IN THE COMMONWEALTH COURT OF PENNSYLVANIA

RASHAD ARMSTRONG

Appellant

v. : **1204 C.D. 2020**

CITY OF PHILADELPHIA, et al,

Appellee

AFFIDAVIT OF JOSHUA PRINCE, ESQ.

I, Joshua Prince, Esq., am competent to state and declare the following based on my personal knowledge:

- 1. I represented the Appellant Rashad Armstrong in this matter before the Philadelphia Court of Common Pleas in response to the City of Philadelphia's civil complaint against him for putative violations of City Code Section 10-838a; where, he incurred attorney fees and costs of approximately \$18,000.00 in relation to my representation of him.
- In appealing this matter to this Court, I agreed on a flat fee of \$15,000.00, inclusive of costs, for my representation solely before this Court.

- 3. In filing this appeal, I incurred the cost of \$353.19 in filing the Notice of Appeal with the Philadelphia Court of Common Pleas, of which \$90.25 was remitted to this Court. *See*, Exhibit 1.
- 4. In obtaining transcripts of the hearings held before trial court for purposes of appeal, I incurred the cost of \$411.00 for the hearing on March 5, 2020 and \$60.00 for the hearing on November 12, 2020.
- 5. In filing Appellant's Reproduce Record and Principal Brief, I incurred a printing cost of \$221.18 for the Reproduced Record and \$98.31 for the Principal Brief. *See*, Exhibit 3.
- 6. In filing Appellant's Reply Brief, I incurred a printing and mailing cost of \$40.51. *See*, Exhibit 4.
- 7. My curriculum vitae is attached hereto and incorporated herein as Exhibit 5.
- 8. I have been admitted to practice law in the Commonwealth of Pennsylvania since October 13, 2009.
- 9. I have been admitted to practice law in the State of Maryland since June 12, 2017.
- 10. I am a member in good standing in the Bars of the Supreme Court of Pennsylvania and the Maryland Court of Appeals.

- 11. I am a member in good standing in the Bar of Supreme Court of the United States since January 22, 2013.
- 12. In chorological order, I have been a member in good standing in the Bar of the:
 - a. District Court for the Eastern District of Pennsylvania since
 March 19, 2010;
 - b. District Court for the District of Colorado since June 16, 2011;
 - c. District Court for the Middle District of Pennsylvania since February 10, 2012;
 - d. District Court for the Western District of Pennsylvania since
 December 20, 2012;
 - e. Third Circuit Court of Appeals since April 11, 2012;
 - f. Sixth Circuit Court of Appeals since July 17, 2017;
 - g. District Court for the District of Columbia since August 6,2018;
 - h. D.C. Circuit Court of Appeals since February 15, 2019; and,
 - i. District Court of Maryland since March 5, 2020.
- 13. I have taught numerous Continuing Legal Education seminars for the Pennsylvania Bar Institute, local bar associations and

organizations, relative to firearms law and civil rights deprivations, including, but not limited to:

- a. Firearms Law 101: Types of Lawful Firearms and
 Individual Prohibitions on Gun Ownership Federal Bar
 Association April 30, 2021;
- b. *Firearm Rights Restoration* State Bar of Texas, 7th Annual Firearms Law: What Every Texas Lawyer Needs to Know, September 20-21, 2018;
- c. *The ATF 4473 and You* Penn State Law School April 5, 2018;
- d. Gun Law: Advanced Issues National Business Institute(NBI) January 31, 2017;
- e. *My Estate Has Firearms, Now What?* 15th Annual Estate & Elder Law Symposium, PBI Feb 12, 2014 and Feb. 20, 2014 and 20th Annual Estate Law Conference, PBI November 14, 2013;
- f. Firearms Law & The Second Amendment Symposium View from the Street: Firearms Law in Pennsylvania and New Jersey, National Rifle Association (NRA) October 13, 2012; and,

g. Pennsylvania Gun Crimes and Sentencing, Montgomery

County Bar Association, September 9, 2011.

h. Firearms 101 What Every Practitioner Needs to Know about

Firearms Law, Berks County Bar Association, August 18,

2011.

14. I have been published by the St. Thomas Law Review, Volume 27,

Issue 1, on The Inalienable Right to Stand Your Ground, available

at http://stthomaslawreview.org/articles/v27/1/prince.pdf.

I, Joshua Prince, Esq., verify that I am the attorney for the Appellant

named in the foregoing and all the information contained therein is true and

correct to the best of my information, knowledge and belief. I understand

that false statements herein are made subject to the penalties of 18 Pa. C.S.

§4904 relating to unsworn falsification to authorities.

Dated: February 16, 2022

Joshua Prince, Esq.

