



San Diego County Sheriff's Department

Post Office Box 939062 • San Diego, California 92193-9062



William B. Kolender, Sheriff

William D. Gore, Undersheriff

February 3, 2009

Edward A. Peruta
3151 Driscoll Dr.
San Diego, CA 92117-4419

Dear Mr. Peruta:

I am in receipt of a letter entitled "Second FORMAL INQUIRY AND REQUEST FOR CARIFICATION (sic)".

Your recitation of events in this letter neglects the fact that on 12-31-08, Ms. Blanca Pelowitz met with you in her office, listened to your concerns, and explained that the Sheriff's Department uses the term "residency" as listed in Penal Code § 12050 when reviewing CCW applications. Ms. Pelowitz also met with you again on 2-2-09 and reiterated this to you. Additionally, Donna Burns met with you on 1-26-09 and explained this to you. The implication of your letter is that the Sheriff's Department has ignored you. In reality, the Sheriff's Department has been extremely accommodating to you. Sheriff's Licensing Supervisors have, on at least three occasions, taken time away from conducting the public's business to meet with you personally, without appointment, to explain our practice to you.

Nevertheless, you claim to be waiting for a "response" from the Sheriff's Department. According to Ms. Pelowitz and other Licensing & ID Division employees who have spoken to you, you appear to be seeking assurances that your Concealed Weapon Permit application, which you have not submitted yet, will be granted. You are seeking to have the Sheriff's Department assure you that the Sheriff's Department will consider you to be a "resident" of San Diego County.

The Sheriff's Department cannot and will not prejudge your application for a permit. We will consider your permit application once it is submitted. The Sheriff's Department declines to answer your hypothetical questions dealing with an applicant's residency. We will review your application, once it is submitted, and make a decision. If your application is denied, and you believe the Sheriff's Department applied an erroneous

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definition of "residency", you may avail yourself of whatever legal remedies are available to you at that time. But until such time that the Sheriff's Department receives an application from you, we will not attempt to prejudge the merits of any particular hypothetical situation.

Sincerely,

WILLIAM B. KOLENDER, Sheriff



Sanford A. Toyen, Legal Advisor
Office of the Sheriff – Legal Affairs Unit

SAT:aeb