.S.C. § 1988.

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3378       342. Plaintiff demands a trial by Jury

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3380       Respectfully submitted,

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3382       Dated: June 15, 2011

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3386       \_\_\_\_\_  
James M. Atkinson, pro se

3387       31R Broadway

3388       Rockport, MA 01966

3389       (978) 546-3803

3390

3391

3392

3392 **Exhibit 1**

3393

3394 State Constitutions with “Right to Keep and Bear Arms”

3395

3396

3397 Alabama Constitution Article I, Section 26

3398

3399 That the great, general and essential principles of liberty and free  
3400 government may be recognized and established, we declare... That every  
3401 citizen has a right to bear arms in defense of himself and the state.

3402

3403

3404 Alaska Constitution Article I, Section 19

3405

3406 A well- regulated militia being necessary to the security of a free state, the  
3407 right of the people to keep and bear arms shall not be infringed. The  
3408 individual right to keep and bear arms shall not be denied or infringed by the  
3409 State or a political subdivision of the State.

3410

3411

3412 Arizona Constitution, Article 2, Section 26

3413

3414 The right of the individual citizen to bear arms in defense of himself or the  
3415 State shall not be impaired, but nothing in this section shall be construed as  
3416 authorizing individuals or corporations to organize, maintain, or employ an  
3417 armed body of men.

3418

3419

3420 Arkansas Constitution Article II, Section 5

3421

3422 The citizens of this State shall have the right to keep and bear arms for their  
3423 common defense.

3424

3425

3426 Colorado Constitution Article II, Section 13

3427

3428 The right of no person to keep and bear arms in defense of his home, person  
3429 and property, or in aid of the civil power when thereto legally summoned,  
3430 shall be called in question; but nothing herein contained shall be construed  
3431 to justify the practice of carrying concealed weapons.

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Connecticut Constitution Article I, Section 15

Every citizen has a right to bear arms in defense of himself and the state.

Delaware Constitution Article I, Section 20

A person has the right to keep and bear arms for the defense of self, family, home and State, and for hunting and recreational use.

Florida Constitution Article I, Section 8(a)

The right of the people to keep and bear arms in defense of themselves and of the lawful authority of the state shall not be infringed, except that the manner of bearing arms may be regulated by law.

Georgia Constitution Article I, Section 1, Paragraph VIII.

The right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne.

Hawaii Constitution Article I, Section 17

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Idaho Constitution Article I, Section 11

The people have the right to keep and bear arms, which right shall not be abridged; but this provision shall not prevent the passage of laws to govern the carrying of weapons concealed on the person nor prevent passage of legislation providing minimum sentences for crimes committed while in possession of a firearm, nor prevent the passage of legislation providing penalties for the possession of firearms by a convicted felon, nor prevent the passage of any legislation punishing the use of a firearm. No law shall

3472 impose licensure, registration or special taxation on the ownership or  
3473 possession of firearms or ammunition. Nor shall any law permit the  
3474 confiscation of firearms, except those actually used in the commission of a  
3475 felony.

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3478 Illinois Constitution Article I, Section 22

3479

3480 Subject only to the police power, the right of the individual citizen to keep  
3481 and bear arms shall not be infringed.

3482  
3483

3484 Indiana Constitution Article I, Section 32

3485

3486 The people shall have a right to bear arms, for the defense of themselves and  
3487 the State.

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3490 Kansas Constitution Bill of Rights 4

3491

3492 The people have the right to bear arms for their defense and security; but  
3493 standing armies, in time of peace, are dangerous to liberty, and shall not be  
3494 tolerated, and the military shall be in strict subordination to the civil power.

3495  
3496

3497 Kentucky Constitution Section 1

3498

3499 All men are, by nature, free and equal, and have certain inherent and  
3500 inalienable rights, among which may be reckoned: ... Seventh: The right to  
3501 bear arms in defense of themselves and of the State, subject to the power of  
3502 the General Assembly to enact laws to prevent persons from carrying  
3503 concealed weapons.

3504  
3505

3506 Louisiana Constitution Article I, Section 11

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3508 The right of each citizen to keep and bear arms shall not be abridged, but  
3509 this provision shall not prevent the passage of laws to prohibit the carrying  
3510 of weapons concealed on the person.

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Maine Constitution Article 1, Section 16

Every citizen has a right to keep and bear arms and this right shall never be questioned.

Massachusetts Constitution Part The First, Article XVII

The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Michigan Constitution Article I, Section 6

Every person has a right to keep and bear arms for the defense of himself and the state.

Mississippi Constitution Article III, Section 12

The right of every citizen to keep and bear arms in defense of his home, person, or property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but the legislature may regulate or forbid carrying concealed weapons.

Missouri Constitution Article I, Section 23

That the right of every citizen to keep and bear arms in defense of his home, person and property, or when lawfully summoned in aid of the civil power, shall not be questioned; but this shall not justify the wearing of concealed weapons.

Montana Constitution Article II, Section 12

3552 The right of any person to keep or bear arms in defense of his own home,  
3553 person, and property, or in aid of the civil power when thereto legally  
3554 summoned, shall not be called in question, but nothing herein contained  
3555 shall be held to permit the carrying of concealed weapons.

3556  
3557 Montana Constitution Article VI, Section 13(2)

3558  
3559 The militia forces shall consist of all able-bodied citizens of the state except  
3560 those exempted by law.

3561  
3562  
3563 Nebraska Constitution Article I, Section 1

3564  
3565 All persons are by nature free and independent, and have certain inherent  
3566 and inalienable rights; among these are life, liberty, the pursuit of happiness,  
3567 and the right to keep and bear arms for security or defense of self, family,  
3568 home, and others, and for lawful common defense, hunting, recreational use,  
3569 and all other lawful purposes, and such rights shall not be denied or  
3570 infringed by the state or any subdivision thereof. To secure these rights, and  
3571 the protection of property, governments are instituted among people,  
3572 deriving their just powers from the consent of the governed.