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CEASEFIRE PENNSYLVANIA EDUCATION FUND, et al.,

Appellee-Intervenors

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APPEAL FROM THE ORDERS OF MARCH 5, 2020 AND NOVEMBER 12, 2020 OF THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, FIRST JUDICIAL DISTRICT OF PENNSYLVANIA, TRIAL DIVISION – CIVIL, CASE NO. 191004036

JOSHUA PRINCE, ESQUIRE Attorney I.D. No. 306521

CIVIL RIGHTS DEFENSE FIRM, P.C. 646 Lenape Road Bechtelsville, PA 19505

Telephone: (888) 202-9297 Joshua@CivilRightsDefenseFirm.com

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BAR ADMISSIONS

State Admissions

Pennsylvania Supreme Court – October 13, 2009 Maryland Court of Appeals – June 12, 2017

Federal Admissions

- U.S. Supreme Court January 22, 2013
- U.S. Court of Appeals for the D.C. Circuit February 15, 2019
- U.S. Court of Appeals for the 3rd Circuit April 11, 2012
- U.S. Court of Appeals for the 6th Circuit July 17, 2017
- U.S. District Court, Eastern District of Pennsylvania March 19, 2010
- U.S. District Court, Middle District of Pennsylvania February 10, 2012
- U.S. District Court, Western District of Pennsylvania December 20, 2012
- U.S. District Court, District of Columbia August 6, 2018 (Bar No. PA0081)
- U.S. District Court, District of Maryland March 5, 2020
- U.S. District Court, District of Colorado June 16, 2011

EDUCATION

McGill University, Montreal, Canada

- Double Major in Political Science and World Religions
- Graduated Cum Laude

Widener University of Law, Harrisburg, PA

2006 - 2009

- Top 10% of class
- Member of the Widener Law Journal
- Graduated Cum Laude

EMPLOYMENT

Prince Law Offices, P.C., Bechtelsville, PA

2009 - present

• Handling legal matters, including, but not limited to:

- Civil Rights deprivations at the state and federal level, including unlawful seizure, failure to provide procedural and substantive due process, and violations of equal rights;
- Class Actions;
- Mental Health Commitments under Pennsylvania's Mental Health and Procedures Act;
- Criminal Law;
- School Law, including requirements to provide students with due process and the appointment of school law enforcement officers; and,
- Estate Planning and Administration.

Civil Rights Defense Firm, P.C., Bechtelsville, PA

2016 - present

- Handling legal matters, including, but not limited to:
 - All firearms law and Second Amendment issues at the state and federal level;
 - Civil Rights deprivations at the state and federal level, including unlawful seizure, failure to provide procedural and substantive due process, and violations of equal rights; and,
 - Class Actions.

MAJOR CASES

- John Doe, et al. v. Monroe County, et al, Docket No. 6384 cv 2015, (Monroe County Court of Common Pleas, 2020) initially obtaining an injunction against the former Sheriff's enforcement of unlawful license to carry firearm applicant requirements and thereafter, obtaining a class action settlement of \$4 million dollars for the Sheriff's disclosure of confidential license to carry firearms applicant/licensee information through the use of un-enveloped postcards.
- Landmark Firearms LLC, et al. v. Col. Robert Evanchick, 694 M.D. 2019 (Cmwlth Ct. 2019) Obtaining a preliminary injunction enjoining the Pennsylvania State Police's from implementing and enforcing its "partially manufactured frames and receivers" policy, which was based upon Attorney General Josh Shapiro's Legal Opinion of December 16, 2019.
- Firearm Owners Against Crime, et al. v. City of Pittsburgh, et al., GD 19-5330 (Allegheny Ct. Cmmn. Pleas 2019) Obtaining declaratory relief, striking down all three ordinances and signage erected by the City of Pittsburgh, which regulated firearms and ammunition, including, inter alia, a ban on "assault rifles," "high capacity magazines," and an extreme risk protection order provision.
- Alton Franklin v. Sessions, et al., 291 F.Supp.3d 705 (W.D. Pa. 2017) Establishing that a 302 evaluation under Pennsylvania's Mental Health and

- Procedures Act does not trigger a federal prohibition under 18 U.S.C. § 922(g)(4), due to the lack of due process provided.
- Commonwealth v. Goslin, 2017 PA Super 38 (en banc) Establishing that an individual in entitled to the defense found within 18 Pa.C.S. § 912(c), if he/she is in lawful possession of a weapon on school grounds, provided that it is possessed for a lawful purpose.
- *Michael Keyes, et al., v. Lynch, et al.*, 195 F.Supp.3d 702 (M.D. Pa. 2016) and 282 F.Supp.3d 858 (M.D. Pa. 2017) Establishing a right to relief under a Second Amendment *as-applied* challenge to a single-isolated involuntary mental health commitment. The court held that 18 U.S.C. § 922(g)(4)'s prohibition, in perpetuity, was unconstitutional as applied.
- John Doe, et al. v. Franklin County, et al., 139 A.3d 296 (Cmwlth. Ct. 2016) Establishing that pursuant to 18 Pa.C.S. § 6111(i) that all license to carry firearms applicant information is confidential and not subject to disclosure, including through the use of un-enveloped postcards.
- Andrew Dissinger v. Manheim Township School District, 72 A.3d 723 (Pa. Cmwlth. 2013) Represented Mr. Dissinger in an action regarding violations of his due process rights, which the Commonwealth Court confirmed. Thereafter, represented Mr. Dissinger in a federal civil rights deprivation action, 5:14-cv-2741 in the Eastern District of Pennsylvania, which resulted in a settlement.
- Justin Dillon v. City of Erie, 1038 C.D. 2013 (Pa. Cmwlth. 2013) Establishing that state preemption precludes the City of Erie's ordinance criminalizing the possession of firearms in city parks.
- John Doe, et al. v. City of Philadelphia, et al., Docket No. 121203785, (Philadelphia County Court of Common Pleas, 2012)— Class action lawsuit against the City of Philadelphia and several other defendants relating to their publication of statutorily confidential information, which resulted in a \$1.425 million dollar settlement.
- Barbara Hench, et al., v. Perry County Sheriff Carl Nace, Docket No. 2014-454
 (Perry County Court of Common Pleas, 2014) Successfully represented Sheriff
 Nace, pro-bono, in an action by the Perry County Auditors to force him to
 disclose statutorily confidential information.
- *Caba v. Weaknecht*, 64 A.3d 39 (Pa. Cmwlth. 2012) Before the Commonwealth Court, successfully established both a liberty and property interest, for procedural due process purposes, in an issued license.

