

1 HARMEET K. DHILLON
Assistant Attorney General
2 Civil Rights Division
JESUS A. OSETE
3 Principal Deputy Assistant Attorney General
R. JONAS GEISSLER
4 Deputy Assistant Attorney General
ANDREW M. DARLINGTON (FL No. 1018895)
5 Senior Counsel
WILLIAM J. HANRAHAN (PA No. 321600)
6 Trial Attorney, Special Litigation Section
United States Department of Justice
7 950 Pennsylvania Avenue, NW
Washington, D.C. 20530
8 Telephone: (202) 550-5305
E-Mail: andrew.darlington@usdoj.gov
9

BILAL A. ESSAYLI
10 Acting United States Attorney
RICHARD M. PARK
11 Chief, Civil Rights Section
JULIE A. HAMILL (Cal. Bar No. 272742)
12 Assistant United States Attorney
United States Attorney's Office
13 300 North Los Angeles Street, Suite 7516
Los Angeles, California 90012
14 Telephone: (213) 894-2464
E-Mail: Julie.hamill@usdoj.gov
15

Attorneys for Plaintiff
16 UNITED STATES OF AMERICA

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19

20 UNITED STATES OF AMERICA,
21 Plaintiff,
22 v.

23 LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT, and
24 ROBERT LUNA, in his official
capacity as Sheriff of Los Angeles
County,
25

26 Defendants.
27
28

Case No. 2:25-cv-09323

COMPLAINT

1 Plaintiff, the United States of America, by and through its undersigned counsel,
2 hereby brings this action against defendants Los Angeles County Sheriff's Department
3 ("LASD") and Robert Luna, in his official capacity as Sheriff of Los Angeles County
4 ("Defendant Luna") (collectively "Defendants"), and makes the following allegations:

5 **INTRODUCTION**

6 1. The Los Angeles County Sheriff's Department has systematically denied
7 thousands of law-abiding Californians their fundamental Second Amendment right to
8 bear arms outside the home—not through outright refusal, but through a deliberate
9 pattern of unconscionable delay that renders this constitutional right meaningless in
10 practice.

11 2. The scope of this constitutional violation is staggering. Between January
12 2024 and March 2025, Defendants received 3,982 applications for new concealed carry
13 licenses. Of these, they approved exactly two—a mere 0.05% approval rate that cannot
14 be explained by legitimate disqualifying factors alone. This is not bureaucratic
15 inefficiency; it is systematic obstruction of constitutional rights.

16 3. The mechanics of this obstruction are equally damning. Defendants force
17 applicants to wait an average of 281 days—over nine months—just to begin processing
18 their applications, with some waiting as long as 1,030 days (nearly three years). The
19 median delay is 372 days. These delays far exceed California's own statutory
20 requirement that licensing authorities provide initial determinations within 90 days,
21 demonstrating Defendants' flagrant disregard for both state law and constitutional
22 obligations.

23 4. The human cost is profound. As of May 2025, approximately 2,768
24 applications for new licenses remain pending, with interviews scheduled as late as
25 November 2026—more than two years after some applications were first submitted.
26 Numerous applicants simply gave up and withdrew their applications, often after waiting
27 months in Defendants' deliberately stalled process. These are not abstract statistics; they
28

1 represent thousands of law-abiding citizens who have been stripped of their
2 constitutional right to self-defense outside their homes.

3 5. The Supreme Court’s decision in *New York State Rifle and Pistol*
4 *Association v. Bruen*, 597 U.S. 1, 10 (2022), made clear that “the Second and Fourteenth
5 Amendments protect an individual’s right to carry a handgun for self-defense outside the
6 home.” Yet Defendants have constructed an administrative labyrinth designed to
7 frustrate and ultimately deny this fundamental right to virtually all who seek to exercise
8 it.

9 6. This case concerns more than administrative delays—it addresses a
10 coordinated effort by Defendants to nullify through bureaucratic obstruction what they
11 cannot deny through law. When constitutional rights are deliberately delayed beyond any
12 reasonable timeframe, they are effectively denied. The United States brings this action
13 under the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601,
14 to restore the Second Amendment rights that Defendants have systematically violated
15 and to ensure that law-abiding Californians can exercise their constitutional rights
16 without facing years of unjustified delay.

17 PARTIES

18 7. Plaintiff is the United States of America.

19 8. Defendant LASD is the Los Angeles County Sheriff’s Department and the
20 chief law enforcement agency responsible for Los Angeles County. Under the auspices
21 of Defendant Luna, LASD is responsible for the issuance of a license to carry a
22 concealed firearm to qualified applicants who reside or have a principal place of
23 employment or business within the County of Los Angeles. *See* Cal. Penal Code
24 § 26150(a).

