

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

ALAN KACHALSKY, et al.,	:	Case No. 10-CV-05413-CS
	:	
Plaintiffs,	:	DECLARATION OF
	:	JOHNNIE NANCE
v.	:	
	:	
SUSAN CACACE,	:	
	:	
Defendants.	:	
	:	
-----X		

DECLARATION OF JOHNNIE NANCE

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

1. I reside in Westchester County. I am over 21 years old, of good moral character, have never been convicted of a felony or serious crime, have never been mentally ill or confined to any institution, have never had a firearms license revoked or been the subject of a family court order, and have completed a firearms safety course.
2. I am licensed to have a private handgun for the limited purpose of target shooting. I applied to have this license amended to "full carry" pursuant to New York Penal Code § 400.00.
3. A true and correct copy of the Westchester County Police Department recommendation that my application be denied is attached hereto as Exhibit E.

4. A true and correct copy of Defendant Robert Holdman's decision denying my carry permit amendment application is attached hereto as Exhibit F.
5. I would reapply for a handgun carry license, but I refrain from doing so because in all likelihood I cannot satisfy the "proper cause" standard of Penal Code § 400.00(2)(f).
6. I would carry a functional handgun in public for self-defense, but refrain from doing so because I fear arrest, prosecution, fine, and imprisonment for lack of a license to carry a handgun.

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

This the 3 day of January, 2011.

  
Johnnie Nance