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VIA EMAIL tmeeker@numail.org
AND REGULAR MAIL

Mr. Theodore Paul Meeker III
Sumner Meeker, LLC
14 East Broad Street
Newnan, GA 30263

Subject: Haralson's Violation of Express Preemption

Dear Ted:

This law firm represents GeorgiaCarry.Org, Inc. ("GCO"), an organization dedicated to fostering the right of its members to keep and bear arms. We are writing to you because one of our members, Leigh Ann Stone, has been threatened with arrest by the city of Haralson for carrying a weapon in a city park, Haralson City Park/ Davis Camp Pavilion. In addition, Haralson has posted prominently in two places signs stating that firearms are prohibited at the park. You will recall that we first discussed in 2014 whether it would violate state law for Haralson to regulate or attempt to regulate the carry and possession of firearms in contravention of Georgia's express preemption law, O.C.G.A. 16-11-173, which has been the law in Georgia for 20 years.

This very action by local government has been the source of several appellate court opinions. *See, generally, GeorgiaCarry.Org, Inc. v. Coweta County*, 288 Ga. App. 748, 655 S.E.2d 346 (2007) and *GeorgiaCarry.Org, Inc. v. City of Roswell*, 298 Ga. App. 686, 680 S.E.2d 697 (2009).

This law firm is writing to inform you, as city attorney for the City of Haralson, that Haralson's attempt to ban firearms from Haralson City Park/ Davis Camp Pavilion is

not in compliance with state law. O.C.G.A. § 16-11-173 expressly preempts all local regulation of the carrying or possession of firearms. This state's express preemption law has been interpreted very broadly and strictly against local municipalities. *See Sturm Ruger v. City of Atlanta*, 253 Ga. App. 713, 560 S.E.2d 525 (2002) (Atlanta may not attempt to regulate firearms even by suing manufacturers); *GeorgiaCarry.Org, Inc. v. Coweta County*, 288 Ga. App. 748, 655 S.E.2d 346 (2007) (preemption statute prohibits banning the carry of firearms in parks and recreation facilities). Since it is within the core of GCO's mission to ensure that its members' right to bear arms is not violated by local government action, it has sued the City of Atlanta over its regulation of firearms in city parks, along with Fulton County, Roswell, John's Creek, Milton, Sandy Springs, East Point, and Coweta County, and GCO has sued or induced ordinance changes in Kennesaw, Gwinnett County, Fayette County, Lee County, Forsyth County, and many others.

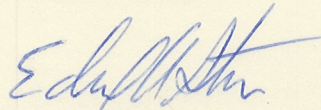
In 2010, the General Assembly passed another law preempting Haralson's proposed ordinance. O.C.G.A. § 16-11-127 provides that, with the exception of a short list of specific locations, a person with a Georgia Weapons Carry License "shall be authorized to carry a weapon . . . ***in every location in this state.***" Legislative language does not get much clearer than that.

HB 60, which became law in 2014, provides for reasonable attorney's fees and expenses of litigation should Haralson decide to continue violating state law and force GeorgiaCarry.Org to file a lawsuit in order to protect its members' right to bear arms.

Haralson's firearms ban directly affects members of GCO who wish to carry peaceably at parks and recreation areas without fear of harassment, arrest, and incarceration. We ask that you, as city attorney, review Haralson's ordinances relating to this issue and respond to me promptly that Haralson will be taking measures to ensure that it is fully in compliance with state law on this important issue. This would include, at a minimum, removing the signs and instructing city officials to refrain from threatening arrest merely for the carry or possession of firearms in the park.

We would look forward to hearing from you within the next ten days.

Yours sincerely,



Edward A. Stone