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The Law Firm of Randall & Johnson

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California Criminal Record Expungements and Federal Licensing Services

## **Gun Rights Restoration Case Analysis**

Prepared By Attorney Shea M. Randall for Vincent Ho

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### **Gun Laws: Common Reasons for Gun Purchase Denials or Delays**

Before someone can restore their gun rights or appeal a denial, they have to first determine what is causing the denial. This is not always as simple as it seems and sometimes there are multiple problems that all must be resolved. Here are several common reasons for a gun purchase denial:

#### **Felony Convictions & Domestic Violence Convictions**

If you have ever been convicted at any time of one of the following offenses, then under federal law, you are prohibited from possessing a firearm:

1. Any "felony" offense.
2. Any "misdemeanor" offense that carries a punishment of more than two years (whether or not you actually received the maximum sentence).
3. Any "misdemeanor" offense that involves domestic violence.

See, 18 U.S.C. § 921(a)(2) and § 922(g).

Additionally, the law of the state of California also has its own separate ban against gun possession by any person who has ever been convicted of a felony (Cal. Penal Code § 29800). California also prohibits those convicted of certain misdemeanors from possessing a firearm for 10 years (See, Cal. Penal Code § 29805) and certain juvenile offenses can trigger a ban until you reach the age of 30. California also has a ban on those who obtain a domestic violence offense or who have a restraining order issued against them.

If you have a felony conviction, you may be eligible to reduce it to a misdemeanor before expunging it, which can very likely remove the underlying issue causing your gun rights denial. If the felony conviction cannot be reduced, then you will likely need to file

for a Gubernatorial Pardon directly or by way of applying for a Certificate of Rehabilitation if you currently reside in California and meet the eligibility requirements.

We only recommend that you attempt a California Pardon or a Certificate of Rehabilitation for the purpose of gun rights restoration if you are not eligible for reduction. While past governors have granted numerous pardons, most Governors do not. Even if you successfully obtain a Certificate of Rehabilitation, the Governor must still grant the pardon to get your gun rights back. Do keep in mind as well that the Governor can also grant a pardon that specifically does not restore your gun rights if he or she chooses. Furthermore, if you committed a felony while using a “dangerous weapon<sup>1</sup>,” then the Governor may grant a Pardon, but the Pardon cannot restore your gun rights. (CA Penal Code Section 4854).

### **Other Gun Bans**

You can also be denied for being a drug addict, a fugitive from justice, for having been committed to an institution for mental health treatment, for being dishonorably discharged from the military, or for having a disqualifying conviction as a juvenile, which places a ban on purchasing a firearm until you turn age 30. There is also a firearm ban for most non-permanent resident aliens, meaning for most people lawfully present in the United States but without a Green Card or citizenship (27 CFR 478.32). There are several exceptions to this final firearm ban for aliens.

### **Incorrect Court Records, Unreported Dispositions, and Incorrect Department of Justice (DOJ) Records**

Gun purchase denials are always based upon state or federal level records and if these records are incorrect or inaccurate, it can lead to a denial. You will not be denied a firearm purchase because of an incorrect court or police record if the state and federal records are accurate. However, incorrect court or police records generally mean that the state or federal records are also incorrect.

Furthermore, if federal records, such as the FBI report are incorrect, you will not necessarily be denied a gun purchase as long as your state record is correct. The California state record of your criminal history is known as the Department of Justice

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<sup>1</sup> There is a general lack of clarity as to the definition of “dangerous weapon.” We believe the most persuasive, and the one likely to be adopted, is the definition in the Code of Regulations, 11 CA ADC §4127(I), which states that “The term “dangerous weapons” means machine guns as defined in Penal Code section 16880, destructive devices as defined in Penal Code section 16460, short-barreled shotguns and short-barreled rifles as defined in Penal Code sections 17170 and 17180, and assault weapons as defined in Penal Code sections 30510 and 30515.” However, there is a plausible argument to be made that the term should be more broadly defined based on California Penal Code §16590, which is the list of “generally prohibited weapons.” We believe that the Regulations code should be the one used, but we cannot control whether or not the Governor uses another definition, or his own definition of dangerous weapon.

Criminal History Record, also called a DOJ report or a livescan. Unfortunately the NICS database used to approve or deny firearm purchases is private and nobody can obtain a copy. Because of this, we must use state records combined with the FBI report as the closest alternative.

Another common reason for gun purchase denial is an unreported disposition on a criminal case. An unreported disposition is when a court fails to report that your case was closed. Having what looks like an open case can cause the Department of Justice to believe that you may have a conviction which prohibits your firearm rights. This is a common problem.

A police department may also forget to report that your arrest was a detention only or that the charges were dropped. If this occurs, you can request the arresting agency provide the Department of Justice with a disposition update to show that the case was dropped.

If the arresting agency, however, does not provide a disposition update, you can then submit a record challenge directly to the Department of Justice.

If, however, it is verified that the submitting agencies have all submitted the information required for the records to be corrected and your DOJ report is still incorrect, you can then request an administrative review process with the DOJ to request an update.

Finally, if either the arresting agency or Department of Justice refuse to provide an update, you can then sue either to force the update of your records.

### **Analysis:**

#### **Case(s) Affecting Your Gun Rights and Eligibility**

You have asked us to advise you regarding your right to possess a firearm and what, if any, options you might have for restoring your gun rights. According to our records and the information you have provided us:

- **State of residency:** You currently reside in California.
- **Denial Information:** Based on the questionnaire you completed with our office, you were denied a gun purchase in 2021 due to your mental health hold.
- **Full legal name:** Vincent B Ho
- **DOB:** November 6, 1968
- **Case History from California DOJ Report:**
- **Arrest Record Number: 0122AB8874-010BNH946 [CAPD Oakland]:**
  - On June 20, 2022, you were booked and released for misdemeanor Firearm Restricted Mental Within 5 Years (CA WIC §8103(I)).
  - *This arrests was granted arrest relief under CA PC §851.93*

- Name at time: Vincent B Ho
- **Case History from Medical Records:**
  - **First hold:** On August 17, 2019, you were admitted to Sutter East Bay Medical Group and it appears you were discharged on August 26, 2019. While the length of stay appears beyond the typical 72 hour period, it does not appear this stay was made into a 5250 hold.
  - **Second hold:** On May 6, 2023, you were admitted to the John George Psychiatric Hospital - Psychiatric Emergency Services for concern of an overdose to end your life. You denied suicidal ideation and were placed on a 5150 hold. You were discharged on May 8, 2024.
- Name at time: Vincent Ho
- Based on the Medical records and Department of Justice report you have provided our office, these are the only relevant issues for your gun rights analysis. We are not aware of any other relevant arrests or convictions you might have in California or elsewhere that may be relevant.

#### Legal Analysis:

Based on the medical records you provided our office, you are currently under a five-year state ban under California state law from owning, possessing, or purchasing a firearm within the state of California for your May, 6, 2023 hold pursuant to CA Welfare and Institutions Code §5150.

However, within the questionnaire you completed with our office, you mentioned that you were denied a gun purchase in 2021 due to your mental health hold, which would predate the medical records provided. Similarly, the California DOJ report, reports an arrest in 2022 for attempting a purchase while under a 5 year ban for a mental health hold.

*This implies that you had a second, earlier 5150 hold that predates the one in the medical records you provided our office. If you have had a prior mental health hold to the one described in the medical records in 2023, please provide them to our office.*

However, given that the date of your booking and release and the date given in your questionnaire predate the date within your medical records, it seems a logical inference that there is a previous mental health hold we have not been informed about. If so, then this would mean you have had two 5150 holds within a relatively short period. If so, then you would be under a lifetime under California state law pursuant to CA WIC §8103(f)(1)(b).

**Revised October 28, 2024:** you provided additional medical records that confirmed you had a prior 5150 hold on August 17, 2019, you were admitted to Sutter East Bay Medical Group and it appears you were discharged on August 26, 2019. While the length of stay

appears beyond the typical 72 hour period, it does not appear this stay was made into a 5250 hold. Fortunately, while these are two holds they were not within the one year period required to create the lifetime state ban. This means you are currently only under a 5 year ban under California state law.

We will briefly explain the ban under California state law and then any possible ban under federal law.

### **California State Bans:**

A California five year ban pursuant to CA Welfare and Institutions Code §8103(f)(1)(A) and a potential lifetime federal ban pursuant to 18 U.S.C. §922(g)(4). We will discuss each in turn.

CA Welfare and Institutions Code §8103(f)(1)(A) states the following:

A person who has been (i) taken into custody as provided in Section 5150 because that person is a danger to himself, herself, or to others, (ii) assessed within the meaning of Section 5151, and (iii) admitted to a designated facility within the meaning of Sections 5151 and 5152 because that person is a danger to himself, herself, or others, shall not own, possess, control, receive, or purchase, or attempt to own, possess, control, receive, or purchase, any firearm for a period of five years after the person is released from the facility.

CA Welfare and Institutions Code §8103(c), however, allows that a person may regain their firearm rights before the five year wait period has been reached, if the Court finds, pursuant to the standard laid out in paragraph (5) of the CA Welfare and Institutions Code §8103, that the people of the State of California have not met their burden pursuant to paragraph (6). However, if the five year limit is removed, a person may still be unable to own a gun if there are criminal cases that prohibit it (CA Welfare and Institutions Code §8103(9)).

**The request for a hearing may only be requested once within this five year period (CA Welfare and Institutions Code §8103(4))** and the facility must before, or during discharge of the patient, inform the person that he or she is prohibited from owning or purchasing any firearm for a period of five years. The facility must also inform the person that he or she may request this hearing from the Court, pursuant to CA Welfare and Institutions Code §8103(5), for an order permitting the person to own or purchase a firearm. The facility must also provide the person with a copy of the most recent “Patient Notification of Firearm Prohibition and Right to Hearing Form” prescribed by the Department of Justice (CA Welfare and Institutions Code §8103(3)).

If the petitioner requests the hearing allowed by the CA Welfare and Institutions Code §8103(5), then the clerk of the court must set a hearing date and notify the person, the Department of Justice, and the district attorney. Within seven days after the request for a hearing, the

Department of Justice (DOJ) shall file copies of the reports described in this section with the Court. The reports shall be disclosed upon request to the person and to the district attorney. The Court shall set the hearing within 60 days of receipt of the request for a hearing, and may upon motion of the person subject to paragraph (1) establishing that confidential information is likely to be discussed during the hearing that would cause harm to the person, conduct the hearing in camera with only the relevant parties present, unless the Court finds that the public interest would be better served by conducting the hearing in public (CA Welfare and Institutions Code §8103(5)).

At the hearing, the people must show by a preponderance of the evidence that the person would be unlikely to use firearms in a safe and lawful manner (CA Welfare and Institutions Code §8103(6)).

If the Court finds at the hearing that the people have not met their burden as set forth in CA Welfare and Institutions Code §8103(6), then the Court shall order that the person not be subject to five year prohibition and a copy of the order shall be submitted to the Department of Justice. Upon receipt of the order, the Department of Justice shall delete any reference to the prohibition against firearms from the person's state mental health firearms prohibition system information (CA Welfare and Institutions Code §8103(7)).

In addition, if the district attorney declines or fails to go forward in the hearing, the Court must similarly order that the person not be subject to the five-year prohibition and a copy of the order shall be submitted to the Department of Justice. Upon receipt of the order, the Department of Justice shall, within 15 days, delete any reference to the prohibition against firearms from the person's state mental health firearms prohibition system information, and that person shall comply with the procedure described in Chapter 2 (commencing with Section 33850) of Division 11 of Title 4 of Part 6 of the Penal Code for the return of any firearms (CA Welfare and Institutions Code §8103(8)).

#### **Potential Federal Bans:**

Finally, federal law under 18 U.S.C. §922(g)(4) prohibits anyone who “has been adjudicated as a mental defective or who has been committed to a mental institution” from owning or purchasing a gun.

Section 478.11 of Title 27 of the Code of Federal Regulations (27 C.F.R. § 478.11) defines “committed to a mental institution” as “a formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution.”

Since a 5150 is for observation only, it does not meet the above definition, and therefore, does **not** trigger the lifetime federal ban under 18 U.S.C. §922(g)(4). This distinction is also what is intended by the “Notice and Acknowledgement of Receipt of California Welfare and Institutions Code Section 5331” provided on discharge, namely, that a hold for observation is not an adjudication of mental competence.

#### **Reduce the Consequences of your Record: Other Eligible Cases:**

While the following services are not required to restore your gun rights, we would suggest filing on them to further reduce the consequences of your criminal record for other purposes.

##### **Eligible for Online Privacy**

First, we would recommend signing up for our Background Check Removal service, which removes your personal information from over 30 unregulated background check and people search websites used by non-Fair Credit Report Act compliant agencies.

##### **Eligible in the Courthouse**

Second, we would recommend filing on the following cases:

- You have no other cases eligible for other casework.

#### **Our Perspective: Your Record, Your Future**

We understand there is a lot of legal information contained in the previous section, and we thank you for taking the time to review our legal analysis based on the records you have provided in light of California and federal law.

In addition to the legal analysis provided above, our firm also believes in setting realistic expectations and giving our clients the information they need in order to make an informed decision on whether or not to move forward on your eligible legal services.

In order to help with this, then, we have prepared the following frequently asked questions based on the records you have provided us and the questionnaire you initially completed when signing up with our firm.

The first portion of this FAQ will deal with questions related to portions of your specific case work and the second will deal with commonly asked general questions. We hope this helps you make an informed decision on whether or not to move forward on your casework and with our law firm.

#### **What You Should Know about Your Recommended Case Work**

- ❖ **What is the likelihood of my success?** Given the information you have provided us in our communications on record and the DOJ report provided, we believe you have a low likelihood of success:

- ~~Based on the medical records you provided our office, your 5150 hold occurred on May 6, 2023. However, the previous arrest in 2022 and the fact that you were denied a gun purchase in 2021, strongly implies that there is a previous 5150 hold that we do not have medical records concerning.~~
- ~~If so, then two 5150 holds within a relatively short period creates a lifetime ban under California state law pursuant to CA WIC §8103(f)(1)(b). This makes it more difficult to lift the ban, though, not impossible. In order to do so, it is important to present evidence that demonstrates you would handle a gun in a safe manner. Ideally, this should include something like a written recommendation from a therapist that they believe you have resolved the underlying issues that led to your hold(s).~~
- **Revised October 28, 2024:** you provided additional medical records that confirmed you had a prior 5150 hold on August 17, 2019, you were admitted to Sutter East Bay Medical Group and it appears you were discharged on August 26, 2019. While the length of stay appears beyond the typical 72 hour period, it does not appear this stay was made into a 5250 hold. Fortunately, while these are two holds they were not within the one year period required to create the lifetime state ban. This means you are currently only under a 5 year ban under California state law.
- With this said, though, we would still caution going into a CA WIC §8103 hearing with realistic expectation. Given the date of your hold, your ban will naturally life on or around May 23, 2028. Given that you had had two 5150 holds within a relatively short time, we think this will raise concern to the Court and your petition has a higher risk of being denied.

- ❖ **What are the factors within my control that can increase my likelihood of success?**

- In order to restore firearm rights, the Court is looking for information that would support a potential ruling that the petitioner would possess a firearm in a safe and lawful manner, or in other words, that he or she is not a danger to himself or others at this time.
- In order to help with this, the Court often wants to know that you have seen a therapist in order to resolve the underlying issues that led to your 5150 hold.
- When you are able to obtain a hearing, it is also helpful to have your therapist:
  - Write a letter describing the incident(s) that brought you to the Court and what efforts and/or progress has been made in counseling to address the underlying issues so that it doesn't repeat itself in the future. You should provide records of the incident to your therapist.
  - In regards to a medical doctor prescribing psychotropic medications, this information is important as well.



- Understanding that no one can predict the future, it is also helpful if the therapist can give her/his opinion as to whether she/he feels that you would possess a firearm safely at the time of your hearing based on the information presented to her/him.
- ❖ **What are the factors out of my control that can affect my likelihood of success?**
  - The Court takes these hearings very seriously. In that regard, even though the legal standard is in your favor, given that the prosecutor has the burden, it often plays out with the Court erring on the side of caution. Courts are often reluctant to restore gun rights unless there is clear and convincing evidence that the individual will not be a danger to himself or others at this time, and will possess a firearm in a safe and lawful manner. In this respect, a petitioner has to be mindful of the current climate on gun issues and concerns about gun violence.
- ❖ **What is the typical time frame for a 5150 Hearing?**
  - If you were to request a 5150 Hearing, the the Department of Justice (DOJ) has seven days to file copies of the reports describing the incident that led to your 5150 hold with the Court. The Court then has to set the hearing date within 60 days of receipt of the request for a hearing. In our experience, these hearings often have several continuances, which can drag them out. This is why it is imperative to follow the guidance above in order to give yourself the strongest case possible and ensure that all supportive evidence is available at the initial hearing. When it is all said and done, it is safe to anticipate about a 3-4 month process.
- ❖ **Has your office ever been Granted a 5150 Hearing?**
  - Admittedly, these cases are challenging and are granted on a very limited basis. In our 5+ years of practice, we have secured several 5150 restorations for clients who have demonstrated their ability to possess a firearm in a safe and lawful manner, or in other words, that he or she is not a danger to himself or others at this time. Most notably, we had a client who attended the Route 91 Las Vegas concert where the unfortunate mass shooting occurred on October 1, 2017. Upon returning home from this incident, he suffered from severe Post Traumatic Stress Disorder (PTSD) and admitted himself into a hospital which, in turn, placed him on a 5150 hold. Upon contacting our law office, relatively ample time had transpired in which he had sought the help of a therapist. The therapist was able to provide a professional recommendation of his mental health progress and from his initial 5150 hold until the time of the hearing. These items were all incredibly beneficial to the success of his 5150 hearing and gun rights restoration. This example is not to say that one must go through an event such as this, but rather, to demonstrate the types of things typically required for a successful hearing. In short, being proactive is a major key in the success of these cases.
- ❖ **If I wanted to get started, what are my financial options?**
  - At this point, we recommend that you wait to move forward with a request for a 5150 hearing since you are only allowed one request for a hearing in your five year ban. Therefore, to ensure we maximize your one request, we would suggest

allowing one year to pass and begin working on the suggested steps mentioned above. We understand that with the COVID-19 pandemic this may be a challenge, however most therapists have moved towards a virtual meeting format. One resource you may find helpful for volunteering opportunities is: [volunteermatch.org](http://volunteermatch.org). As a courtesy, while the cost of the analysis is typically only available for four months from the date of the analysis, we are happy to extend this to you indefinitely so that you can return and apply it after more time has passed. In short, we want to be sure we can build you the strongest case possible and not simply sign you up for a service that we believe will be denied if you were to pursue it at this time.

