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| SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910 | | <i>FOR COURT USE ONLY</i> |
| PEOPLE OF THE STATE OF CALIFORNIA | | |
| DEFENDANT/RESPONDENT | | |
| PROOF OF SALE, SURRENDER, OR STORAGE OF FIREARM(S) | | CASE NUMBER |

Instructions: When you sell or surrender your firearm(s) under a court order, ask the licensed gun dealer or law enforcement agent to complete item 2a or 2b. After the form is signed, file the original completed form with the court. Keep a copy for your records. Note that firearm(s) must not be loaded when surrendered. Additionally note that firearm(s) may not be brought into the courthouse nor surrendered directly to the court.

- Defendant or Respondent (name):
has a. sold to a licensed gun dealer b. temporarily stored with a licensed gun dealer c. turned over to law enforcement the firearm(s) described in item 3.
- The firearm(s) described in item 3 were sold, temporarily stored, or surrendered as follows:

| | |
|--|---|
| To be completed by licensed gun dealer | <input type="checkbox"/> a. SALE <input type="checkbox"/> b. TEMPORARY STORAGE OF FIREARM(S) - LICENSED DEALER The firearm(s) listed in item 3 were <input type="checkbox"/> sold <input type="checkbox"/> temporarily stored: (1) On (date): _____ (2) At (time): <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. (3) To (name of licensed gun dealer): _____ (4) License #: _____ (5) Address: _____ (5) Phone: _____ I declare under penalty of perjury under the laws of the State of California the information above is true and correct. Date: _____ _____ Type or print name/Title Signature |
| | <input type="checkbox"/> c. SURRENDER OF FIREARM(S) TO LAW ENFORCEMENT The firearm(s) listed in item 3 were sold: (1) On (date): _____ (2) At (time): <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. (3) To (name and title of law enforcement agent): _____ (4) Name and address of law enforcement agency: _____ I declare under penalty of perjury under the laws of the State of California the information above is true and correct. Date: _____ _____ Type or print name/Title Signature |

FIREARM(S) SOLD, SURRENDERED OR TEMPORARILY STORED

- The firearm(s) sold, surrendered or temporarily stored as indicated above were the following:

| <u>Firearm Make</u> | <u>Model</u> | <u>Serial Number</u> |
|---------------------|--------------|----------------------|
| (1) | | |
| (2) | | |
| (3) | | |
| (4) | | |
| (5) | | |

 Additional firearm(s) as listed on attachment to this form. (*The make, model, and serial number of each firearm must be provided.*)

- The firearm(s) listed in item 3 are:
 a. All b. Some of the firearms that the defendant or respondent owned, possessed, or controlled.
 If the latter, all of the defendant's or respondent's other firearms:
 (1) Have been sold or transferred and proof was previously filed with this court on (date):
 (2) Have been sold or transferred and proof of sale or transfer is filed concurrently with this proof.
 (3) Have not yet been sold or transferred (*explain*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

 Type or print name Signature



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS FIREARMS PROHIBITING CATEGORIES



State and federal law make it unlawful for certain persons to own and/or possess firearms, including:

- Any person who is convicted of a felony, or any offense enumerated in Penal Code sections 29900 or 29905
- Any person who is ordered to not possess firearms as a condition of probation or other court order listed in Penal Code section 29815, subdivisions (a) and (b)
- Any person who is convicted of a misdemeanor listed in Penal Code section 29805 (refer to List of Prohibiting Misdemeanors)
- Any person who is adjudged a ward of the juvenile court because he or she committed an offense listed in Welfare and Institutions Code section 707(b), an offense described in Penal Code section 1203.073(b), or any offense enumerated in Penal Code section 29805
- Any person who is subject to a temporary restraining order or an injunction issued pursuant to Code of Civil Procedure sections 527.6 or 527.8, a protective order as defined in Family Code section 6218, a protective order issued pursuant to Penal Code sections 136.2 or 646.91, or a protective order issued pursuant to Welfare and Institutions Code section 15657.03
- Any person who is found by a court to be a danger to himself, herself, or others because of a mental illness
- Any person who is found by a court to be mentally incompetent to stand trial
- Any person who is found by a court to be not guilty by reason of insanity
- Any person who is adjudicated to be a mentally disordered sex offender
- Any person who is placed on a conservatorship because he or she is gravely disabled as a result of a mental disorder, or an impairment by chronic alcoholism
- Any person who communicates a threat to a licensed psychotherapist against a reasonably identifiable victim, that has been reported by the psychotherapist to law enforcement
- Any person who is taken into custody as a danger to self or others under Welfare and Institutions Code section 5150, assessed under Welfare and Institutions Code section 5151, and admitted to a mental health facility under Welfare and Institutions Code sections 5151, 5152, or certified under Welfare and Institutions Code sections 5250, 5260, and 5270.15
- Any person who is addicted to the use of narcotics (state and federal)
- Any person who is under indictment or information in any court for a crime punishable by imprisonment for a term exceeding one year (federal)
- Any person who has been discharged from the military under dishonorable conditions (federal)
- Any person who is an illegal alien (federal)
- Any person who has renounced his or her US Citizenship (federal)
- Any person who is a fugitive from justice (federal)



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS FIREARMS PROHIBITING CATEGORIES

Firearm prohibitions for misdemeanor violations of the offenses listed below are generally for ten years from the date of conviction, but the duration of each prohibition may vary. All statutory references are to the California Penal Code, unless otherwise indicated.

- Threatening public officers, employees, and school officials (Pen. Code, § 71.)
- Threatening certain public officers, appointees, judges, staff or their families with the intent and apparent ability to carry out the threat (Pen. Code, § 76.)
- Intimidating witnesses or victims (Pen. Code, § 136.1.)
- Possessing a deadly weapon with the intent to intimidate a witness (Pen. Code, § 136.5.)
- Threatening witnesses, victims, or informants (Pen. Code, § 140.)
- Attempting to remove or take a firearm from the person or immediate presence of a public or peace officer (Pen. Code, § 148(d).)
- Unauthorized possession of a weapon in a courtroom, courthouse, or court building, or at a public meeting (Pen. Code, § 171(b).)
- Bringing into or possessing a loaded firearm within the state capitol, legislative offices, etc. (Pen. Code, § 171(c).)
- Taking into or possessing loaded firearms within the Governor's Mansion or residence of other constitutional officers (Pen. Code, 171(d).)
- Supplying, selling or giving possession of a firearm to a person for participation in criminal street gangs (Pen. Code, § 186.28.)
- Assault (Pen. Code, §§ 240, 241.)
- Battery (Pen. Code, §§ 242, 243.)
- Sexual Battery (Pen. Code, § 243.4)
- Assault with a stun gun or taser weapon (Pen. Code, § 244.5.)
- Assault with a deadly weapon other than a firearm, or with force likely to produce great bodily injury (Pen. Code, § 245.)
- Assault with a deadly weapon or instrument; by any means likely to produce great bodily injury or with a stun gun or taser on a school employee engaged in performance of duties (Pen. Code, § 245.5 .)
- Discharging a firearm in a grossly negligent manner (Pen. Code, § 246.3.)
- Shooting at an unoccupied aircraft, motor vehicle, or uninhabited building or dwelling house (Pen. Code, § 247.)
- Inflicting corporal injury on a spouse or significant other (Pen. Code, § 273.5.)*
- Wilfully violating a domestic protective order (Pen. Code, § 273.6.)
- Drawing, exhibiting, or using deadly weapon other than a firearm (Pen. Code, § 417, subd. (a)(1) & (a)(2).)
- Inflicting serious bodily injury as a result of brandishing (Pen. Code, § 417.6.)
- Making threats to commit a crime which will result in death or great bodily injury to another person (Pen. Code, § 422.)
- Bringing into or possessing firearms upon or within public schools and grounds (Pen. Code, § 626.9.)
- Stalking (Pen. Code, § 646.9.)
- Armed criminal action (Pen. Code, § 25800.)
- Possessing a deadly weapon with intent to commit an assault (Pen. Code, § 17500.)
- Driver of any vehicle who knowingly permits another person to discharge a firearm from the vehicle or any person who willfully and maliciously discharges a firearm from a motor vehicle (Pen. Code, § 26100, subd. (b) or (d).)
- Criminal possession of a firearm (Pen. Code, § 25300.)
- Firearms dealer who sells, transfers or gives possession of any firearm to a minor or a handgun to a person under 21 (Pen. Code, § 27510.)
- Various violations involving sales and transfers of firearms (Pen. Code, § 27590, subd. (c).)
- Person or corporation who sells any concealable firearm to any minor (former Pen. Code, § 12100, subd. (a).)
- Unauthorized possession/transportation of a machine gun (Pen. Code, § 32625)
- Possession of ammunition designed to penetrate metal or armor (Pen. Code, § 30315.)
- Carrying a concealed or loaded firearm or other deadly weapon or wearing a peace officer uniform while picketing (Pen. Code, §§ 830.95, subd. (a), 17510, subd. (a).)
- Bringing firearm related contraband into juvenile hall (Welf. & Inst. Code, § 871.5.)
- Bringing firearm related contraband into a youth authority institution (Welf. & Inst. Code, § 1001.5.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person receiving in-patient treatment for a mental disorder, or by a person who has communicated to a licensed psychotherapist a serious threat of physical violence against an identifiable victim (Welf. & Inst. Code, § 8100.)
- Providing a firearm or deadly weapon to a person described in Welfare and Institutions Code sections 8100 or 8103 (Welf. & Inst. Code, § 8101.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person who has been adjudicated to be a mentally disordered sex offender or found to be mentally incompetent to stand trial, or not guilty by reason of insanity, and individuals placed under conservatorship (Welf. & Inst. Code, § 8103.)