25 9. Defendant Robert Luna is the Sheriff of Los Angeles County, and he has
26 held that position since on or about December 3, 2022. In his capacity as the Sheriff of
27 Los Angeles County, Defendant Luna is the responsible licensing official authorized and
28 duty-bound under California law to issue a license to carry a concealed firearm to

1 qualified applicants who reside or have a principal place of employment or business
2 within the County of Los Angeles. *See* Cal. Penal Code § 26150(a).

3 **JURISDICTION AND VENUE**

4 10. This Court has jurisdiction over this action under 28 U.S.C. §§ 1331,
5 1343(a)(3), and 1345.

6 11. The United States is authorized to initiate this action against Defendants
7 LASD and Sheriff Luna, in his official capacity, and seek equitable relief under the
8 Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601(b).

9 12. Venue is proper in the Central District of California pursuant to 28 U.S.C.
10 §§ 1391(b)(1), (b)(2) because LASD is located in and carries out its operations primarily
11 in the Central District of California, and the events or omissions giving rise to this claim,
12 including the processing of applications for licenses to carry a concealed firearm,
13 occurred within the Central District of California.

14 **REGULATORY BACKGROUND**

15 13. In the State of California, “carrying a concealed firearm” is a crime unless
16 one of several specific exemptions applies. *See* Cal. Penal Code § 25400(a), §§ 25450-
17 25655.

18 14. Persons with a valid license to carry a concealed weapon issued under the
19 licensing regime set forth in Cal. Penal Code §§ 26150-26235 are exempt from the
20 general prohibition on “carrying a concealed firearm.” Cal. Penal Code § 25655.

21 15. In his official capacity as Sheriff of Los Angeles County, Defendant Luna
22 discharges his official duties individually and through the LASD deputies he appoints to
23 assist him in the performance of those duties. *See* Cal. Gov’t Code § 24100 (“Whenever
24 the official name of any principal officer is used in any law conferring power or
25 imposing duties or liabilities, it includes deputies.”).

26 16. County sheriffs in California, including Defendant Luna, are licensing
27 authorities with the duty to issue a license to carry a concealed firearm to qualified
28 applicants. Cal. Penal Code § 26150(a). Therefore, Sheriff Luna’s official duties include

1 accepting applications from, and issuing licenses to carry a concealed firearm to,
2 individuals who reside in or have their principal place of employment or business in Los
3 Angeles County and who satisfy applicable statutory eligibility requirements. *Id.*

4 17. A California license to carry a concealed firearm is valid for no more than
5 two years from the date of issuance, subject to several exceptions. Cal. Penal Code
6 § 26220.

7 18. Under California law, licensing authorities must do the following:

8 “[D]etermine whether an applicant [for a license to carry
9 a concealed firearm] is a disqualified person [who] cannot
10 receive or renew a license” by “conduct[ing] an
11 investigation that meets” several requirements, including
12 “[a]n in-person interview with the applicant” for new
13 applicants. Cal. Penal Code § 26202(b)(1);

14 “Within 90 days of receiving the completed application
15 for a new license ... give written notice to the applicant
16 of the licensing authority's initial determination ... of
17 whether an applicant is a disqualified person...” Cal.
18 Penal Code § 26202(d). If the licensing authority
19 determines that “the applicant is not a disqualified
20 person,” it must “inform the applicant to proceed with the
21 training requirements...” and “then submit the applicant’s
22 fingerprints ... to the [California] Department of Justice,”
23 which must then must “promptly furnish the forwarding
24 licensing authority information as to whether the person
25 is prohibited by state or federal law from possessing,
26 receiving, owning, or purchasing a firearm.” Cal. Penal
27 Code § 26202(d)(1), § 26185(a)(1); and

28 “[G]ive written notice to the applicant indicating if the
license is approved or denied ... within 120 days of
receiving the completed application for a new license, or
30 days after receipt of the information and report from
the [California] Department of Justice..., whichever is
later.” Cal. Penal Code § 26205(a). *See also* §
26185(a)(2). With respect to applications for a renewal
license to carry a concealed firearm, licensing authorities
are required to “give this notice within 120 days of
receiving the completed application for a license
renewal.” Cal. Penal Code § 26205(a).

1 19. By letter dated March 27, 2025, the United States Department of Justice
2 (the “Department”) notified Defendant Sheriff Luna that it was opening an investigation
3 into LASD under 34 U.S.C. § 12601(a) based on information the Department received
4 suggesting that LASD “may be engaged in certain practices that unduly burden, or
5 effectively deny, the Second Amendment rights of ordinary, law-abiding citizens,
6 including ... lengthy wait times in processing applications for concealed handgun
7 licenses.”

