

**GV-100**

**Petition for Gun Violence Restraining Order**

Read *Can a Gun Violence Restraining Order Help Me?* (form GV-100-INFO) before completing this form.

**1 Petitioner**

a. Your Full Name or Name of Law Enforcement Agency:  
San Diego Police Department

I am:

- A family member of the Respondent
- An officer of a law enforcement agency (*A petition may be filed in the name of the law enforcement agency in which the officer is employed. If you wrote your full name above, write the name of the law enforcement agency that employs you:*)

An employer of the Respondent (*your position and name of company*):

A coworker of the Respondent. I have had substantial and regular interactions with the Respondent for at least one year and I have obtained the approval of my employer to file this petition (*name of company*):

An employee or teacher of a secondary or postsecondary school that the Respondent has attended in the last 6 months. I have obtained the approval of a school administrator to file this petition (*name of the school*):

b. Your Lawyer (*if you have one for this case*): Name: Jeffrey A. Brooker  
Firm Name: San Diego City Attorney's Office State Bar No.: 248725

c. Your Address (*if you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email. Law enforcement officer, give agency information.*)

Address: 1200 Third Ave, suite 700

City: San Diego State: CA Zip: 92101

Telephone: (619) 533-5552 Fax: (619) 533-6120

Email Address: Jbrooker@sandiego.gov

**2 Respondent**

Full Name: L [redacted] M [redacted] Age: [redacted]  
[redacted]

Clerk stamps date here when form is filed.  
CLERK'S BUSINESS OFFICE  
CENTRAL DIVISION  
21 MAY -5 PM 3:15  
CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

Fill in court name and street address:  
Superior Court of California, County of San Diego  
330 W. Broadway  
San Diego Ca 92101

Court fills in case number when form is filed.  
Case Number:  
**37-2021-00019951-CU-PT-CTL**

**This is not a Court Order.**

3 Venue

Why are you filing in this county? (Check all that apply):

- a. [X] The Respondent lives in this county.
b. [ ] Other (specify):

4 Other Court Cases

a. Are you aware of any other court cases, civil or criminal, involving the Respondent?

- [ ] Yes [X] No If yes, check each kind of case and give as much information as you know as to where and when each was filed:

Table with 4 columns: Kind of Case, Filed in (County/State), Year Filed, Case Number (if known). Rows include Civil Harassment, Domestic Violence, Divorce, Nullity, Legal Separation, etc.

b. Are there now any protective or restraining orders in effect relating to Respondent?

- [ ] Yes [ ] No [X] I don't know If yes, attach a copy if you have one.

5 Description of Respondent's Firearms, Ammunition, or Magazines

If you have reason to believe that the respondent is in possession of firearms, ammunition, or magazines, answer (a) or check (b).

a. [X] I am informed, and on that basis believe, that Respondent currently possesses or controls the following firearms, ammunition or magazines (describe the number, types, and locations of any firearms, ammunition, or magazines that you believe that the Respondent currently possesses or controls):

- 1. Glock 26 9mm Semi-Automatic Pistol, Serial # [redacted] (CVPD Custody)
2. Glock 26 9mm Semi-Automatic Pistol, Serial # [redacted] (CVPD Custody)
3. Savage Arms .308 Bolt Action Rifle, Serial # [redacted]
4. Glock 26 9mm Semi-Automatic Pistol, Serial # [redacted]
5. Glock 17C 9mm Semi-Automatic Pistol, Serial # [redacted]
6. Smith and Wesson SW40VE .40 Caliber Semi-Automatic pistol, Serial # [redacted]
7. Glock 17 9mm Semi-Automatic Pistol, Serial # [redacted]
8. Glock 17 9mm Semi-Automatic pistol, Serial # [redacted]
14 ADDITIONAL FIREARMS WITH UNKNOWN SERIAL # (7 AR-15s, 3 Shotguns, 5 handguns)

b. [ ] I am informed, and on that basis believe, that Respondent currently possesses or controls firearms, ammunition, or magazines, but I have no further specific information as to the number, types, and locations of those firearms, ammunition, or magazines.

This is not a Court Order.