The following misdemeanor convictions result in a lifetime prohibition:

- Assault with a firearm (Pen. Code, §§ 29800, subd. (a)(1), 23515, subd. (a).)
- Shooting at an inhabited or occupied dwelling house, building, vehicle, aircraft, housecar or camper (Pen. Code, §§ 246, 29800, subd. (a)(1), 17510, 23515, subd. (b).)
- Brandishing a firearm in presence of a peace officer (Pen. Code §§ 417, subd. (c), 23515, subd. (d), 29800, subd. (a)(1).)
- Two or more convictions of Penal Code section 417, subdivision (a)(2) (Pen. Code § 29800, subd. (a)(2).)

* A "misdemeanor crime of domestic violence" (18 U.S.C. §§ 921(a)(33)(A), 922(g)(9).)

Note: The Department of Justice provides this document for informational purposes only. This list may not be inclusive of all firearms prohibitions. For specific legal advice, please consult with an attorney licensed to practice law in California.



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS General Notice of Firearm Prohibition and Power of Attorney for Firearms Relinquishment, Sale, or Transfer for Storage

I, _____, hereby designate _____
Printed Name of Firearm Owner/Possessor *Printed Name of Power of Attorney Designee*

to have Power of Attorney for the purpose of transferring or disposing of my firearm(s). This Power of Attorney designation is only effective for 30 days from the date of this designation. This designation shall become null and void after 30 days. As the firearm owner, I hereby declare, under penalty of perjury under the laws of the State of California, that the forgoing is true and correct and that to the best of my knowledge, the above designee is not prohibited from possessing firearms pursuant to Penal Code sections 29800-29875 or 29900-29905, or Welfare and Institutions Code sections 8100 or 8103.

Signature of Firearm Owner/Possessor *Date*

I, _____, hereby agree to accept appointment as Power of Attorney for the
Printed Name of Power of Attorney Designee
sole purpose of transferring or disposing firearms on behalf of _____, the owner
Printed Name of Firearm Owner/Possessor

or possessor of the firearm(s). I understand that it is my legal responsibility to carry out one of the actions listed on the second page of this form. I declare, under penalty of perjury under the laws of the State of California, after reviewing the included list of prohibitions, that I am not prohibited by law from possessing firearms.

Signature of Power of Attorney Designee *Date*

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

Must be notarized by a person who is not a party to this transaction

In the State of California, county of _____, on _____ before me,
County *Date*

_____, the following individuals personally appeared:
Printed Name and Title of Officer (e.g., "Jane Doe, Notary Public")

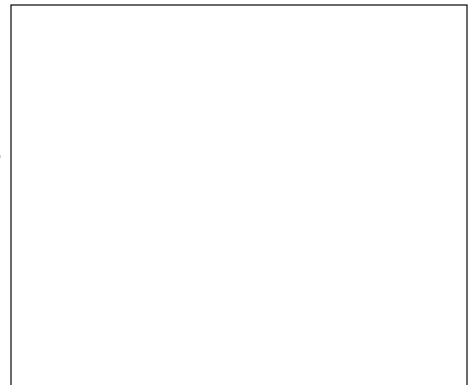
Printed Name of Firearm Owner/Possessor *Printed Name of Power of Attorney Designee*

I declare that these individuals are personally known to me - OR - proved to me on the basis of satisfactory evidence or identity to be the persons whose names are scribed within this instrument. The parties acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary



(Official Seal of Notary)

Questions concerning a prohibited persons legal status or questions pertaining to the use of this form may be directed to the Department of Justice, Bureau of Firearms at (916) 227-7527.