PUBLICATIONS

Law Journal Publications

- Joshua G. Prince and Allen Thompson, *The Inalienable Right to Stand Your Ground*, St. Thomas Law Journal, 27 St. Thomas. L. Rev. 32 (2015)
- Joshua G. Prince, Fee Disputes in Workers' Compensation Cases: The Hendricks/Weidner Headache, Widener Law Journal, Vol. 18, No. 2 (2009)
- Joshua G. Prince, *Violating Due Process: Convictions Based on the National Firearms Registration and Transfer Record when its "Files are Missing"*, Article awaiting publication in a Law Journal, *available at* https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2752028

Legal Publications

- Essentials of Texas Firearms Law, Chapter 3, Firearm Rights Restoration, Joshua G. Prince (Tx. BAR ASSOC. 2020).
- Joshua G. Prince, Weapons on School Grounds: The En Banc Goslin Decision (PA BAR ASSOC. AT ISSUE, Spring 2017) available at http://www.pabar.org/public/yld/pubs/atissue/At%20Issue%20Spring2017.pdf.
- Joshua G. Prince, Grandpop's Machine Gun in the Chest: Part II of II (PA BAR ASSOC. AT ISSUE, Spring 2013) available at http://www.pabar.org/public/yld/pubs/atissue/AtIssueSpring13.pdf.
- Joshua G. Prince, *Grandpop's Machine Gun in the Chest: Part I of II* (PA BAR ASSOC. AT ISSUE, Fall 2012) *available at* http://www.pabar.org/public/yld/pubs/atissue/AtIssue%20Fall%202012.pdf.
- Joshua G. Prince, *Firearms Law 101: Knowing When Your Client Loses His/Her Second Amendment Rights*, (PA BAR ASSOC. AT ISSUE, Spring 2012) *available at* http://www.pabar.org/public/yld/pubs/atissue/AISpring2012.pdf.
- Joshua G. Prince, *I Bequeath My Machine Gun to*...(PA BAR ASSOC. NEWSLETTER, REAL PROPERTY, PROBATE AND TRUST LAW, Issue No. 64), Fall 2007 at 18-19.

LEGAL SEMINARS TAUGHT

• Firearms Law 101: Types of Lawful Firearms and Individual Prohibitions on Gun Ownership – Federal Bar Association – April 30, 2021

- How to Navigate the Pennsylvania Legal System After a Self-Defense Incident United States Concealed Carry Association June 10, 2021
- **Firearm Rights Restoration** State Bar of Texas, 7th Annual Firearms Law: What Every Texas Lawyer Needs to Know, September 20-21, 2018
- **Pennsylvania License to Carry Firearms Overview** 96th Annual Pennsylvania Sheriffs' Association Conference July 11, 2018
- The 4473 and You Penn State Law School April 5, 2018
- Understanding the Second Amendment, Mental Health Prohibitors and Federal Firearms Right Restoration USCCA Expo April 8, 2017.
- **Gun Law: Advanced Issues** National Business Institute (NBI) January 31, 2017
- **My Estate Has Firearms, Now What?** 15th Annual Estate & Elder Law Symposium, PBI Feb 12, 2014 and Feb. 20, 2014 and 20th Annual Estate Law Conference, PBI November 14, 2013
- **Firearms and Real Estate in Estates** Estate Planning Council of Lehigh Valley February 13, 2013
- **2012 Firearms Law & The Second Amendment Symposium** View from the Street: Firearms Law in Pennsylvania and New Jersey NRA October 13, 2012
- Firearms Law for Every Practitioner Berks Bar Assc. July 11, 2012
- When the Primer Ignites No More 18th Annual Estate Law Conference, PBI November 18, 2011
- **Pennsylvania Gun Crimes and Sentencing** Montgomery Bar Assc. Sept. 9, 2011
- Firearms & Estates PBI Apr. 7, 2011
- Firearms Law 101 What Every Practitioner Need to Know about Firearms Law Berks Bar Assc. Aug. 18, 2011
- **Firearms in Estates and Trusts** Berks, Cumberland, and Dauphin Bar Assc. 2008-2009.