

The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

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Dear Subscriber,

The Senate has voted 72-23 to **extend the government's Patriot Act powers to search records**, which could **endanger the rights of gun owners**. Senator **RAND PAUL (R-KY)** submitted an amendment which would **restrict law enforcement from accessing gun dealer firearm receipts**, but it failed to pass the Senate 85-10.

The first concern was that without PAUL's exemption, the Bureau of Alcohol, Tobacco, Firearms and Explosives investigating a terrorism suspect could go to the **closed-door Foreign Intelligence Surveillance Court** with only government testimony and **obtain the Form 4473 gun purchase record of a gun buyer**.

However, to use this court, **an agency must show probable cause that the target of the surveillance is a foreign power or agent of a foreign power**," which makes broad use of this court against American gun owners highly unlikely, even though it's remotely possible.

Sen. CHUCK GRASSLEY (R-Iowa) is vowing to **block President OBAMA's nominations** until he gets detailed answers on the **Project Gunrunner program that resulted in drug cartels acquiring more than 1,300 firearms from the U.S.** (See story on Page 4.)

GRASSLEY is pressing the Department of Justice (DOJ) on **who ordered the iGun Runner program that directed the sale of guns as bait for drug cartels in Mexico**.

U.S. House Judiciary Committee Republicans defeated a Democratic effort that would have **barred weapon sales to people included on the FBI's terror watch list**.

In a party-line, 21-11 vote, the committee killed the amendment offered by Rep. **MICHAEL QUIGLEY (D-IL)**, that would have prevented firearm purchases by anyone whose name appeared on the watch list, **which contains many errors and names of innocent Americans**.

Gun rights expert **JOHN M. SNYDER** says, "There now are 200 Members of Congress cosponsoring a bipartisan national Concealed Weapons Carry reciprocity bill offered by Reps. **CLIFF STEARNS (R-FL)** and **HEATH SHULER (D-NC)**."

"It's time for Congress to move forward on H.R. 822, the proposed National Right-to-Carry Reciprocity Act of 2011," he added. "It would provide a national standard with which nonresidents of a state may carry concealed firearms in the state."

The **OBAMA administration** has announced it will seek another round of comments on its proposal to **require gun dealers in four states on the U.S.-Mexico border to report the sale of multiple rifles**. Under the proposal, dealers would have to report sales of two or more rifles to the same person at one time or during any five business days **if the rifles are semi-automatic, have detachable magazines and are a caliber greater than .22**. The proposal was initially published in December and had a 60-day comment period that garnered almost 13,000 responses. **About 30 percent opposed the reporting requirement and 70 percent favored it**, ATF said.

Congressman **BOB GIBBS (R-OH)** has introduced HR 1865, **the Recreational Lands Self-Defense Act**. Congressman GIBBS said, "**HR 1865 would protect law-abiding individuals' civil right to bear arms on lands owned by the Army Corps of Engineers**." After lawmakers passed legislation allowing citizens to exercise their right to bear arms on National Park and National Wildlife Service lands, **the lands owned and operated by the Army Corps of Engineers were not addressed**.

Also in this issue: ● *Illinois to get gun owner privacy law* ● *Oregon medical pot users can have guns* ● *Mexico wants to sue American gun industry* ● *Update on the ATF Gunrunner scandal* ● *Crime is down, gun ownership is up* ● *The Castle Doctrine and how it works in our Page 8 iParting Shoti*

**ON THE
FEDERAL
LEVEL**

CALIFORNIA ASSEMBLY BANS OPEN CARRY OF UNLOADED GUNS

The California Assembly has approved a bill to prohibit openly carrying unloaded handguns in public after a debate that pitted gun rights proponents against chiefs of police. The bill, AB144, would make it a misdemeanor to carry an exposed and unloaded gun in a public place, street or vehicle except in some unincorporated areas. It was approved 45-29 largely along party lines and moves to the Senate.