3573  
3574  
3575 Nevada Constitution Article 1, Section 11, [1.]

3576  
3577 Every citizen has the right to keep and bear arms for security and defense,  
3578 for lawful hunting and recreational use and for other lawful purposes.

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3580  
3581 New Hampshire Constitution Part First, Article 2-a

3582  
3583 All persons have the right to keep and bear arms in defense of themselves,  
3584 their families, their property and the state.

3585  
3586 New Hampshire Constitution Part First, Article 13

3587  
3588 No person, who is conscientiously scrupulous about the lawfulness of  
3589 bearing arms, shall be compelled thereto.

3590  
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3592 New Mexico Constitution Article II, Section 6

3593

3594 No law shall abridge the right of the citizen to keep and bear arms for  
3595 security and defense, for lawful hunting and recreational use and for other  
3596 lawful purposes, but nothing herein shall be held to permit the carrying of  
3597 concealed weapons. No municipality or county shall regulate, in any way, an  
3598 incident of the right to keep and bear arms.

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3600

3601 North Carolina Constitution Article I, Section 30

3602

3603 A well regulated militia being necessary to the security of a free State, the  
3604 right of the people to keep and bear arms shall not be infringed; and, as  
3605 standing armies in time of peace are dangerous to liberty. they shall not be  
3606 maintained, and the military shall be kept under strict subordination to, and  
3607 governed by, the civil power. Nothing herein shall justify the practice of  
3608 carrying concealed weapons, or prevent the General Assembly from  
3609 enacting penal statutes against that practice.

3610

3611

3612 North Dakota Constitution Article I, Section 1

3613

3614 All individuals are by nature equally free and independent and have certain  
3615 inalienable rights, among which are those of enjoying and defending life and  
3616 liberty; acquiring, possessing and protecting property and reputation;  
3617 pursuing and obtaining safety and happiness; and to keep and bear arms for  
3618 the defense of their person, family, property, and the state, and for lawful  
3619 hunting, recreational and other lawful purposes, which shall not be infringed.

3620

3621

3622 Ohio Constitution Article I, Section 4

3623

3624 The people have the right to bear arms for their defense and security; but  
3625 standing armies, in time of peace, are dangerous to liberty, and shall not be  
3626 kept up; and the military shall be in strict subordination to the civil power.

3627

3628 Ohio Constitution Article I, Section 1

3629

3630 All men are, by nature, free and independent, and have certain inalienable  
3631 rights, among which are those of enjoying and defending life and liberty,



3632 acquiring, possessing, and protecting property, and seeking and obtaining  
3633 happiness and safety.

3634

3635 Oklahoma Constitution Article II, Section 26

3636

3637 The right of a citizen to keep and bear arms in defense of his home, person,  
3638 or property, or in aid of the civil power, when thereunto legally summoned,  
3639 shall never be prohibited; but nothing herein contained shall prevent the  
3640 Legislature from regulating the carrying of weapons.

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3643 Oregon Constitution Article I, Section 27

3644

3645 The people shall have the right to bear arms for the defence of themselves,  
3646 and the State, but the Military shall be kept in strict subordination to the civil  
3647 power[.]

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3649

3650 Pennsylvania Constitution Article I, Section 21

3651

3652 The right of the citizens to bear arms in defense of themselves and the State  
3653 shall not be questioned.

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3656 Rhode Island Constitution Article I, Section 22

3657

3658 The right of the people to keep and bear arms shall not be infringed.

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3661 South Carolina Constitution Article I, Section 20

3662

3663 A well regulated militia being necessary to the security of a free State, the  
3664 right of the people to keep and bear arms shall not be infringed. As, in times  
3665 of peace, armies are dangerous to liberty, they shall not be maintained  
3666 without the consent of the General Assembly. The military power of the  
3667 State shall always be held in subordination to the civil authority and be  
3668 governed by it. No soldier shall in time of peace be quartered in any house  
3669 without the consent of the owner nor in time of war but in the manner  
3670 prescribed by law.

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South Dakota Constitution Article VI, Section 24

The right of the citizens to bear arms in defense of themselves and the state shall not be denied.

Tennessee Constitution Article I, Section 26

That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime.

Texas Constitution Article I, Section 23

Every citizen shall have the right to keep and bear arms in the lawful defense of himself or the State; but the Legislature shall have power, by law, to regulate the wearing of arms, with a view to prevent crime.

Utah Constitution Article I, Section 6

The individual right of the people to keep and bear arms for security and defense of self, family, others, property, or the state, as well as for other lawful purposes shall not be infringed; but nothing herein shall prevent the Legislature from defining the lawful use of arms.

Vermont Constitution Chapter 1, Article 16

That the people have a right to bear arms for the defence of themselves and the State - and as standing armies in time of peace are dangerous to liberty, they ought not to be kept up; and that the military should be kept under strict subordination to and governed by the civil power.

Virginia Constitution Article I, Section 13

3711 That a well regulated militia, composed of the body of the people, trained to  
3712 arms, is the proper, natural, and safe defense of a free state, therefore, the  
3713 right of the people to keep and bear arms shall not be infringed; that standing  
3714 armies, in time of peace, should be avoided as dangerous to liberty; and that  
3715 in all cases the military should be under strict subordination to, and governed  
3716 by, the civil power.

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3718

3719 Washington Constitution Article I, Section 24

3720

3721 The right of the individual citizen to bear arms in defense of himself, or the  
3722 state, shall not be impaired, but nothing in this section shall be construed as  
3723 authorizing individuals or corporations to organize, maintain or employ an  
3724 armed body of men.

3725

3726

3727 West Virginia Constitution Article III, Section 22

3728

3729 A person has the right to keep and bear arms for the defense of self, family,  
3730 home and state, and for lawful hunting and recreational use.

