
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DAMIEN GUEDES, <i>et al.</i>	:	
	:	
Plaintiffs	:	
v.	:	Civil Action No. 1:18-cv-2988
	:	
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, <i>et al.</i>	:	
	:	
Defendants	:	

DECLARATION OF THE HONORABLE SHANE RODEN

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

1. I have personal knowledge of the facts stated herein, am a Member of Firearms Policy Foundation, have reviewed the Complaint, Amended Complaint, Motion for Preliminary Injunction and Memorandum of Points and Authorities in Support of the Motion for Preliminary Injunction and if called as a witness could competently testify thereto.
2. This declaration is executed in support of the Amended Complaint and Plaintiffs' Motion for a Preliminary Injunction in this matter. Specifically, preliminary injunctive relief is requested to prevent the Defendants from implementing and enforcing its newly enacted regulation stemming from Docket No. ATF-2017R-22 ("Final Rule"),¹ which criminalizes my mere possession of a "bump-stock-type device" in violation of numerous statutory and constitutional provisions as averred in the Amended Complaint.
3. I am the duly elected state representative for District 111 of the Missouri House of Representatives, having been initially elected, by the citizens of District 111, in 2014, and since, reelected every two years; whereby, I am currently serving my third term as state representative.
4. Since 2003, I have worked fulltime as a firefighter/paramedic, in addition to being a


¹ Available at www.justice.gov/opa/press-release/file/1120876/download and on the Federal Registers website at <https://www.federalregister.gov/documents/2018/12/26/2018-27763/bump-stock-type-devices>.

reserve deputy Sheriff.

5. In 2004, I attended the Missouri Sheriffs' Association Training Academy, where I graduated with a POST class A license, which I have maintained since issuance; thereby resulting in me being a reserve sheriff deputy.
6. From 2004 through 2009, I worked at the Franklin County Sheriff's Office and from 2010 through the present, I work at the Camden County Sheriff's Office as a reserve assigned to road patrol and a SWAT operator/medic.
7. In August of 2016, I purchased a Slide Fire SSAR-15 at a cost of \$150.00, only after becoming aware that ATF issued several determinations that bump-stock-devices do not constitute machine guns nor firearms, under the Gun Control Act or National Firearms Act.
8. It is my understanding, based upon acting Attorney General Whitaker's execution of the Final Rule on December 18, 2018² that ATF has reclassified bump stock devices as "machine guns" in violation of the Administrative Procedures Act, statutory law and numerous provisions of the United States Constitution – as set-forth in the Amended Complaint – and Defendants require me, within 90 days, to surrender or otherwise destroy my Slide Fire bump-stock-device in the absence of any compensation being paid.
9. Unless the Defendants are enjoined, I will be deprived in perpetuity of my lawfully obtained and possessed property, namely, my Slide Fire SSAR-15, as a result of the Final Rule, which forces me to either surrender or destroy my bump-stock-device, which I would otherwise continue to lawfully possess and utilize.
10. I am accordingly and respectfully requesting that the Court enjoin the Defendants from implementing and enforcing the Final Rule, in order to preserve the status quo, until the Court can render a final decision in this matter.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my information, knowledge and belief.

Date: December 24, 2018


Representative Shane Roden

² *Id.*