Several states ban openly carrying handguns and at least one applies the ban to unloaded weapons. The citizens Committee for the Right to Keep and Bear Arms was one of several groups that opposed the California bill and reportedly plans to sue if it becomes law. The bill's author, Democratic Assemblyman Anthony Portantino of La Canada Flintridge, said it will improve public safety, the slogan of the California Police Chiefs Association and the Brady Campaign to Prevent Gun Violence.

IN THE STATES

GOVERNOR QUINN TO SIGN ILLINOIS FIREARM OWNER'S PRIVACY BILL

Governor Pat Quinn has pledged to sign HB3500, a bill that will keep confidential and away from the eyes of anti-gun activists and the Old Media alike the personal information of registered firearm owners in Illinois. The Illinois Senate passed the bill 42 to 1, overturning a decision by left-wing Attorney General Lisa Madigan to turn over to the press the names, addresses, and personal info of all citizens registered for an Illinois Firearm Owners ID card (FOID). Illinois citizens are not allowed to buy or sell firearms or ammunition without registering with the state and because this information is in the hands of the Illinois State Police, the Associated Press tried to get it through the Freedom of Information Act.

INDIANA GETS STATE PRE-EMPTION GUN LAW

Indiana Senate Bill 292, introduced by Senator Jim Tomes (R - Blairsville), and signed into law by Governor Mitch Daniels, prohibits local municipalities from regulating firearms, ammunition, and firearms accessories.

Specifically, the bill prohibits municipalities from enacting local laws that are more restrictive than state laws. It covers almost every aspect of gun ownership including the possession, carrying, transportation, registration, transfer, and storage of firearms, ammunition, and firearm accessories. The bill also voids any current local ordinances that are more stringent than state law. "Senate Bill 292 ensures that sportsmen and other gun owners don't have to worry about differing gun laws when they travel between different cities or counties within the state," said Evan Heusinkveld, U.S. Sportsmen's Alliance director of state services.

MINNESOTA HOUSE PASSES EXPANDED CASTLE DOCTRINE BILL

A bill expanding rights to use deadly force in self-defense situations has cleared the Minnesota House. The Republican-controlled House voted 79-50 for the bill, which would broaden what's considered a "dwelling" and reverses the burden of proof in cases of self-defense from the defender to the prosecution.

Dwellings would include such places as vehicles, garages and temporary residences. Before the bill was heard, the chief sponsor, state Rep. Tony Cornish, R-Good Thunder, changed or dropped several elements, saying he had addressed numerous concerns stated by police. But Democratic-Farmer-Labor critics, who contended there's no reason for the initiative, said that those changes didn't go nearly far enough. Gun-rights groups have pushed hard for the increased flexibility. The full Senate is expected to take up its version of the bill soon.

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GOVERNOR VETOES BILL ALLOWING CONCEALED CARRY WITHOUT A PERMIT IN MONTANA

Democrat Gov. Brian Schweitzer has vetoed a gun-rights bill that would allow concealed carry without a permit in Montana cities, one of 15 vetoes Schweitzer issued. The governor has outright vetoed more than 60 bills so far, with dozens more awaiting action since lawmakers adjourned in April.

Ardent gun advocates considered House Bill 271 the most important of their efforts this session. It would have let anyone carry concealed without a permit in cities if they otherwise would be qualified to get a permit. Currently it's legal to carry concealed without a permit in most parts of the state, but not in urban areas. But Schweitzer, a lukewarm gun advocate, said it went too far by letting people determine themselves if they are eligible to carry without a background check.

IN THE STATES

BULLET-ETCHING MEASURE PASSES NEW YORK ASSEMBLY

Assembly Democrats, including Addie J. Russell, have won the latest gun-control battle in Albany. But New York Republicans, such as Assemblyman Kenneth D. Blankenbush, look certain to win the war. The Assembly voted 84-55 to approve a measure that would require semiautomatic pistols sold in the state to be able to etch a unique code onto bullet casings when the bullet is fired. Police investigating crimes could use the code to help trace gun ownership. The bill, though, is a long shot in the GOP-controlled Senate. That's because Republicans in the state charge that the microstamping technology is easily skirted and ineffective, and it would be costly to gun manufacturers and buyers. Democrats make the dubious claim that it will help solve crimes by making it easier to track spent casings to owners.