3731

3732

3733 Wisconsin Constitution Article I, Section 25

3734

3735 The people have the right to keep and bear arms for security, defense,  
3736 hunting, recreation or any other lawful purpose.

3737

3738

3739 Wyoming Constitution Article I, Section 24

3740

3741 The right of citizens to bear arms in defense of themselves and of the state  
3742 shall not be denied.

3743

3744

3744 **Exhibit 2**

3745  
3746 Articles, which list various firearms, adopted by major municipalities as  
3747 being inherently safe:

3748  
3749  
3750 [http://en.wikipedia.org/wiki/Los\\_Angeles\\_Police\\_Department](http://en.wikipedia.org/wiki/Los_Angeles_Police_Department)

3751  
3752 Service weapons

3753 Before 1988, LAPD officers were armed with the Smith & Wesson Model  
3754 15, also known as the .38 "Combat Masterpiece". This was specifically  
3755 designed at the request of the Los Angeles Police Department. It was a  
3756 Smith and Wesson Military and Police .38 Caliber revolver with non-slug,  
3757 high profile adjustable sights or the Model 36 "Chief's Special". In the car,  
3758 locked to a steel bar, was an Ithaca Model 37, 12-gauge shotgun, loaded  
3759 with "00" (double aught) buckshot, nine pellets to the cartridge. The shotgun  
3760 was made specifically for the Los Angeles Police Department, and was  
3761 called the "L.A.P.D. Special". The shotgun was based on the Ithaca Model  
3762 37 "Deerslayer", which was a weapon designed to hunt large game with  
3763 rifled slugs. As a consequence of being designed for use with slugs, it had  
3764 rifle sights, unlike most shotguns. The "L.A.P.D. Special" had a dull  
3765 parkerized military finish instead of the more usual high gloss blue finish.  
3766 The barrel was 18 and a half inches long, as opposed to the twenty inches of  
3767 the civilian version. The advantages of the Ithaca Model 37 Shotgun over the  
3768 Winchester and Remington models were that the Ithaca weighed a pound  
3769 less, and could be used with equal ease by right or left-handed shooters due  
3770 to the unique bottom ejection used. In response to increasing firepower  
3771 carried by criminals, including fully automatic weapons and assault rifles,  
3772 LAPD patrol officers were issued Beretta 92FS. Later, officers were able to  
3773 carry the Smith & Wesson Model 5906, a semi-automatic 9mm pistol, in  
3774 addition to a few other approved weapons. In response to the North  
3775 Hollywood shootout of 1997, LAPD officers had the option of carrying the  
3776 Smith & Wesson Model 4506 and 4566 service pistols in 45 ACP caliber.  
3777 Until 2002, LAPD officers standard issue pistol was the Beretta 92F.  
3778 However, when William Bratton was appointed Chief of the LAPD, he  
3779 allowed his officers to carry the Glock pistol, a weapon which the two  
3780 previous departments he was chief at (the New York City Police Department  
3781 and the Boston Police Department) carried. New officers graduating from  
3782 the LAPD academy are now issued the Glock 22 or Glock 17 but can qualify  
3783 in a variety of firearms. Officers now have the choice of carrying

3784

3785 Beretta: 92F, 92FS, 92FS-Stainless Steel, 8045 (4" barrel)

3786 Smith & Wesson: 459, 5904, 5903, 659, 5906, 645, 4506, 4566, 4567, 5903  
3787 TSW, 5906 TSW, 4569 TSW, and 4566 TSW.

3788 Glock: 9mm: Model 34, Model 17, Model 1, .40 caliber: Model 35, Model  
3789 22, Model 23

3790

3791 The LAPD SWAT team decided to go with the Kimber Custom TLE II in  
3792 2002, renaming it the Kimber LAPD SWAT Custom II.[80][81] Before that,  
3793 LAPD SWAT carried modified Springfield or Colt M1911 pistols.[81]  
3794 SWAT's primary weapons are the Heckler & Koch MP5 series submachine  
3795 guns and most officers choose the fixed stock A2 model. For assistant  
3796 weapons, officers carry AR-15s and CAR-15s. In the '80s and early '90s they  
3797 carried Colt RO727s and RO733s. In 2000 they imported the M4A1s. The  
3798 LAPD recently announced that they will be incorporating a new shotgun, the  
3799 Benelli M4 Super 90 and officers will go through additional training for the  
3800 use of the semi-automatic shotgun and will have to privately purchase the  
3801 gun if they elect to switch from the standard pump-action Remington 870.  
3802 The LAPD also has 37mm launchers and modified Remington 870s for  
3803 crowd control when less than lethal force is needed.

3804

3805

3806 [http://en.wikipedia.org/wiki/Los\\_Angeles\\_Police\\_Department](http://en.wikipedia.org/wiki/Los_Angeles_Police_Department)

3807

3808 Firearms

3809 New NYPD officers are allowed to select one of three 9mm service pistols  
3810 configured in double-action only (DAO): the SIG P226 DAO, Smith &  
3811 Wesson model 5946, and Glock 19.[25] All are modified to a 12-pound (53  
3812 N) trigger pull. Prior to 1994 the standard weapon of the NYPD was the  
3813 Smith and Wesson Model 64 DAO .38 Special Revolver with three or four  
3814 inch barrels. This type of revolver was called the Model NY-1 by the  
3815 department. From 1926 until 1986 the standard weapons of the department  
3816 were the Smith and Wesson Model 10 and the Colt Official Police .38  
3817 Special Revolvers with four inch barrels. Prior to the issuing of the 9mm  
3818 semiautomatic pistol NYPD Detectives and plain clothes officers often  
3819 carried Colt Detective Special and Smith & Wesson Model 36 .38 Special  
3820 snub-nosed (2-inch) barrel revolvers for their easiness to conceal under  
3821 civilian clothes.

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[http://en.wikipedia.org/wiki/Chicago\\_Police\\_Department](http://en.wikipedia.org/wiki/Chicago_Police_Department)

Equipment

All Chicago Police officers must buy their own duty gear. This includes a uniform, sidearm, handcuffs, light, baton, etc. Each officer receives an annual uniform allowance of \$1,800 to do so.

The sidearm must meet the following requirements:

Be manufactured by Beretta, Glock, Ruger, Sig Sauer, Smith & Wesson, or Springfield Armory.

Be chambered in 9mm, .40 S&W, or .45 ACP.

Be Double-Action Only, Hammer or Striker-Fired.

Officers who were in the department before 1996 may keep their old DA/SA or SAO pistols, as well as their Smith and Wesson or Ruger revolvers in .38 Special. Recruits choose Springfield Armory, Smith and Wesson, or Glock pistols. They must be chambered in 9 mm until the recruit's 18-month probationary period is over.

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[http://en.wikipedia.org/wiki/SIG\\_Sauer\\_P226](http://en.wikipedia.org/wiki/SIG_Sauer_P226)

United States U.S. Army[38] P228 (as the M11)

U.S. Coast Guard[39] P229R DAK .40 S&W

U.S. Department of Homeland Security[39] P229 DAK (.40 S&W)

U.S. Drug Enforcement Administration[38] P228

U.S. Federal Air Marshals[40] P229 (.357 SIG)

U.S. Federal Bureau of Investigation[38] P226, P228

U.S. Air Force Office of Special Investigations[41] P228 (9x19mm)

Naval Criminal Investigative Service[42] P229R DAK (.40 S&W)

U.S. Navy SEALs[43] P228 (as the M11), P226

U.S. Secret Service[44] P229 (.357 SIG)

U.S. Postal Inspection Service [45] P229 DAK (.40 S&W)

New York Police Department [46] P226 DAO (9x19mm)

Orlando Police Department [47] P226R (9x19mm)

Anne Arundel County Police Department [48] P229R DA/SA (.40 S&W)

3862 Memphis Police Department[49] P229R DAK  
3863 Connecticut State Police[50] P229 (.40 S&W)  
3864 New Jersey State Police[51] P228 (9x19mm)  
3865 Houston Police Department[52]P229, P226 .40 S&W  
3866 Sacramento Police Department[53] P226R, P229, P239

3867

3868

3869 <http://en.wikipedia.org/wiki/SWAT>

3870

3871 Weapons

3872 While a wide variety of weapons are used by SWAT teams, the most  
3873 common weapons include submachine guns, assault rifles, shotguns, and  
3874 sniper rifles.

3875

3876 Tactical aids include K9 Units, flash bang, stinger tear gas grenades.

3877

3878 Semi-automatic pistols are the most popular sidearms. Examples may  
3879 include, but are not limited to: M1911 pistol series,[10][11] Sig Sauer series  
3880 [12][13] (especially the Sig P226[11][13][14] and Sig P229) Beretta 92  
3881 series,[13] Glock pistols,[12][15][11][16][17][18] H&K USP series,[13][19]  
3882 and 5.7x28mm FN Five-seven pistol.[20]

3883

3884 Common submachine guns used by SWAT teams include the 9 mm and 10  
3885 mm Heckler & Koch MP5,[10][11][12][13][17][18][19] Heckler & Koch  
3886 UMP,[11] and 5.7x28mm FN P90.[21]

3887

3888 Common shotguns used by SWAT units include the Benelli M1,[17][18][22]  
3889 Benelli M1014, Remington 870[10][11][14][17] and 1100, Mossberg 500  
3890 and 590.[13]

3891

3892 Common carbines include the Colt CAR-15 [10][11][16][17] & M4  
3893 [11][12][14][19] and Heckler & Koch G36[18] & HK416.[23] While  
3894 affording SWAT teams increased penetration and accuracy at longer ranges,  
3895 the compact size of these weapons is essential as SWAT units frequently  
3896 operate in CQB environments. The Colt M16A2[12][14][19] can be found  
3897 used by marksmen or SWAT officers when a longer ranged weapon is  
3898 needed.[10]

3899

3900 Common sniper rifles used are M14 rifle and the Remington  
3901 700P.[10][12][14][17][18][19] Many different variants of bolt action rifles

3902 are used by SWAT, including limited use of .50 caliber sniper rifles for more  
3903 intense situations.[24]

3904

3905 To breach doors quickly, battering rams, shotguns with breaching rounds, or  
3906 explosive charges can be used to break the lock or hinges, or even demolish  
3907 the door frame itself. SWAT teams also use many non-lethal munitions and  
3908 weapons. These include Tasers, pepper spray canisters, shotguns loaded with  
3909 bean bag rounds, Pepperball guns, Stinger grenades, Flash Bang grenades,  
3910 and tear gas. Ballistic shields are used in close quarters situations to provide  
3911 cover for SWAT team members and reflect gunfire. Pepperball guns are  
3912 essentially paint ball markers loaded with balls containing Oleoresin  
3913 Capsicum ("pepper spray").

3914

3915



3915 **Exhibit 3**

3916

3917 “Authorized and Recognized Arms” List

3918

3919 ARMS LIST

3920

3921 All of the following “arms” have been approved by the U.S. Military for  
3922 issue to U.S. troops, and have been deemed “safe enough” to allow them to  
3923 carrying without problems. In turn the U.S. Government has deemed all of  
3924 these weapons to be “safe enough for general circulation” even to the point  
3925 where soldier are/were allowed to sleep with these weapons, bring them into  
3926 their homes or dormitories, their tents, their chapels, and into the hospitals.

3927

3928 State agencies in turn have followed suit and issued these same weapons and  
3929 related weapons to state controlled National Guard, State Police, Country  
3930 Law Enforcement, and to Local Law Enforcement.

3931

3932 Under Heller and McDonald no state can restrict the possession of an arm  
3933 inside the home unless that arm is inherently unsafe (not the weapon + user,  
3934 but rather the weapon - user).

