

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

CALEB BARNETT, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 23-cv-209-SPM
)	
KWAME RAOUL, et al.,)	
)	
Defendants.)	
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DANE HARREL, et. el.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 23-cv-141-SPM
)	
KWAME RAOUL, et. al.,)	
)	
Defendants.)	
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JEREMY W. LANGLEY, et. el.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 23-cv-192-SPM
)	
BRENDAN KELLY, et. al.,)	
)	
Defendants.)	
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FEDERAL FIREARMS LICENSEES)	
OF ILLINOIS, et. el.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 23-cv-2015-SPM
)	
JAY ROBERT "JB" PRITZKER, et. al.,)	
)	
Defendants.)	

DEFENDANTS, JAMES GOMRIC, IN HIS OFFICIAL CAPACITY AS STATE'S
ATTORNEY OF ST. CLAIR COUNTY, ILLINOIS AND
RICHARD WATSON, IN HIS OFFICIAL CAPACITY AS SHERIFF OF ST.
CLAIR COUNTY ILLINOIS RESPONSE TO PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION

COMES NOW, Defendants, James Gomric, in his official capacity as State's Attorney of St. Clair County, Illinois, and Richard Watson, in his official capacity as Sheriff of St. Clair County, Illinois, ("St. Clair County Defendants"), by and through their undersigned counsel, and for their Response to Plaintiffs' Motion for Preliminary Injunction, and states as follows:

The St. Clair County Defendants were named as defendants solely in *Harrel et al v. Kwame Raoul, et. al.*, Case No. 23-cv-141-SPM. The Court consolidated the *Harrel* case with the other above referenced cases and designated *Caleb Barnett et al. v. Kwame Raoul, et. al.*, Case No. 23-cv-209-SPM as the lead case. Further, the Court directed that all Defendants respond to Plaintiffs' Motion for Preliminary Injunction on or before March 2, 2023. See Doc. 32 in *Barnett et al. v. Kwame Raoul, et. al.*, Case No. 23-cv-209-SPM. Pursuant to those Court orders the St. Clair County Defendants file this response.

The St. Clair County Defendants do not take a position as to the arguments of either Plaintiffs or the State of Illinois Defendants in this case. The St. Clair County Defendants note that as County level officials they have no role in the drafting and passage of legislation including the Protect Illinois Communities Act, (P.A. 102-1116) at issue in *Harrel*. Likewise, the St. Clair County Defendants have had no role in the formulation of the legal challenges that have been presented by Plaintiffs in the *Harrel* case or any of the other consolidated cases.

The St. Clair County Defendants position in regards to the pending motion for preliminary injunction in the *Harrel* case is that said motion will be decided by this Court based upon the facts and arguments presented by the Plaintiffs and the State of Illinois Defendants. The St. Clair County Defendants are obligated to enforce the laws of the State

of Illinois as well as honor the Constitutional Rights of its citizens. The fulfillment of these duties includes the exercising of prosecutorial discretion which is endowed in the St. Clair County Defendants. In order to perform their duties, the St. Clair County Defendants must have a clear understanding of the laws of the State of Illinois.

The St. Clair County Defendants will abide by any order that this Court enters in regards to the motion for preliminary injunction. The St. Clair County Defendants request clarity of the current state of the law so that they may perform their duties under the Constitution and laws of the State of Illinois.

WHEREFORE, Defendants, James Gomric, in his official capacity as State's Attorney of St. Clair County, Illinois, and Richard Watson, in his official capacity as Sheriff of St. Clair County, Illinois, respectfully pray that this Honorable Court enter an order in regards to Plaintiffs' Motion for Preliminary Injunction, and for such further relief as this Honorable Court deems just and proper.

Respectfully Submitted,

By: /s/ Thomas R. Ysursa
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CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2023, I electronically filed this document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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/s/ Thomas R. Ysursa