

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JULIO SUAREZ,

Plaintiff,

v.

ERIC H. HOLDER, JR., et al.,

Defendants.

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) Case. No. 14-CV-00968-WWC  
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DECLARATION OF JULIO SUAREZ

I, Julio Suarez, am competent to state and declare the following based on my personal knowledge:

1. I reside in Gettysburg, Adams County, Pennsylvania.
2. I presently intend to purchase and possess a handgun and long gun to defend myself and my family within my own home.
3. I am over the age of 21, am not under indictment, have never been convicted of a felony or misdemeanor crime of domestic violence, am not a fugitive from justice, am not an unlawful user of or addicted to any controlled substance, have never been adjudicated a mental defective or committed to a mental institution, have never been discharged from the Armed Forces under dishonorable conditions, have never renounced my citizenship, and have never been the subject of a restraining order relating to an intimate partner. A resume reflecting my skills, education, and employment history is attached hereto as Exhibit A.

4. On June 26, 1990, I was convicted by the Montgomery County (Maryland) District Court of one misdemeanor count of carrying a handgun without a license, in violation of then-Md. Ann. Code art. 27, § 36B(b) (1990) ("Section 36B(b)"). Exhibit B is a true and correct copy of the docket in that case.

5. The officers located my gun because I had volunteered to the officers who stopped me that I had a gun, and I told them where it was located.

6. I was not convicted of any other offense arising from that incident. I accepted probation before judgment on the charge of driving under the influence.

7. I was sentenced to one year probation, as well as 180 days imprisonment and a \$500 fine, both suspended. I paid costs totaling \$25 and successfully completed probation. Apart from one 1998 misdemeanor conviction for driving under the influence, acquired after celebrating the sale of the company for which I then worked, I have not since been convicted of any violation.

8. I have been married for 20 years, and am in the process of successfully raising three children. I am an Elder in my local Presbyterian Church, and hold a "Secret" security clearance in connection with my employment for a government contractor. I am an honorably discharged Army veteran. I was awarded the Army Commendation Medal as well as the Army Achievement Medal, and attach true and correct copies of these citations as Exhibit C.

9. I acknowledge that driving under the influence is a serious offense, and that doing so involved bad judgment on my part. In the 1990s, I was much younger and less responsible than I am today. But while I made mistakes, I have never been an alcoholic, nor did I abuse alcohol on a regular basis at any time in my life, nor do I abuse alcohol today. Alcohol simply does not interfere with my life in any way, and it has not adversely impacted my life since the 1998 DUI conviction.

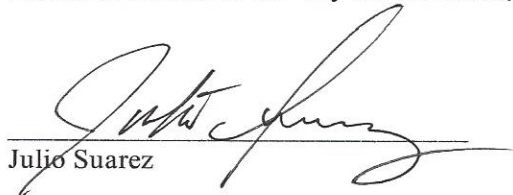
10. On August 31, 2009, the Court of Common Pleas of Adams County, Pennsylvania, granted my petition for removal of disqualification from owning or possessing firearms, pursuant to 18 Pa. C.S. § 6105(d)(3)(ii). *See Commonwealth v. Suarez*, Court of Common Pleas, Adams County, Pennsylvania Criminal No. CP-01-MD-615-2009, attached hereto as Exhibit D.

11. I refrain from obtaining a firearm only because I fear arrest, prosecution, incarceration and fine, under 18 U.S.C. § 922(g)(1), instigated and directed by Defendants, should I follow through with my plan to obtain a firearm. I refrain from purchasing a firearm from a private party, because doing so would subject me to arrest, prosecution, fine, and incarceration, at Defendants' instigation and direction, for violating 18 U.S.C. § 922(g)(1).

12. Considering the government's interpretation of federal law, I am unwilling to state on Form 4473 that I have not, in fact, been convicted of a crime punishable by imprisonment for over one year. But should I answer, on Form 4473, that I have been convicted of a crime punishable by imprisonment for over one year, any federal firearms licensee who follows the government's directives would refuse to sell me a firearm.

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

Executed on this the 13<sup>th</sup> day of November, 2014.

  
Julio Suarez