

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

GEORGIACARRY.ORG, INC.,)	
Plaintiff,)	
)	Civil Action No.
v.)	
)	
CODE REVISION COMMISSION,)	
NATHAN DEAL, individually and in his)	
Official capacity as Governor of Georgia,)	
DAVID RALSTON, in his official)	
Capacity as Speaker of the House)	
Of Representatives of Georgia,)	
LOWELL CAGLE, in his official capacity)	
As President of the Senate of Georgia,)	
JOHN DOE 1,)	
JOHN DOE 2,)	
JOHN DOE 3,)	
JOHN DOE 4,)	
JOHN DOE 5,)	
JOHN DOE 6,)	
JOHN DOE 7,)	
JOHN DOE 8,)	
JOHN DOE 9,)	
JOHN DOE 10,)	
JOHN DOE 11,)	
JOHN DOE 12,)	
And)	
JOHN DOE 13,)	
Defendants)	

VERIFIED COMPLAINT

Plaintiff states the following as his Complaint:

1. This is a Complaint for mandamus and declaratory relief.
2. Plaintiff GeorgiaCarry.Org, Inc. (“GCO”) is a non-profit corporation organized under the laws of the State of Georgia.
3. The mission of GCO is to foster the rights of its members to keep and bear arms.

4. Defendant Code Revision Commission (“CRC”) is a body of the State of Georgia created by O.C.G.A. § 28-9-2, *et.seq.*
5. Defendant Nathan Deal is the Governor of Georgia. He is sued in his official and individual capacities.
6. Defendant David Ralston is the Speaker of the House of Representatives of Georgia and an *ex officio* member of the CRC. He is sued in his official capacity only.
7. Defendant Lowell “Casey” Cagel is the Lieutenant Governor and President of the Senate of Georgia and an *ex officio* member of the CRC. He is sued in his official capacity only.
8. Defendants John Doe 1 – John Doe 13 are members of the CRC. They are sued in their official capacities only.
9. Despite diligent efforts on the part of Plaintiff’s counsel, Plaintiff is unable to learn the true identities of Defendants John Doe 1 – John Doe 13. Their names will be substituted when Plaintiff is able to identify them.
10. On February 25, 2014, the House of Representatives unanimously passed House Bill 826 with a vote of 170-0.
11. On March 20, 2014, the Senate passed House Bill 826 by a vote of 44-2.
12. On March 18, 2014, the Senate passed the final version of House Bill 60.
13. On March 20, 2014, the House passed the final version of House Bill 60.
14. Thus, the House voted for HB 60 after HB 826 and the Senate voted for HB 826 after HB 60.
15. Gov. Deal signed HB 826 into law on April 22, 2014.
16. Gov. Deal signed HB 60 into law on April 23, 2014.

17. HB 826 had the effect, *inter alia*, of decriminalizing carrying firearms in “school safety zones” for people with Georgia weapons carry licenses (“GWLs”).
18. HB 60 did not irreconcilably conflict with HB 826.
19. Nevertheless, Gov. Deal’s office has publicly stated that HB 60 repealed HB 826 and therefore school carry of firearms is not permitted, even by people with GWLs.
20. The CRC is obligated by law to implement and publish the Acts of the General Assembly into the Official Code of Georgia Annotated (“OCGA”).
21. The publication of the Acts of the General Assembly into the OCGA is a ministerial act.
22. Any discretionary ability of the CRC to make substantive changes to the Acts of the General Assembly is an unlawful delegation of legislative power.
23. Government officials, law enforcement, the courts, and the citizens of Georgia all rely on the accurate publication of the OCGA in order to organize their activities so as to comply with the law.
24. The citizens of Georgia, including GCO’s members have a clearly established right to have an OCGA that accurately reflects the Acts of the General Assembly.
25. The CRC has caused to be published in the OCGA the Acts of the General Assembly from the 2013-2014 session.
26. The OCGA as published by the CRC does not accurately incorporate the provisions of HB 826 as they pertain to weapons and school safety zones, including the provision decriminalizing carrying firearms in school safety zones by GWL holders.
27. GCO has many members with GWLs, who work in school safety zones, who have children that go to school in school safety zones, or who otherwise have legitimate and

frequent business within school safety zones. Such members desire to carry firearms in case of confrontation when they are within such school safety zones, but they are in fear of arrest and prosecution for doing so on account of the inaccurate OCGA.

28. GCO members have been told by law enforcement agents that such agents would act based on the OCGA as published, and not based on an analysis of Acts of the General Assembly that are not published in the OCGA.

Count 1 – Mandamus Against the Code Revision Commission

29. The CRC has willfully failed or refused to abide by its legal obligation to cause to be published the Acts of the General Assembly into the OCGA. Plaintiff seeks a writ of mandamus against the CRC and its members, requiring them to publish the provisions of HB 826 into the OCGA.

Count 2 – Declaratory Judgment Against the Governor

30. Gov. Deal is the chief executive officer of the State of Georgia.
31. There is an actual controversy between Gov. Deal and GCO as to whether a person with a GWL is criminally prohibited from carrying a firearm within a school safety zone.
32. GCO seeks a declaration that it is not a crime for a person with a GWL to carry a firearm within a school safety zone.

Relief Demanded

Plaintiff demands the following relief:

33. A writ of mandamus against the CRC requiring that all provisions of HB 826 be implemented into and published in the OCGA.

34. A declaration that it is not a crime for a person with a GWL to carry a firearm within a school safety zone.
35. Any other relief the court deems proper.

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VERIFICATION

I verify under penalty of perjury that the facts alleged in the foregoing Complaint are true.

Kelly Kennett

The above-named Kelly Kennett appeared before me on February ____, 2015 in
_____ County, _____ and swore to and subscribed to this document.

Notary Public

My commission expires: