

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

IVAN ANTONYUK, et al.)	
)	
Plaintiffs,)	
)	Civil Action No. 1:22-cv-00986 (GTS/CFH)
v.)	
)	
KATHLEEN HOCHUL, in her Official)	
Capacity as Governor of the State of New)	
York, et al.)	
)	
)	
Defendants.)	
_____)	

**PLAINTIFFS’ MOTION FOR A TEMPORARY RESTRAINING ORDER,
PRELIMINARY INJUNCTION, AND/OR PERMANENT INJUNCTION**

1. Come now Plaintiffs, and respectfully request that this Court enter a temporary restraining order and preliminary injunction pursuant to Fed. R. Civ. P. 65, against the Governor of New York Kathleen Hochul, Kevin P. Bruen as the Superintendent of State Police, Judge Matthew J. Doran as the licensing official of Onondaga County, William Fitzpatrick as the Onondaga District Attorney, Sheriff Eugene Conway as the Onondaga County Sheriff, Chief Joseph Cecile as the Chief of Police of Syracuse, P. David Soares as the Albany County District Attorney, Gregory Oakes as the Oswego County District Attorney, Sheriff Don Hilton as the Sheriff of Oswego County, and Joseph Stanzione as the District Attorney of Greene County, and their agents, employees, and successors in office, and those acting in concert with them, respecting the Concealed Carry Improvement Act challenged in this action.

2. Plaintiffs are facing imminent and irreparable harm from loss of their Second Amendment rights for violating the Concealed Carry Improvement Act, and credible threats of enforcement, leading to arrest, felony charges, conviction, and loss of their Second Amendment

rights for life should they violate any provision in the Concealed Carry Improvement Act as further set forth in Plaintiffs' Memorandum of Law.

3. And Plaintiff Sloane faces irreparable harm to his First, Second, Fifth and Fourteenth Amendment rights as he currently is not even able to apply to receive a permit until Defendant Conway "allows" him to submit an application, but not without surrendering his First and Fifth Amendment rights, by first requiring him to provide the government his social media accounts, sit for an in-person interview with a government agent, and trade his Fifth Amendment protections to remain silent and against self-incrimination for the chance to be granted a permit to carry in New York. As such, he is currently unable to exercise his Second Amendment right to public carry.

4. In particular, Plaintiffs seek an Order restraining and enjoining the Defendants, and their agents, employees, and successors in office, and those acting in concert with them, respecting the provisions of the Concealed Carry Improvement Act challenged in this action.

As more fully set forth in Plaintiffs' Memorandum of Law, the grounds for this motion are that the Concealed Carry Improvement Act violates:

1. The First Amendment to the United States Constitution;
2. The Second Amendment to the United States Constitution;
3. The Fifth Amendment to the United States Constitution; and
4. The Fourteenth Amendment to the United States Constitution.

Plaintiffs rely upon the Complaint, Exhibits, and Memorandum of Law filed contemporaneously with this Motion.

Respectfully submitted, this the 22nd of September, 2022.

/s/ Stephen D. Stamboulieh
Stephen D. Stamboulieh

Stamboulieh Law, PLLC
P.O. Box 428
Olive Branch, MS 38654
(601) 852-3440
stephen@sdslaw.us
NDNY Bar Roll# 520383

Robert J. Olson (VA # 82488)
William J. Olson, PC
370 Maple Ave. West, Suite 4
Vienna, VA 22180-5615
703-356-5070 (T)
703-356-5085 (F)
wjo@mindspring.com
NDNY Bar Roll# 703779

CERTIFICATE OF SERVICE

I, Stephen D. Stamboulieh, hereby certify that I have on this day, caused the foregoing document or pleading to be mailed by United States Postal Service and emailed, to the following non-ECF participants:

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224
Phone: 518-474-8390
James M. Thompson,¹ Special Counsel for Second Amendment Litigation
james.thompson@ag.ny.gov
Michael McCartin, Assistant Attorney General
michael.mccartin@ag.ny.gov

Kevin P. Bruen
Superintendent NYS Police
nyspmail@troopers.ny.gov
1220 Washington Ave., Building 22
Albany, NY 12226
Phone: 518-783-3211

William Fitzpatrick, Onondaga County District Attorney
Criminal Courthouse 4th floor

¹ Messrs. McCartin and Thompson previously represented Defendant Bruen in the previous *Antonyuk v. Bruen* matter.

505 South State Street
Syracuse, NY 13202
Phone: 315-435-2470
Fax: 315-435-3969
Williamfitzpatrick@ongov.net, michelerobbins@ongov.net

Eugene Conway
Onondaga County Sheriff's Office
407 S. State St.
Syracuse, NY 13202
Phone: 315-435-3044
Fax: 315-435-2942
eugeneconway@ongov.net

Joseph Cecile, Chief of Police of Syracuse
511 S State Street
Syracuse, NY 13202
315-442-5200
Via Syracuse Law Department:
law@syrgov.net

P. David Soares, District Attorney Albany County
6 Lodge Street
Albany, NY 12207
518-487-5460; Fax 518-487-5093
david.soares@albanycountyny.gov

Gregory Oakes, Oswego County District Attorney
Public Safety Bldg., 39 Churchill Road
Oswego, NY 13126
Phone 315-349-3200; fax 315-349-3212
gregory.oakes@oswegocounty.com

Don Hilton, Oswego County Sheriff
39 Churchill Road
Oswego, NY 13126
Phone: 315-349-3304; Fax 315-342-3519
don.hilton@oswegocounty.com

Joseph Stanzone, Greene County District Attorney
411 Main Street, 3rd Floor
Catskill, NY 12414
Phone: 518-719-3590; Fax 518-719-3792
districtattorney@discovergreene.com

Hon. Matthew J. Doran, County Court Judge

Onondaga County
Phone: 315-671-1054
Fax: 315-671-1190
Onondaga Supreme & County Court Clerk's Office
505 South State Street, Suite 110
Syracuse, NY 13202
mdoran@nycourts.gov

Dated: September 22, 2022

/s/ Stephen D. Stamboulieh
Stephen D. Stamboulieh