6 Grounds for Issuance of a Gun Violence Restraining Order

I have reasonable cause to believe both of the following are true:

- a. The Respondent poses a significant danger in the near future of causing personal injury to themselves or another person by having in their custody or control, owning, purchasing, possessing, or receiving a firearm, ammunition, or a magazine.
b. A gun violence restraining order is necessary to prevent personal injury to Respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.
c. The facts supporting the above statements are set forth:
[ ] Below
[X] On Attached Declaration (form MC-031).

Multiple horizontal lines for providing supporting facts.

7 Request for Gun Violence Restraining Order

I request that the court issue an order prohibiting Respondent from having in their custody or control, owning, purchasing, possessing or receiving, or attempting to purchase or receive, any firearms, ammunition, or magazines. I further request that Respondent be ordered to immediately surrender all firearms, ammunition, and magazines currently in their possession to a law enforcement officer or to sell the firearms, ammunition, and magazines to or store them with a licensed gun dealer.

- a. I request the order above for ONE years. (Please include a number of years between one and five years.)
b. I am asking for this amount of time because:

The significant danger consists of potentially [redacted] having access to firearms, Respondent is in possession of illegal assault weapons and unregistered firearms. Respondent also allowed a third party to possess firearms without a legal transfer, and the recent purchase of two firearms subsequent to the execution of a search warrant of his home where illegal firearms were seized. That search warrant was pursuant to an investigation of a [redacted] This GVRO will also prevent the on-going acquisition of firearms until the eighteen outstanding firearms are accounted for.

This is not a Court Order.



8 No Fee to Serve (Notify) Restrained Person

If you want the sheriff or marshal to serve (notify) the restrained person about the orders, they will do it for free.

9 Request for Hearing

I request that the court set a hearing in this matter for the purpose of issuing a gun violence restraining order that will last between one and five years.

10 [X] Temporary Gun Violence Restraining Order

I request that a Temporary Gun Violence Restraining Order (TGV) be issued against the Respondent to last until the hearing. I am presenting Temporary Restraining Order (form GV-110) for the court's signature together with this Petition.

Has the Respondent been told that you were going to court to seek a TGV?

[ ] Yes [X] No (If you answered no, explain why below):

[X] Reasons stated in Attachment 10.

The consideration of the GVRO was not contemplated until a later date.

11 [ ] Request to Give Less Than Five Days' Notice of Hearing

You must have your papers personally served on Respondent at least five calendar days before the hearing, unless the court orders a shorter time for service. (Form GV-200-INFO explains What Is "Proof of Personal Service"? Proof of Personal Service (form GV-200) may be used to show the court that the papers have been served.)

If you want there to be fewer than five days between service and the hearing, explain why below:

[ ] Reasons stated in Attachment 11.

12 Number of pages attached to this form, if any: 6

Date: May 5, 2021

Jeffrey A. Brooker
Lawyer's name (if any)

Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: May 5, 2021

San Diego Police Department Detective Garlow
Type or print your name

Sign your name

This is not a Court Order.

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>Jeffrey A. Brooker, SBN 248725</b>  <b>Supervising Deputy City Attorney</b>  <b>1200 Third Ave, suite 700</b>  <b>San Diego, Ca 92101</b></p> <p>TELEPHONE NO.: (619) 533-5552 FAX NO. (Optional): (619) 533-6120  E-MAIL ADDRESS (Optional): jbrooker@sandiego.gov  ATTORNEY FOR (Name): San Diego Police Department</p>	<p>FOR COURT USE ONLY</p> <p>CLERK'S BUSINESS OFFICE  CENTRAL DIVISION</p> <p>21 MAY -5 PM 3:15</p> <p>CLERK SUPERIOR COURT  SAN DIEGO COUNTY, CA</p> <p>CASE NUMBER:  37-2021-00019951-CU-PT-CTL</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego  STREET ADDRESS: 330 W. Broadway  MAILING ADDRESS: 330 W. Broadway  CITY AND ZIP CODE: San Diego, Ca 92101  BRANCH NAME: Central</p>	
<p>PLAINTIFF/PETITIONER: San Diego Police Department  DEFENDANT/RESPONDENT: L [REDACTED] M [REDACTED]</p>	
<p>DECLARATION</p>	

On 04/12/2021, I was assigned to conduct a Gun Violence Restraining Order (GVRO) investigation review on potential (GVRO) respondent L [REDACTED] M [REDACTED] by Supervising Deputy City Attorney Jeffrey A. Brooker. The request was pursuant to the pending Chula Vista Police Department [REDACTED] investigation of [REDACTED] Chula Vista Police Case # [REDACTED]

I reviewed the State of California Department of Justice Investigative report [REDACTED] completed by Special Agent (SA) [REDACTED] of the California Department of Justice, Bureau of Firearms. The report completed by SA [REDACTED] encompassed three unregistered assault weapons seized pursuant to Chula Vista Police Department Case # [REDACTED]. The three firearms were inspected by SA [REDACTED] and confirmed to be assault weapons pursuant to California Penal Code 30515(a) PC.