3935

3936 Hence, any weapons on this list or variations and other arms of similar  
3937 nature is in fast protected by the 2<sup>nd</sup> and the 14<sup>th</sup> Amendment, and no citizen  
3938 of the United State can be required to hold any kind of permit, license, or  
3939 identity card of any sort to be allow to possess these in the home or business,  
3940 or to otherwise “keep them” or to carry them in a safe manner.

3941

3942

3943 **Handguns**

3944

3945 The M1911A1 and M9 pistol.

3946 M9 (Beretta 92FS, 9x19mm)

3947 M11 (SIG P228, 9x19mm)

3948 Mk 23 Mod 0 (Naval Special Warfare)

3949 Mk 24 Mod 0 (SIG P226 Navy, 9x19mm) (Naval Special Warfare)

3950 M9A1 (9x19mm) (USMC)

3951 MEU(SOC) pistol (.45 ACP) (MEU(SOC))

3952 SIG P229R DAK (.40 S&W) (USCG)

3953 M1911A1 (.45 ACP) (Army)

3954 Heckler & Koch HK45 (.45 ACP) (Naval Special Warfare)

- 3955 AAI QSPR (Quiet Special Purpose Revolver, .44 Magnum)
- 3956 Beretta 92SB (9x19mm) (JSSAP winner)
- 3957 Browning Hi-Power (9x19mm) (Special Forces)
- 3958 Colt Dragoon Revolver (1st/2nd/3rd) (.44)
- 3959 Colt M1900 (.38 ACP)
- 3960 Colt M1902 (.38 ACP)
- 3961 Colt M1903 (.32 ACP) (General Officers)
- 3962 Colt M1905 (.45 ACP)
- 3963 Colt M1908 (.380 ACP) (General Officers)
- 3964 Colt OHWS (.45 ACP)
- 3965 Colt SCAMP (.22 SCAMP)
- 3966 Joint Combat Pistol and related (.45 ACP)
- 3967 Gyrojet handgun (13mm)
- 3968 Harpers Ferry Model 1805 (.54)
- 3969 High Standard HDM (.22 LR) (Navy SEALs and USMC Force Recon)
- 3970 Misc. JSSAP/XM9/XM10 entrants (9x19mm)
- 3971 Kimber ICQB (.45 ACP) (MEU(SOC))
- 3972 LeMat Revolver (.41/.63, .35/.5)
- 3973 M15 General Officers (.45 ACP)
- 3974 M1799 flintlock pistol (.69)
- 3975 M1816 flintlock pistol (.54)
- 3976 M1836 flintlock pistol (.54)
- 3977 M1842 Navy (.54)
- 3978 M1842 Pistol (.54)
- 3979 M1847 Pistol (.44)
- 3980 M1849 Pocket Pistol (.31)
- 3981 M1851 Navy (.36)
- 3982 M1860 Army Revolver (.44)
- 3983 M1861 Navy Revolver (.36)
- 3984 M1873 (.45 Colt)
- 3985 M1889 Navy (.38 Long Colt)
- 3986 M1892/M1894 Army (.38 Long Colt)
- 3987 M1896 Revolver (.38 Long Colt)
- 3988 M1902 Revolver (.38 Long Colt)
- 3989 M1900 (DWM "American Eagle Luger"; 7.65x22mm, 9x19mm, .45 ACP)
- 3990 M1903 Army (.38 Special/.38 Long Colt)
- 3991 M1905 Marine (.38 Long Colt)
- 3992 M1908 Army (.38 Special)
- 3993 M1909 Army (.45 Colt)
- 3994 M1917 (.45 ACP)

- 3995 Mk 1 Underwater Defense Gun (Mk 59 Mod 0) (Navy SEALs)
- 3996 Mk 22 Mod 0 (9x19mm Parabellum) (Special Forces)
- 3997 Objective Personal Defense Weapon
- 3998 Remington-Beals Revolver (.36)
- 3999 Remington M1858 (.44)
- 4000 Remington M53 (.45 ACP)
- 4001 Remington M1865/M1867 Navy (.50)
- 4002 Ruger MK II (.22 LR) (Navy SEALs)
- 4003 Savage Arms .45 pistol (.45 ACP)
- 4004 Savage Figure Eight (.36)
- 4005 Schofield Model 3 (.45 Schofield)
- 4006 Smith & Wesson Model 12 (.38 Special)
- 4007 Smith & Wesson Model 15 (.38 Special) (USAF)
- 4008 Smith & Wesson No. 2 (.32)
- 4009 Spiller and Burr (.36)
- 4010 Star Model 1863 (.44)
- 4011 Steyr Mannlicher M1894 (7.65x21mm)
- 4012 FN 303
- 4013 M37 Mid-size Riot Control Dispenser[11][12]
- 4014 M234 Riot Control Launcher
- 4015
- 4016 **Rifles**
- 4017
- 4018 [M16A4 Assault rifle, (5.56x45mm NATO)
- 4019 Mk 17 Mod 0 (Selective Fire rifle, 7.62x51mm NATO) (US SOCOM)
- 4020 Mk 12 Special Purpose Rifle,
- 4021 M14 (Selective Fire rifle, 7.62x51mm NATO)
- 4022 M14 SMUD (Stand-off Mmunition Disruption rifle, 7.62x51mm NATO)
- 4023 M16A2 (5.56x45mm NATO)
- 4024 M16A3 (5.56x45mm NATO) (Navy Seabees)
- 4025 [edit]Out of service (obsolete)/Canceled experiments
- 4026 XM8 (Lightweight Assault Rifle system, 5.56x45mm NATO)
- 4027 XM29 (Kinetic Energy and Airburst Launcher System; 5.56x45mm NATO
- 4028 and 20 mm airburst munition (XM1018)(early)/25 mm airburst munition)
- 4029 (experiment canceled)
- 4030 Misc. Advanced Combat Rifle entries (concluded 1991)
- 4031 Misc. Future Rifle Program entries
- 4032 Misc. Special Purpose Individual Weapon (SPIW) entries
- 4033 (concluded/canceled)
- 4034 Mk 16 Mod 0 (Assault rifle, 5.56x45mm NATO) (Cancelled)