OHIO BILL WOULD ALLOW CONCEALED CARRY IN BUSINESSES THAT SERVE LIQUOR

Ohioans with conceal carry permits would be allowed to take their hidden firearms into bars and restaurants that sell alcohol, as long as they're not partaking of those beverages, under legislation approved by the Ohio House. House Bill 45 passed on a mostly party-line vote of 56-40 following more than two hours of debate and heads to the Ohio Senate for further consideration.

Existing law prohibits concealed carry licensees from taking firearms into rooms or open-air arenas covered by type D liquor permits, including retail stores and restaurants, according to an analysis compiled by the state's legislative service commission. Gov. John Kasich says he will sign the bill.

OKLAHOMA GOV. FALLIN SIGNS BILL THAT ALLOWS GUNS ON CAREERTECH CAMPUSES

Republican Gov. Mary Fallin has signed a measure that allows people with concealed-carry permits to leave weapons in locked vehicles in Tulsa's CareerTech campus parking lots. House Bill 1652 by Rep. John Enns, R-Enid, and Sen. Steve Russell, R-Oklahoma City, will become effective Nov. 1. The law affirms that law-abiding Oklahomans ought to be trusted and be able to defend themselves within the reasons and parameters allowed by law and the Constitution. "I believe, as does our Legislature, that it is reasonable to allow a gun owner with a concealed-weapons permit to leave his or her gun locked in the car while visiting a career technology center," Gov. Fallin said. "Permit holders already have that right at most locations in Oklahoma. This is a logical policy for those who support Second Amendment rights, as I do."

TEXAS SENATE APPROVES GUNS IN COLLEGE CLASSROOMS

Texas senators have voted to allow concealed handgun license holders to carry their weapons into public college classrooms. The vote is a major push on an issue that has stalled in the Senate and House despite overwhelming support from lawmakers in the Republican-dominated Legislature. Sen. Jeff Wentworth, R-San Antonio, had been unable to muster the votes he needed under Senate rules to pass the issue as its own bill. After several failed attempts, Monday's vote tacked the measure onto a universities spending bill.

SAF SUES OVER INTERSTATE HANDGUN BAN

The Second Amendment Foundation has filed suit in U.S. District Court in Virginia challenging the constitutionality of federal and Virginia provisions barring handgun sales to non-residents. SAF is joined in the lawsuit by Michelle Lane, a District of Columbia resident who cannot legally purchase handguns because there are no retail firearms dealers inside the District.

"The NICS background check should allow law-abiding citizens like Miss Lane to exercise their Second Amendment rights regardless their place of residence," said SAF Executive Vice President Alan M. Gottlieb.

**IN THE
COURTS**

COURT ORDERS CLEVELAND TO STOP ENFORCING LOCAL GUN CONTROL

Cuyahoga County Common Pleas Judge Brian Corrigan has ordered Cleveland to stop any enforcement of 19 separate local gun control ordinances, effective immediately. Buckeye Firearms Foundation is the lead Plaintiff in the case, which was filed in early 2009. In the interim, Cleveland sued the State of Ohio in an attempt to have the state's firearm laws declared an unconstitutional usurpation of a city's home rule authority and lost. The invalidated Cleveland ordinances included gun registration, owner I.D. cards, assault weapon bans, limits on firearm dealers within city limits, and concealed carry of firearms.

NEW JERSEY JUDGE ISSUES PERMIT TO PLAINTIFF IN SAF LAWSUIT

A New Jersey judge has announced he will issue a gun permit to plaintiff Jeffrey Muller in a Second Amendment Foundation lawsuit against several New Jersey officials for deprivation of civil rights under color of law, because applicants cannot show a "justifiable need" for a permit. Muller had been kidnapped by members of a motorcycle gang who threatened to kill him, in a case of mistaken identity. Several suspects have been arrested in that case, and Muller's application for a permit had gained support from police. SAF Executive Vice President Alan Gottlieb said this "clearly indicates that our lawsuit is proper, and we are encouraged to press our case to its conclusion."

