

## Judge rules Wisconsin ban on concealed weapons unconstitutional!!!

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<http://www.wisconsinappeals.net/...Schultz1.pdf>

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Judge rules concealed carry ban unconstitutional

A Clark County judge says Wisconsin's ban on carrying concealed weapons is unconstitutional. In the case, authorities charged a Sauk City man with carrying a concealed weapon, after he admitted he had a knife in his waistband. He never threatened anyone. In light of the landmark Supreme Court ruling in *McDonald v. City of Chicago*, attorney William Poss filed a motion to dismiss the case on constitutional grounds. Judge Jon Counsell obliged Wednesday, ruling the law is overly broad and violates both the Second and Fourteenth Amendments of the Constitution.

"The government has to have a compelling state interest to do so (restrict the right to carry) and they have to have the least restrictive means of doing that," said Poss. "Public safety obviously is a state interest, but there's all kinds of ways to do that in this regard." In his decision, Counsell states the law forces citizens to "go unarmed (thus not able to act in self defense), violate the law or carry openly," but notes displaying weapon's openly isn't a "realistic alternative."

As of now, the decision only sets a precedent in Counsell's court, but Poss expects the case will be appealed. "It's ultimately going to get to either the Wisconsin Supreme Court and or the United States Supreme Court one way or another," he predicted. The decision was disseminated around the state Wednesday, and Poss already had 50 congratulatory phone messages or e-mails from colleagues by Wednesday afternoon. "There's a lot of interest in this obviously," he said. "It's not a left or right type of thing quite frankly. It's a liberty thing."

Clark County Assistant District Attorney Dick Lewis said he has 20 days to appeal the ruling, and no decision has been made. Wisconsin is one of only two states which completely ban carrying concealed weapons.

***ICarry's notes: You can bet your last dollar that this is one of the final nails in the coffin of Wisconsin's draconian blanket ban on carrying a concealed firearm. Gun control is dying out everywhere it seems - what a great year 2010 has been!!! 2011 should be even more fun!!!***

***Gosh it feels good to be right!! Gun control laws punish otherwise non-criminal behavior of law-abiding citizens minding their own business and exercising their right to having the means to defend themselves. They don't deter criminals, but rather encourage them. They make everyone more vulnerable, putting everyone at greater risk.***

***Finally, things are changing rapidly thanks to the Supreme Court spelling out the term FUNDAMENTAL RIGHT for***

***those didn't get it before. Frankly, people who don't understand this concept have a lot of soul-searching to do. A part of their brain is on "sleep mode" and needs to be started up. They can't all be saved and understand inhere, unalienable human rights, but perhaps they will understand that wind has changed and gun control is a loser. Perhaps they will finally give up and move onto other fronts of assaulting freedom - like banning light bulbs, trans fats, or taxing air***

<http://www.icarry.org/modules.php?name=News&file=article&sid=594>