4035 FN FAL (battle rifle, trialled as T48 against the T44 and T47 to replace the  
4036 M1: lost to the former)  
4037 M14E1 (Selective Fire Rifle, 7.62x51mm NATO) (never standardized)  
4038 M16A1 (5.56x45mm NATO)  
4039 AR-15/Colt Model 601/602 (5.56x45mm NATO rifle) (USAF and SOF use  
4040 only)  
4041 XM22/E1 Rifle (Selective Fire Rifle, 5.56x45mm NATO)  
4042 Mk 4 Mod 0 (Suppressed Rifle, 5.56x45mm NATO)  
4043 Misc. M1 Garand Variants (E1-E6 and E9-E14) (Semi-Automatic Rifle, .30-  
4044 '06) (never used in active duty)  
4045 Mk 2 Mod 0/1/2 (Semi-Automatic Rifle, 7.62x51mm NATO)  
4046 M1 Garand (Semi-automatic rifle, .30-06)  
4047 M1941 Johnson rifle (Semi-Automatic Rifle, .30-'06)  
4048 Gyrojet rifle (13 mm)  
4049 Pedersen Rifle (.276) (competed unsuccessfully with M1 Garand to become  
4050 primary service rifle)  
4051 Pedersen Device (attachment for Springfield M1903, .30 conversion)  
4052 M1918 BAR (.30-06)  
4053 M1903/A1/A3 (Bolt-action rifle; .30-03, .30-06)  
4054 M1917 Enfield (Bolt-action rifle)  
4055 Model 1907/15 Berthier rifle (Bolt action rifle)[13]  
4056 M1916 Mosin Nagant (Bolt-action rifle)[14]  
4057 M1895 Navy (Navy Lee, 6 mm Navy)  
4058 M1892/M1896/M1898 Rifle (a/k/a Krag Bolt Action Rifle; .30-40 Krag)  
4059 M1892/M1896/M1898/M1899 Carbine (a/k/a Krag Bolt Action Carbine;  
4060 .30-40 Krag)  
4061 M1885 Remington-Lee (Bolt-action rifle; .45-70 Gov)  
4062 M1882 Short Rifle (.45-70 Gov.)  
4063 M1882 Remington-Lee (Bolt-action rifle; .45-70 Gov.)  
4064 M1879 Remington-Lee (Bolt-action rifle; .45-70 Gov.)  
4065 Remington-Keene rifle (Bolt-action rifle; .45-70 Gov.)[15]  
4066 M1877/M1879/M1884/M1886 Carbine (.45-70 Gov.: .45-55-405 & .45-70-  
4067 500)  
4068 M1875 Officers' Rifle (.45-70 Gov.)  
4069 M1873/M1879/M1880/M1884/M1888/M1889 Springfield (a/k/a Trapdoor  
4070 Springfield;.45-70 Gov.: .45-55-405 & .45-70-500)  
4071 M1872 Springfield (a/k/a Rolling Block Springfield; .50-70 Gov.)  
4072 M1865/M1866/M1868/M1869/M1870 Springfield (a/k/a Trapdoor  
4073 Springfield; .50-70 Government)

- 4074 Sharps carbine/rifle (Breech-loader; .42-60-410) (.52 caliber issued to
- 4075 Berdan's 1st and 2nd US Sharpshooters in the US Civil War)
- 4076 Henry rifle (Lever-action; .44-26-200)
- 4077 Spencer rifle (Lever-action; 56-56 (.52-45-350))
- 4078 M1863 Springfield
- 4079 M1861 Springfield (.58)
- 4080 Colt revolving rifle (Colt Model 1855; 6/5-shot revolver rifle;.44/.56)
- 4081 Greene rifle (Bolt-action breech-loader)
- 4082 P53 Enfield (.577 (.58))
- 4083 P51 Enfield Musketoon ("Artillery Carbine"; 24" barrel, .69)
- 4084 Model 1854 Lorenz rifle (Rifle-musket, .54, .58)
- 4085 M1859 Sharps ('New model 1859', breech loader; .52, .56)
- 4086 M1855 Rifle-Musket
- 4087 M1855 Rifle (Percussion muzzle-loader; 58-60-500)
- 4088 M1847 Musketoon (Springfield, .69)
- 4089 M1842 Musket (Percussion musket, .69)
- 4090 M1841 Rifle "Mississippi Rifle" (percussion muzzle-loader;.54 , .58)
- 4091 M1840 Musket (flintlock musket;.69)(later percussion)
- 4092 M1835 Springfield (flintlock musket; .67 cal)
- 4093 M1819 Hall rifle (Harper's Ferry;Breech-loader)
- 4094 Model 1822 Musket (Flintlock Musket) .69 (later percussion)
- 4095 Model 1816 Musket (Flintlock musket; .69) (Later Percussion)
- 4096 Model 1817 Rifle ('Common rifle';Derringer, Johnson, North and Starr;
- 4097 Flintlock rifle, .54) (later percussion)
- 4098 Model 1814 Rifle (Deringer; Flintlock rifle)
- 4099 Springfield Model 1812 Musket (Flintlock musket; .69)
- 4100 Model 1808 Contract Musket (Flintlock musket; .69)
- 4101 Harper's Ferry Model 1803 Rifle (Flintlock rifle; .54)
- 4102 Model 1795 Musket (Flintlock musket; .69)
- 4103 Charleville musket (Flintlock musket; .69)
- 4104 Brown Bess (Musket; .75)
- 4105 Kentucky Rifle (Flintlock rifle)
- 4106 Ferguson rifle (Flintlock breech-loader; .69)

