

VERIFICATION OF COMPLAINT IN MANDAMUS

Now comes Attorney L. Kenneth Hanson, after being duly sworn and cautioned according to law, and states as follows:

1. That he is of a legal capacity to make this affidavit and has personal knowledge of the facts recited to herein.
2. That he is the attorney for Relator James Irvine and is familiar with the facts and circumstances surrounding Relator's Application for a Concealed Handgun Licenses under Revised Code Section 2923.125 ("CHL") and a Temporary Emergency License under Revised Code Section 2923.1213 ("TEL") with Respondent Cuyahoga County Sheriff Gerald McFaul.
3. That on April 8, 2004, Relator appeared at the offices of Respondent during normal business hours to tender his application, fee and supporting materials for a CHL and TEL.
4. That the tender of the application, fee, and supporting materials for both the CHL and TEL was refused by Respondent.
5. That the only explanation given for Respondent's refusal to accept the tendered application, fee and supporting materials is that Respondent will not be accepting or processing applications until new office space becomes available in late May 2004, or new software becomes available in June 2004.
6. That Relator is in all ways qualified to submit his application materials to Respondent for processing, has a clear right to the relief requested, Relator has no alternate legal remedy under law, and Respondent has provided no legal justification for refusing to perform the duties imposed upon him under the Revised Code.
7. That Relator is a resident of Cuyahoga County.

FURTHER AFFIANT SAYETH NAUGHT

L. Kenneth Hanson Esq.

State of Ohio }
County of Delaware } ss

Sworn and subscribed to before me, a Notary Public in and for said County and State, by L. Kenneth Hanson, known to me to be said person, this 8th day of April, 2004.

Notary Public, State of Ohio
Exp. _____