OPENING BRIEF FILED IN LAWSUIT CHALLENGING SAN DIEGO COUNTY CCW POLICIES

The California Rifle and Pistol Association Foundation and a number of San Diego residents have filed their opening brief in the Ninth Circuit Court of Appeals seeking to overturn a lower court ruling that upheld San Diego Sheriff William Gore's arbitrary and unfair rules to issue concealed carry permits. CRPA Foundation is arguing that a desire to defend oneself constitutes "good cause" to obtain a CCW permit under California law, and no "special need" is required, as Sheriff Gore demands of all CCW applicants.

SAF, CGF SUE OVER CALIFORNIA ASSAULT WEAPONS LAW ARREST

The Second Amendment Foundation and Calguns Foundation have filed a lawsuit in U.S. District Court in California, seeking to have the state's definition of so-called "assault weapons" declared unconstitutionally vague. Joining SAF and Calguns in the lawsuit is Iraq combat veteran Brendan Richards, whose arrest and six-day incarceration in the Sonoma County jail - and subsequent dismissal of all charges - prompted this suit. Defendants include California Attorney General Kamala Harris, the California Department of Justice, and police officer Dean Becker.

SAF SUES ILLINOIS OVER BAN ON CARRYING GUNS FOR SELF-DEFENSE

The Second Amendment Foundation has filed suit in federal court in Illinois, challenging the state's complete prohibition on the carrying of firearms in public for the purpose of self-defense. The lawsuit alleges that Illinois statutes that completely ban the carrying of handguns for self-defense are "inconsistent with the Second Amendment." Joining SAF are two private citizens, Michael Moore of Champaign and Charles Hooks of Percy. Named as defendants are Illinois Attorney General Lisa Madigan and State Police Superintendent Patrick Keen.

SAF is represented by attorneys David Jensen and David Sigale.

MEDICAL POT USERS CAN PACK HEAT, OREGON HIGH COURT SAYS

The Oregon Supreme Court has unanimously ruled that a retired school bus driver can have her medical marijuana and a concealed handgun, too. The ruling upheld previous decisions that determined a federal law barring criminals and drug addicts from buying firearms does not excuse sheriffs from issuing concealed weapons permits to people who hold medical marijuana cards and otherwise qualify. "We hold that the Federal Gun Control Act does not pre-empt the state's concealed handgun licensing statute and, therefore, the sheriffs must issue (or renew) the requested licenses," Chief Justice Paul De Muniz wrote in the ruling issued in Salem.

IN THE COURTS

FEDERAL JUDGE RULES AGAINST CALIFORNIA GUN ADVOCATES

A federal judge has ruled there is no constitutional right to carry a hidden gun in public – a decision that dealt a setback to gun-rights advocates who had challenged how much discretion California law enforcement officials have in issuing concealed weapons permits. U.S. District Court Judge Morrison England Jr. in Sacramento supported a policy by Yolo County Sheriff Ed Prieto that says applicants must have a reason, such as a safety threat, to legally carry a concealed weapon in his county northwest of Sacramento.

FORMER GOVERNOR FILES IN SUIT OVER RELEASING GUN OWNER NAMES

Former Gov. James R. Thompson has joined with attorneys for the Illinois State Police to argue that prisoners could gain access to the names of 1.3 million Illinoisans who hold state firearm owner's identification (FOID) cards if a ruling by the Attorney General's office making the names public is allowed to stand. Release of names is temporarily blocked by a restraining order. Thompson sides with the Illinois State Rifle Association, and provided the Peoria County Circuit Court with several letters from people asking for information on specific gun owners. At least one of those seemed to come from an inmate at Menard Correctional Center.

APPEALS COURT TOSSES ORDERS TO MONITOR OUT-OF-STATE GUN DEALERS

The U.S. Second Circuit Court of Appeals has shot down orders that imposed outside monitoring on two out-of-state gun dealers accused of having "New Yorkers' blood on their hands." The court said "several portions" of the 2009 injunctions against Mickalis Pawn Shop and Adventure Outdoors were "insufficiently specific or overbroad" and ordered "further proceedings" to make them comply with federal rules. The decision noted that the previous orders prohibit not only illegal purchases, "but other, unidentified types of sales practices as well."

ANOTHER FRIVOLOUS LAWSUIT DISMISSED

A New York State judge has dismissed *Williams v. Beemiller* - a nearly 6-year-long lawsuit brought by the Brady Center against the maker, distributor and retailer of a firearm used in a 2003 gang-related shooting - on the grounds that the case was precluded from continuing based on the Protection of Lawful Commerce in Arms Act. This is yet another case in the long line of frivolous lawsuits that sought to hold law-abiding, manufacturers and sellers of firearms responsible for the crimes of others.

NEW JERSEY GROUP SUES FOR POLICE COMPLIANCE WITH GUN PERMIT LAWS

The New Jersey Second Amendment Society has filed a lawsuit in Trenton to gain access to the New Jersey State Police's Firearms Application Guidebook. When the Society asked its members to list the problems that law-abiding gun owners face in New Jersey, municipal police department violations of the law when issuing firearms permits ranked at the top, including, "Please stop them from telling our employers when we apply for a permit," "please stop them from collecting our social security numbers," "please stop them from requiring us to list our adult family members." The lawsuit is meant to clarify the law and obtain police compliance.

KEEPING UP WITH THE ATF GUNRUNNER SCANDAL

It's not often that a story becomes so clouded and convoluted that even good reporters need help, but the ATF mess known as Project Gunrunner and its offshoot Operation Fast and Furious are now the most notorious example.

National Gun Rights Examiner David Codrea and other bloggers have prepared the three-part *A journalist's guide to 'Project Gunwalker'* with a complete list with links of independent investigative reporting and commentary done to date by Sipsey Street Irregulars and Gun Rights Examiner.

For subscribers who haven't followed this twisted story, "Project Gunrunner" is the name ATF assigned to its Southwest Border Initiative to interdict gun smuggling to Mexico. The idea was to direct legitimate gun dealers to sell firearms to known suspects - despite store-owner objections - then use the guns as bait to snag high-level Mexican drug cartel leaders, but the ATF lost track of so many of the bait guns that the program backfired, even to the point that one bait gun was linked to the murder of U.S. Border Patrol Agent Brian Terry last December.

**GUNRUNNER
UPDATE**

Seattle Gun Rights Examiner Dave Workman sniffed out the most recent tangle in this long story, that Rep. Darrell Issa (R-CA), chairman of the House Oversight and Government Reform Committee, will hold hearings, possibly this month.

But Workman says that won't happen until congressional investigators finish their work. Right now, as reported by CBS News, investigators are on the ground in Arizona.

Issa, and Sen. Charles Grassley, have both been probing Gunrunner and Operation Fast and Furious, which they now believe are being covered up by the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Justice Department. Issa said as much during an interview with radio talk host Rick Amato:

"Quite frankly, this is the way investigations often start. You have a mistake and instead of the administration owning up to it quickly, taking corrective action, they stall, delay and cover up. And that seems to be what's happening here."

Issa is not as calm as he sounded with Amato. He has already subpoenaed Gunrunner records from Acting ATF Director Kenneth Melson and got no response. He then threatened Melson with a Contempt of Congress citation.

Whatever the hearings before Issa's committee may bring, they're not likely to be very chummy.