4107  
4108

**Carbines**

- 4110
- 4111 M4 carbine (5.56x45mm NATO)
- 4112 Colt Model 723/725/727 (M16A2 carbine, 5.56x45mm NATO) (US Navy)
- 4113 GUU-5/P (Automatic carbine, 5.56x45mm NATO) (USAF)

- 4114 Mk 17 Mod 0 (Selective Fire rifle, 7.62x51mm NATO) (United States  
4115 SOCOM)  
4116 HK416 (Automatic carbine, 5.56x45mm NATO) (JSOC units)  
4117 M231 FPW (Firing Port Weapon, 5.56x45mm NATO) (US Army)  
4118 M4A1 carbine (5.56x45mm NATO) (USSOCOM, USARMY and select  
4119 USMC units)  
4120 Mk 18 Mod 0 CQBR (CQB assault rifle, 5.56x45mm NATO) (Navy and  
4121 Coast Guard)  
4122 Mk 16 Mod 0 (Assault rifle, 5.56x45mm NATO) (canceled program [16])  
4123 XM8 Compact Carbine (5.56x45mm)  
4124 M4E2 Carbine (Automatic Carbine, 5.56x45mm NATO) (never  
4125 standardized)  
4126 CAR-15 Survival Rifle (5.56x45mm)  
4127 Colt Model 653 (M16A1 Carbine, 5.56x45mm NATO)  
4128 GAU-5/A and A/A ("SMG," 5.56x45mm)  
4129 XM177/E1/E2 ("SMG," 5.56x45mm)  
4130 Colt Model 733 (5.56x45mm NATO) (USMC Force Recon)  
4131 XM23 Carbine (Selective Fire Carbine, 5.56x45mm NATO)  
4132 GUU-4/P ("Arm Gun," .221 Remington Fireball)  
4133 CAR-15 SMG (CAR-15 w/ 10" barrel, 5.56 mm)  
4134 CAR-15 Carbine (M16 w/ 15" barrel, 5.56x45mm)  
4135 AR-7 (.22 LR)  
4136 M1/M1A1 Carbine (Semi-Automatic Carbine, .30 Carbine)  
4137 M2 Carbine (Full-Automatic Carbine, .30 Carbine)  
4138 M3 Carbine (Scoped Full-Automatic Carbine, .30 Carbine)  
4139 M50 Reising  
4140 T38/M4 (Survival Rifle; .22 Hornet)  
4141 T39/M6 (Survival Rifle; .22 Hornet/.410 Gauge)  
4142 MA-1 (AR-5 Survival Rifle; .22 Hornet)  
4143 Smith carbine (Breech-loader (break-open); .50-50-360)  
4144 Burnside carbine (Breech-loader, .58-60-500)  
4145 Starr Carbine (Breech-loader, .54)  
4146 Springfield Model 1863 (Breech-barrel carbine, .52-cal.)  
4147  
4148  
4149 **Shotguns**  
4150  
4151 M500 (Pump-action 12 Gauge)  
4152 M590 (Pump-action 12 Gauge)  
4153 M590A1 (Pump-action 12 Gauge)

- 4154 M870 (Pump-action 12 gauge)
- 4155 M1014 (Semi-automatic 12 Gauge) (Marines and Army)
- 4156 M26 Modular Accessory Shotgun System (Bolt-action 12 gauge attachment)
- 4157 (Army)
- 4158 Ithaca M37 (Pump-action 12 gauge)
- 4159 Remington 7188 (Full-auto 12 gauge) (SEALs only)
- 4160 Remington Model 10 (Pump-action 12 gauge)
- 4161 Remington Model 11 (Semi-automatic 12 gauge)
- 4162 Remington Model 31 (Pump-action 12 gauge)
- 4163 Springfield Model 1881 Forager (20 gauge)
- 4164 Stevens Model 520-30 (Pump-action 12 gauge)
- 4165 Stevens Model 620 (Pump-action 12 gauge)
- 4166 Winchester 1200 (Pump-action 12 gauge)
- 4167 Winchester Model 1912 (Pump-action 12 gauge)
- 4168 Winchester Model 1897 (Pump-Action 12 Gauge)
- 4169 Various Civil War Shotguns
- 4170 CAWS entrants, specifically HK CAWS
- 4171 MP5N (9x19mm Parabellum), special operations only, not standardized
- 4172 M3/M3A1 Grease Gun (.45 ACP/9x19mm Parabellum)
- 4173 Madsen M50 (9x19mm Parabellum)
- 4174 Walther MPL/MPK (9x19mm Parabellum)
- 4175 HK SMG II (9x19mm Parabellum)
- 4176 HK 54A1 (9x19mm Parabellum)
- 4177 HK MP2000 (9x19mm Parabellum)
- 4178 Mk 24 Mod 0 (Smith & Wesson Model 76; 9x19mm Parabellum)
- 4179 Carl Gustaf M/45 (9x19mm Parabellum)
- 4180 Model 50/55 Reising (.45 ACP)
- 4181 M2 submachine gun (Hyde-Inland M2, .45 ACP)
- 4182 MAC-10 (.45 ACP / 9x19mm Parabellum)
- 4183 M42 submachine gun (United Defense M42, .45 ACP/9x19mm Parabellum)
- 4184 M1/M1A1 Thompson (.45 ACP)
- 4185 M1928/M1928A1 Thompson (.45 ACP)
- 4186 M1921 Thompson (.45 ACP) (not type classified)
- 4187 Uzi/Mini Uzi (9x19mm Parabellum)[17]
- 4188
- 4189
- 4190 **Swords**
- 4191