8 20. During the investigation, LASD, through its counsel, provided information
9 and documents to the Department responsive to the Department’s requests. That
10 information included data for approximately 8,427 applications for a license to carry a
11 concealed firearm (including approximately 3,982 new and 4,265 renewal applications)
12 that LASD received from January 2, 2024, to March 31, 2025. For each application, this
13 data included the dates that each completed step was completed through May 8, 2025.

14 21. Based on information provided by LASD, through its counsel, the first step
15 in the concealed firearm application process is to receive a completed application. The
16 next step LASD performed was either to schedule an interview of the applicant or any
17 other step as required under California law (collectively “Next Step”).

18 **FACTUAL ALLEGATIONS¹**

19 22. LASD received approximately 3,982 applications for a new license to carry
20 a concealed firearm and approximately 4,265 applications for a renewal license to carry
21 a concealed firearm during the period of January 2, 2024, to March 31, 2025.

22 23. As of May 8, 2025, of those 3,982 applications for a new license to carry a
23 concealed firearm, LASD issued only two licenses and denied two licenses during the
24 subject period. As of May 8, 2025, approximately 2,768 applications for a new license to
25 carry a concealed firearm remained pending, and the remaining 1,210 applications were
26 withdrawn for various reasons, often after sitting with Defendants for many months.

27
28 ¹ The Factual Allegations in this Complaint are based on information that LASD
provided to the Department.

1 31. California state law expressly requires Defendants to provide concealed
2 carry applicants with an initial approval or denial for a new license within 90 days. Cal.
3 Penal Code § 26202(d).

4 32. Defendants are governmental authorities subject to the prohibition in
5 34 U.S.C. § 12601(a), and the deputies in their employ are law enforcement officers who
6 act on Defendants' behalf in the discharge of their duties, including the duty to process
7 applications for a license to carry a concealed firearm that, at least under California law,
8 is necessary for law-abiding individuals in California to exercise their constitutional right
9 to bear arms outside of their homes.

10 33. Defendants' systematic practice of delaying the processing of concealed
11 carry weapon permit applications has deprived, and continues to deprive, thousands of
12 law-abiding individuals who applied for a new license to carry a concealed firearm of
13 their Second Amendment rights as incorporated by the Fourteenth Amendment by

14 a. Denying applicants a prompt determination of their applications
15 within a reasonable time;

16 b. Failing to provide applicants with meaningful notice of the status of
17 their applications or reasons for delays; and

18 c. Effectively forcing applicants to abandon their constitutional rights
19 through administrative exhaustion.

20 34. Accordingly, Defendants have engaged, and continue to engage, in a pattern
21 or practice of conduct by law enforcement officers that deprives people of rights secured
22 and protected by the Constitution, in violation of 34 U.S.C. § 12601(a).

23 35. Unless enjoined by this Court, Defendants continue to engage in the pattern
24 or practice of the conduct described above, which deprives law-abiding individuals of
25 their constitutional right to bear arms outside of their homes in California.

PRAYER FOR RELIEF

36. WHEREFORE, the United States hereby prays that the Court grant the following relief:

a. A declaration that Defendants' pattern and practice of subjecting law-abiding applicants for concealed carry weapon permits to excessive delays violates the Second Amendment as incorporated by the Fourteenth Amendment;

b. A declaration that Defendants' pattern and practice of approving virtually no new concealed carry weapon permit applications submitted by law-abiding applicants violates the Second Amendment as incorporated by the Fourteenth Amendment;

c. A permanent injunction prohibiting Defendants from implementing California law and regulations governing the issuance of concealed carry licenses, including, but not limited to, Cal. Penal Code §§ 26150-26235, in a manner that violates the Second Amendment as incorporated by the Fourteenth Amendment and 34 U.S.C. § 12601, as alleged herein;

d. An award of all such additional relief as the interests of justice may require.

DATED: September 30, 2025.

BILAL A. ESSAYLI
Acting United States Attorney
RICHARD M. PARK
Chief, Civil Rights Section

/s/ Julie A. Hamill

JULIE A. HAMILL
Assistant United States Attorney
Civil Rights Section

Respectfully submitted:

HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division

JESUS A. OSETE
Principal Deputy Assistant Attorney General

R. JONAS GEISLER
Deputy Assistant Attorney General

/s/ Andrew M. Darlington

ANDREW M. DARLINGTON
Senior Counsel

WILLIAM J. HANRAHAN
Trial Attorney, Special Litigation Section

Attorneys for Plaintiff
UNITED STATES OF AMERICA