The following unregistered assault weapon was seized from M [REDACTED]'s residence located at [REDACTED]

- 1. Make: JD Machine, Model: TR 1, Multi Caliber, Semi-Automatic, Rifle, Serial # [REDACTED] (CVPD Evidence Tag, Case # [REDACTED])

The following unregistered assault weapons were seized from [REDACTED], the uncle of M [REDACTED] residence located at [REDACTED]


- 1. Make: Aero Precision, Model: SPR-2, 7.62 Caliber, Semi-Automatic Rifle, Serial # [REDACTED] (CVPD Evidence Tag, Case # [REDACTED])
- 2. Hi-Point Firearms, Model: 4595, 45 Caliber, Semi-Automatic Rifle, Serial # [REDACTED] (CVPD Evidence Tag, Case # [REDACTED])

See MC-031 page 1 of 3 for the additional facts to support the GV-100 Petition for GVRO.

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

Date: 5/5/2021

SDPD Detective Garlow  
\_\_\_\_\_  
(TYPE OR PRINT NAME)

  
\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

- Attorney for  Plaintiff  Petitioner  Defendant
- Respondent  Other (Specify):

PLAINTIFF/PETITIONER: San Diego Police Department	CASE NUMBER:
DEFENDANT/RESPONDENT: I [REDACTED] M [REDACTED]	37-2021-00019951-CU-PT-CTL

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

Based on the information submitted in SA [REDACTED] investigative report, I believe M [REDACTED] and [REDACTED] were in violation of California Penal Code Section 30605(a) PC – Possession of Assault Weapons.

On 04/21/2021, I conducted a search on the California database Automated Firearm System (AFS) for I [REDACTED] M [REDACTED]. A records check revealed a total of eight registered firearms under his name as listed below:

1. Glock 26 9mm Semi-Automatic Pistol, Serial # [REDACTED] (CVPD Custody)
2. Glock 26 9mm Semi-Automatic Pistol, Serial # [REDACTED] (CVPD Custody)
3. Savage Arms .308 Bolt Action Rifle, Serial # [REDACTED]
4. Glock 26 9mm Semi-Automatic Pistol, Serial # [REDACTED]
5. Glock 17C 9mm Semi-Automatic Pistol, Serial # [REDACTED]
6. Smith and Wesson SW40VE .40 Caliber Semi-Automatic Pistol, Serial # [REDACTED]
7. Glock 17 9mm Semi-Automatic Pistol, Serial # [REDACTED]
8. Glock 17 9mm Semi-Automatic Pistol, Serial # [REDACTED]

Two of the eight firearms had been seized by Chula Vista Police pursuant to a previous search warrant. The remaining six registered firearms are still outstanding and unaccounted for.

The above firearms listed under numbers seven and eight were recently purchased after the [REDACTED] and purchased subsequent to the initiation of the [REDACTED] M [REDACTED]. These two recently purchased firearms were acquired on the following dates:

- Glock 17 9mm Semi-Automatic Pistol, Serial # [REDACTED] was purchased [REDACTED]
- Glock 17 9mm Semi-Automatic Pistol, Serial # [REDACTED] was purchased [REDACTED]

See MC-031 page 2 of 3 for the additional facts to support the GV-100 Petition for GVRO.