- 4192 Five U.S. Marine Corps privates with fixed bayonets under the command of  
4193 their noncommissioned officer, who displays his M1859 Marine NCO  
4194 sword.  
4195  
4196 Model 1902 Army Officers' Sword  
4197 Model 1840 Army Noncommissioned Officers' Sword  
4198 Model 1852 Navy Officers' Sword  
4199 Coast Guard Officers' Sword  
4200 Marine Noncommissioned Officers' Sword, 1859–Present  
4201 Marine Officers' Mameluke Sword, 1875–present  
4202 Air Force Academy Cadets' Sword, c. 1955–present  
4203 West Point Cadets' Sword, c. 1922–present  
4204 Model 1832 Foot Artillery Sword  
4205 Model 1840 Light Artillery Saber  
4206 Model 1872 Mounted Artillery Officers' Saber  
4207 Model 1840 Army Musicians' Sword  
4208 Model 1812/13 Starr Cavalry Saber  
4209 Model 1818 Starr Cavalry Saber  
4210 Model 1833 Dragoon Saber  
4211 Model 1840 Heavy Cavalry Saber  
4212 Model 1860 Light Cavalry Saber  
4213 Model 1872 Light Cavalry Saber  
4214 Model 1906 Light Cavalry Saber  
4215 Model 1913 "Patton" Cavalry Saber  
4216 Model 1832 Army Foot Officers' Sword  
4217 Model 1832 Army General & Staff Officers' Sword  
4218 Model 1832 Army Medical Staff Officers' Sword  
4219 Model 1839 Army Topographical Engineer Officers' Sword  
4220 Model 1840 Army Foot Officers' Sword  
4221 Model 1840 Army General & Staff Officers' Sword  
4222 Model 1840 Army Medical Staff Officers' Sword  
4223 Model 1840 Army Pay Department Officers' Sword  
4224 Model 1840 Army Engineer Officers' Sword  
4225 Model 1850 Army Foot Officers' Sword  
4226 Model 1850 Army Staff & Field Officers' Sword  
4227 Model 1872 Army Line & Staff Officers' Sword  
4228 Model 1830 Navy Officers' Sword  
4229 Model 1841 Navy Officers' Sword  
4230 Model 1834 Revenue Cutter Service Officers' Sword  
4231 Model 1870 Revenue Cutter Service Officers' Sword



- 4232 Model 1797 Starr Naval Cutlass
- 4233 Model 1808 Starr Naval Cutlass
- 4234 Mayweg & Nippes "Baltimore" Naval Cutlass, c. 1810
- 4235 Model 1816 Starr Naval Cutlass
- 4236 Model 1826 Starr Naval Cutlass
- 4237 Model 1841 Naval Cutlass
- 4238 Model 1861 Naval Cutlass
- 4239 Model 1917 Naval Cutlass
- 4240 Marine Noncommissioned Officers' Sword, c.1832–1859
- 4241 Marine Officers' Mameluke Sword, 1826–59
- 4242 West Point Cadets' Sword, Model 1872
- 4243 West Point Cadets' Sword, c. 1837
- 4244
- 4245
- 4246 **Bayonets, knives, bayonet-knife models**
- 4247
- 4248 ASEK (Army)
- 4249 M9 bayonet (M16 series)
- 4250 M11 Knife (EOD)
- 4251 OKC-3S Bayonet (Marine Corps only)
- 4252 Mk 2 Knife (Ka-Bar)
- 4253 Gerber Mark II
- 4254 Mark 3 Knife (SEALs)
- 4255 Mission Knives MPK Knife (SEALs, Navy EOD, and USMC)[1]
- 4256 Strider SMF (USMC)
- 4257 SEAL Knife 2000 (SEALs)
- 4258 Tomahawk (VTAC)
- 4259 [edit]Out of service (obsolete)
- 4260 M7 Bayonet (M16 series)
- 4261 M6 Bayonet (M14)
- 4262 M5 Bayonet (M1 Garand)
- 4263 M4 Bayonet (M1 Carbine)
- 4264 M3 Trench Knife[2]
- 4265 M1 bayonet (M1 Garand/M1903)
- 4266 Knife LC-14-B/Type IV Survival Ax (Woodman's Pal)[3]
- 4267 Mk 2 Machete (Navy)
- 4268 Mk 2 Utility Knife (Marine Corps/Navy)[4]
- 4269 Mk 1 Utility Knife (Navy)[4]
- 4270 M1939 Machete
- 4271 M1942 Bayonet (M1903/M1 Garand)

4272 M1942 Machete[5]  
4273 V44 Knife  
4274 V-42 combat knife (Case V-42 'Stiletto')  
4275 M1942 Bolo Knife (United States Navy Hospital Corpsman)[6]  
4276 Sykes-Fairbairn Commando Knife  
4277 Marine Corps Raiders stiletto by Camillus  
4278 M1917/M1918/Mark I Trench Knife  
4279 M1917 Bayonet (M1917/Shotgun)  
4280 P1913 Bayonet (M1917)  
4281 M1917 Bolo Knife[7]  
4282 M1909 Bolo Knife[8]  
4283 M1905 Bayonet (M1903/M1 Garand)  
4284 M1904 Hospital Corps Knife[9]  
4285 M1898 Bolo Bayonet  
4286 M1898 Bowie Bayonet  
4287 M1895 Lee Rifle Bayonet  
4288 M1892 Bayonet (Krag)  
4289 M1887 Hospital Corps Knife[10]  
4290 M1880 Hunting Knife (a.k.a Entrenching knife)  
4291 M1873 Trowel Bayonet  
4292 M1868 Trowel Bayonet  
4293 M1861 Navy Rifle Bayonet  
4294 M1855 Socket Bayonet  
4295 M1847 Musketoon Bayonet  
4296 M1841 Mississippi Rifle Bayonet  
4297 M1819 Hall Breech-Loading Rifle Socket Bayonet  
4298 M1812 Bayonet|M1816 Bayonet  
4299 M1812 Bayonet  
4300 M1795 Bayonet  
4301 M1849 Rifleman's Knife  
4302