#### Commonly Asked General Questions

- ❖ **I am currently under a firearm ban, but I own firearms. What should I do?**
  - You should immediately transfer the firearm(s) to someone else and remove the firearms from your house and out of your control. This could include selling the firearm(s). Only take possession back upon restoration of your firearm rights.
- ❖ **I am currently under a firearm ban, and my spouse owns firearm(s). What should I do?**
  - Similar to above, you are not allowed access to the firearm(s). We believe the firearms should be removed from your residence or any place that you have access to.
- ❖ **What if I want to file the casework myself, can I come to you for help?**
  - No. We do not assist with casework above and beyond this analysis that you complete yourself. Furthermore, we reserve the right to revise this analysis as we work through your eligible casework, which means that if you do the casework yourself, you will lose the benefit of our continued review of your rights as we complete each step.
- ❖ **Is it possible to expedite my case?**
  - Yes, depending on the type of case. Expediting will carry an additional fee if it is available. Not all types of casework can be expedited.
- ❖ **What if I have not paid off all of my restitution?**
  - If you have any lingering fines, restitution, or other terms which are not completed, your chances of success will drop dramatically until it is paid
- ❖ **What if I come to you with new case records or new information after you've completed the analysis?**
  - If the records were not disclosed to us prior, there may be an additional fee for us to look through the records and incorporate them into your analysis.
- ❖ **What if my situation involves an out of state firearm ban or I plan to move out of California?**
  - Whenever you are a resident of another state with a criminal record from California, or a resident of California with a criminal record in another state, **we strongly advise consulting with a state-licensed attorney from the other state(s) prior to attempting to purchase a firearm in a state other than**

**California.** The reason for this is because each state has its own laws and may interpret the laws of another state differently as well as apply its own firearm prohibitions independent of what other states do. With that said, if you end up moving to another state, you will want to do the same thing with an attorney licensed in that particular state as well. Since we are only licensed in California, we just cannot advise you on what, if any, additional relief other state's may require, and you should always exercise due caution before purchasing a firearm.

❖ **How does the recommended service(s) restore my firearm rights?**

- Most services that restore gun rights do so indirectly. In other words, technically speaking, you are not signing up for a "gun rights restoration" itself, but for another suggested service, such as a reduction or pardon. For any service which indirectly restores gun rights we complete your casework for that service, which if successful, should act indirectly to restore your firearm rights under California and federal law. In other words, success on the service does not in and of itself guarantee that you will be able to purchase a firearm. In rare cases, you may need to complete one or various follow-up services prior to purchasing a firearm. For example, sometimes you may need a DOJ report update if a clerk at the Court or DOJ does not report a granted case accurately. In most cases this is not necessary, but that is why it is good to keep in mind that firearm rights restoration is generally an indirect process and because of that sometimes additional issues occur even when the necessary relief is granted, although it is rare.

❖ **When will I be able to attempt a firearm purchase?**

- If your relief is granted, you should always wait for the Department of Justice (DOJ) to complete the update process of your underlying DOJ report. This typically takes about six weeks, but may be longer due to Court clerks or DOJ processing times. If you are worried about the update, you are always able to request an additional DOJ report, but this is generally not necessary.
- In a very small number of situations, the DOJ report may never be updated after court relief is obtained due to court clerk or DOJ error. If this occurs, and you would like to resolve the discrepancy, we may be able to assist for an additional fee.
- If you live in California, you can choose to complete a California firearms eligibility check to verify if your DOJ report has been updated and if California knows of any other issues that may apply to you. In certain cases, we may ask you to complete an eligibility check at the close of our work, but in all cases you may choose to do so if you are at all worried about a purchase denial, and if you live in California. Here is the link to perform a Firearm Eligibility Check:  
<https://oag.ca.gov/sites/all/files/agweb/pdfs/firearms/forms/pfecapp.pdf?>

❖ **When does your representation of me end?**

- Our representation of you terminates depending on the type of case we are assisting you with. For cases filed in court, such as an expungement, felony reduction, or similar service, our representation concludes upon completion of the

Court proceedings, for example upon the case being granted, partially granted, or denied by the Court. In certain cases, rejection by the Court may also be deemed completion of the proceedings.

- For cases, which are not filed in court, such as Pardon applications, DOJ update requests, and CBP and TSA appeals, our representation concludes upon submission. For example, this would include submitting the Pardon application to the Board of Parole Hearings, upon providing Client with appeal documents for submitting their CBP or TSA appeal, or upon submitting the agreed upon number of update attempts to the relevant agency, department, court, etc. for a DOJ update.

### **Conclusion and Pricing**

~~Based on the information you have provided us, it appears likely that you have had at least two 5150 holds. If so, then this creates a lifetime ban under California state law from own, purchasing, or possessing a firearm within the state of California.~~

~~While this does not mean you cannot lift the ban currently in place, it does make it more difficult and we would caution going into the process with realistic expectations. If you would like to move and request your hearing, you may still do so and we would be happy to represent you. However, prior to doing so, we will need more information about the prior 5150 hold.~~

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With this said, though, we would still caution going into a CA WIC §8103 hearing with realistic expectation. Given the date of your hold, your ban will naturally expire on or around May 23, 2028. Given that you have had two 5150 holds within a relatively short time, we think this will raise concern to the Court and your petition has a higher risk of being denied.

Our office has successfully secured the firearm rights for many individuals throughout the country and have successfully appealed the wrongful denial of rights such as your case.

If you are interested in pursuing the process, our team would be happy to work towards restoring your firearm rights. A California-licensed attorney would prepare the necessary documents, file them with the appropriate agency, and respond to any objections or inquiries from the State.

Below is a list of your eligible services and the pricing to take on your case:

- **Case work to restore your gun rights:**
  - **May 6, 2023 5150 Hold with Likely Prior Undisclosed Hold:**
    - **Step 1:** Provide us with medical records of 5150 hold prior to 2023
      - ~~Based on the information you have provided us, it appears likely that you have had at least two 5150 holds. If so, then this creates a lifetime ban under California state law from own, purchasing, or possessing a firearm within the state of California.~~
      - ~~While this does not mean you cannot lift the ban currently in place, it does make it more difficult and we would caution going into the process with realistic expectations. If you would like to move and request your hearing, you may still do so and we would be happy to represent you. However, prior to doing so, we will need more information about the prior 5150 hold.~~
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      - With this said, though, we would still caution going into a CA WIC §8103 hearing with realistic expectation. Given the date of your hold, your ban will naturally expire on or around May 23, 2028. Given that you have had two 5150 holds within a relatively short time, we think this will raise concern to the Court and your petition has a higher risk of being denied.
    - **Step 2:** CA Welfare and Institutions Code §8103(5)) Hearing: \$3,500
- **Case work to further minimize the consequences of your criminal record:**
  - **Background Check Removal: \$350**
    - Remove your personal information from over 30 unregulated background checks and people search websites.
  - **Background Check Removal Core Plus: +\$250**
    - Removes your personal information from the above 30 unregulated sites, plus another 45 further unregulated background checks and people search websites.

Prices are subject to change and quoted prices are only guaranteed for 90 days from date of analysis. Attorney also reserves the right to change recommendations.

Finally, since our office was hired to analyze your case record and this analysis is completed, our representation of you is also concluded. Should you decide to move forward on any of the above mentioned services, your case analysis credit will remain available for four months from the date of this analysis and our team would be more than happy to create an invoice, new e-contract, and begin work on your eligible case work.

Should you have any clarifying questions regarding this analysis, please feel free to reach out to us over the next two weeks at no additional cost. While we are still happy to answer any questions you may have beyond this time frame, we encourage you to let us know in a timely manner so that we may best serve you.

Our team can be reached via the messaging platform with the online portal, by email at [attorney@lifebacklegal.com](mailto:attorney@lifebacklegal.com), or by telephone at (888) 751-5329.