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

Date: 5/5/2021

SDPD Detective Garlow  
(TYPE OR PRINT NAME)

[Handwritten Signature]  
(SIGNATURE OF DECLARANT)

- Attorney for  Plaintiff  Petitioner  Defendant  
 Respondent  Other (Specify):

PLAINTIFF/PETITIONER: San Diego Police Department	CASE NUMBER:
DEFENDANT/RESPONDENT: L [REDACTED]	37-2021-00019951-CU-PT-CTL

**DECLARATION**

*(This form must be attached to another form or court paper before it can be filed in court.)*

On 04/26/2021, at approximately 1015 hours, I telephonically spoke to Naval Criminal Investigative Service SA [REDACTED]. I was informed by SA [REDACTED] that M [REDACTED] had ties to the City Of San Diego by the nature of his employment. SA [REDACTED] stated, M [REDACTED] worked as a civilian contractor at the Balboa Naval Hospital located at [REDACTED].

On 04/28/2021, I was emailed two photographs by Chula Vista Police Detective [REDACTED] after I requested photographs of any firearms M [REDACTED] possessed. See the attached 2 photographs. The photographs I received depicted a kitchen table with a cache of 16 firearms, 4 United States Passports, a government Identification card, several high capacity magazines and hundreds of rounds of ammunition. The cache of firearms included two short barreled AR-15 illegal assault weapon platforms, five (undetermined legality) AR-15 platform rifles, three pump shotguns, one bolt action rifle with scope, and five semi-automatic handguns. One of the photographs depicted M [REDACTED] S son, approximately 4 years old, standing on the table surrounded by the same cache of legal and illegal firearms and ammunition. The child imaged in the photograph is the child of the M [REDACTED]. The child had immediate access to the illegal assault weapons and the fourteen other firearms and ammunition creating a potential extreme danger to the child and those physically present at the home.

I was able to ascertain that only two of the sixteen firearms depicted in the photographs were listed on M [REDACTED] s AFS print out as legally registered firearms. Those firearms were listed under numbers six and nine on page 1 of 3 of the MC-031 and are the following:

- Savage Arms .308 Bolt Action Rifle, Serial # [REDACTED]
- Smith and Wesson SW40VE .40 Caliber Semi-Automatic Pistol, Serial # [REDACTED]

I was informed by Chula Vista Police Detective [REDACTED] that the photographs were downloaded from M [REDACTED] s phone on 1/23/21. The timestamp on the photographs were dated 1/9/2020. I was also informed by Chula Vista Police Detective [REDACTED].

See MC-031 page 3 of 3 for the additional facts to support the GV-100 Petition for GVRO.

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

Date: 5/5/2021

SDPD Detective Garlow  
\_\_\_\_\_  
(TYPE OR PRINT NAME)

  
\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

- Attorney for    Plaintiff    Petitioner    Defendant  
 Respondant    Other (Specify):

PLAINTIFF/PETITIONER: San Diego Police Department	CASE NUMBER:
DEFENDANT/RESPONDENT: L [REDACTED] M [REDACTED]	17-2021-00019951-CU-PT-CTL

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

The fourteen other firearms are not registered to M [REDACTED] per the California Department Of Firearms Automated Firearms System. Possession of these unregistered and illegal firearms possess extreme danger to the public in both the cities of Chula Vista and San Diego.

As of May 4, 2021, only two of the total twenty firearms have been accounted for by law enforcement, leaving eighteen firearms outstanding. The additional AR-15 illegal assault weapon seized by law enforcement may account for one of the weapons imaged on the table or it may be outstanding. A positive match analysis has not been completed.

Further, after a search warrant was executed at Respondent's residence, Respondent told the officers that he knew they were coming for his firearms and he gave multiple firearms to his friends. Respondent refused to disclose the names of the people possessing Respondent's firearms. Shortly after the search warrant was executed, Respondent purchased two more additional firearms in [REDACTED]

Given the totality of the circumstances outlined above and the attached photographs (attachment 1 and 2), I hold the opinion that a Gun Violence Restraining Order is necessary to protect the public and prevent harm to the respondent or others and that there are no lesser restrictive means to ensure public safety. The danger consists of children having access to firearms, possession of illegal assault weapons, possession of unregistered firearms, allowing a third party to possess firearms without a legal transfer, and the recent purchase of firearms subsequent to the execution of a search warrant of his home where illegal firearms were seized. That search warrant was pursuant to an investigation of a [REDACTED]

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

Date: 5/5/2021

SDPD Detective Garlow  
(TYPE OR PRINT NAME)

[Handwritten Signature]  
(SIGNATURE OF DECLARANT)

- Attorney for
- Plaintiff
- Petitioner
- Defendant
- Respondent
- Other (Specify):