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS

General Notice of Firearm Prohibition and Power of Attorney for Firearms Relinquishment, Sale, or Transfer for Storage

Pursuant to Penal Code section 29810, this form is provided to individuals who are prohibited under the law from owning or possessing firearms: (1) any person who has been **convicted** of a felony, a specified misdemeanor, or a specified firearms offense; (2) any person who is addicted to narcotics; (3) any person who is the subject of a protective order; or (4) any person who has found by a court or mental health facility to have certain mental disabilities. Please refer to the accompanying document entitled "Firearms Prohibiting Categories" for a complete list of the firearms prohibitions under the law.

NOTE: The duration of the prohibitions vary. Also, federal law may impose additional and/or more restrictive prohibitions on firearms possession. Therefore, a person who is entitled to possess firearms under state law may nevertheless be prohibited from possessing firearms under federal law. For specific legal advice about the duration of a state prohibition, whether a state prohibition is still in effect, or whether federal law prohibits the possession of firearms, please consult with an attorney who is licensed to practice law in the State of California.

The prohibition against firearms ownership or possession is effective immediately upon the occurrence of the prohibiting event (such as the date of the conviction, or the date when a protective order is issued) and requires the person who is prohibited from possessing firearms to immediately relinquish all firearm(s). This form helps the person who is prohibited from possessing firearms comply with the law by designating another person to relinquish, sell or dispose of the firearm(s) on behalf of the prohibited person. **However, this form does not transfer ownership of the firearm(s), or confer any rights or privileges other than the right to temporarily possess firearms for the purpose of relinquishment, sale or disposal of those firearms.** Both the owner of the firearm(s) and the person who is granted Power of Attorney for Firearms Relinquishment, Sale or Disposal are obligated to comply with state law regarding the sale and transfer of firearm(s), such as the requirement to transfer ownership of firearm(s) through a licensed firearms dealer. (See Pen. Code, §§ 26500-26590.)

A person who is prohibited from owning or possessing a firearm who has a prohibition termination date specified in a court order, can transfer his or her firearm(s) to a licensed firearms dealer for storage during the duration of the prohibition. The court order must be shown to the firearms dealer as proof of eligibility. (Pen. Code, § 29830.)

A person who is subject to a **protective order** (as defined in Family Code section 6218) is subject to special rules. Such a person must do **both** of the following:

- 1) **Within 24 hours** of being served with notice of the protective order, surrender all firearms to the control of local law enforcement officials, or sell the firearm(s) to a licensed gun dealer: but **immediately** surrender the firearm(s) to a law enforcement officer upon an officer's request. (Fam. Code, § 6389, subd. (c)(2).)
- 2) **Within 48 hours** of **receiving** the order, provide proof to the court that issued the order that all firearms have been relinquished.

NOTE: A person who has Power of Attorney for Firearms Relinquishment, Sale or Disposal in a case where a protective order is issued must surrender the firearm(s) to the control of local law enforcement officials, or sell the firearm(s) to a licensed gun dealer on behalf of the gun owner within the times set forth above so that the gun owner is able to comply with the law.

In other cases (that do not involve a protective order or a more specific court order), the person with Power of Attorney for Firearms Relinquishment, Sale or Disposal must do one of the following **within 30 days**:

- 1) Take the firearm(s) to a licensed firearms dealer so that it can be sold or transferred.
- 2) Surrender the firearm(s) to a California law enforcement agency for the purpose of safe keeping.
- 3) Surrender the firearm(s) to a California law enforcement agency for the purpose of destruction.
- 4) **Under no circumstances does completion of this form allow the designee to possess the firearm(s) beyond the 30 day period. (Pen. Code, § 27880.)**

Special rules apply to assault weapons (as defined in Penal Code sections 16170, subdivision (a), 16350, 16890, 30510, and 30515, and in California Department of Justice regulations) and .50 BMG rifles (as defined in Penal Code sections 16170, subdivision (a), 30525, and 30530). Please contact the Department of Justice, Bureau of Firearms at (916) 227-7527 for more information.