Sen. Joe Lieberman (I-CT) sent a letter to rabidly anti-gun U.S. Attorney General Eric Holder and Jack Lew, director of the Office of Management and Budget, saying, "The Department of Justice Inspector General (IG) has recently reported that Mexican drug cartels purchase assault rifles in bulk, largely through straw purchasers within the U.S., and then smuggle them into Mexico. The IG recommended that multiple sales of long guns be reported to ATF, as is currently required for handguns. I believe that we must heed the IG's call and close this loophole that allows individuals who purchase assault rifles to be given less scrutiny than those who buy handguns."

Alan Gottlieb, chairman of the Bellevue, Washington-based Citizens Committee for the Right to Keep and Bear Arms, was flabbergasted by Lieberman's letter, so he wrote the Senator, "As you must certainly be aware, thanks largely to the efforts of your colleague, Senator Chuck Grassley of Iowa, there is an on-going investigation regarding allegations that the ATF's Project Gunrunner and Operation Fast and Furious actually abetted the movement of firearms into the illicit gun market, and ultimately to drug cartels in Mexico.

"You skip over this serious allegation as though it did not exist. Instead of supporting this new reporting strategy, I urge you to instead exercise your considerable influence to support Senator Grassley's investigation of the Gunrunner controversy."

The Gunrunner story won't get less complicated. We'll keep you informed.

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Farmington, Utah:** Three former Walmart employees in Utah have filed a lawsuit in Farmington's 2nd District Court alleging they were wrongfully fired for intervening and disarming a shoplifter with a gun. "Our concern is that Walmart has put their employees and customers at risk to preserve their bottom line," said their attorney Lorraine Brown. The suit seeks compensation for violation of plaintiffs' right to self-defense under the Second Amendment and other causes.

● **London, England:** Raymond Mitchell, a 34-year-old father of four, is dead because Great Britain banned guns in 1997. Mitchell stopped in a McDonalds to get a hot chocolate and found a fight in the line. He separated the two fighters. One of them, who had several gold teeth, shouted: "You are gonna die tonight, you are not gonna see the morning." He called a friend on his cell phone to bring a gun, then chased the peace-maker into an alley where the gun was delivered, and shot Mitchell to death, laughing all the way through the murder and while they merrily walked away. Police have no suspects, just as Mitchell had no self defense gun and his four children have no father.

● **Washington, D.C.:** The FBI has released its Preliminary Annual Uniform Crime Report for 2010, showing a decrease of 5.5 percent in the number of violent crimes brought to its attention in 2010 compared to the previous year. Violent crime, which includes murder, forcible rape, robbery and aggravated assault, decreased in all four regions of the country and in both cities and non-metropolitan areas. For decades, violent crime in the United States has been dropping. Final figures for 2009 showed violent crime at its lowest level since 1984. At the same time, firearms ownership and use has been increasing, putting the lie to anti-gun organizations' claims that more guns lead to more crime. The largest surge in firearms sales occurred from late 2008 into 2010, and an estimated 34.4 million people went target shooting in 2009, the largest number ever.

● **Philadelphia, Pennsylvania:** Lt. Raymond Evers, a spokesman for Philadelphia police, says that gun owners who open carry, which is legal in the city, may be asked to lay on the ground until officers feel safe while they check permits. "Philadelphia, in certain areas, is very dangerous," he said. "There's a lot of gun violence." Several officers have been killed in the line of duty in the past three years, local authorities say. The warning comes after Mark Fiorino, a suburban Philadelphia IT worker, posted an audiotape to YouTube of his tense, 45-minute encounter with police over his exposed handgun. The video went viral and captured national attention. After Fiorino released the audiotape, he was charged with disorderly conduct and reckless endangerment. He now faces up to two years in prison.

● **El Paso, Texas:** Despite strict gun control laws in Mexico, drug cartels and even common criminals have no trouble getting weapons. But for law-abiding private citizens, it can prove almost impossible. Now, many of them are quietly arming themselves against a spike in violent crime. At a firing range in far West Texas, Rogelio Bravo practices his shot. The El Paso private investigator known to his friends as "Chief" has also worked cases just across the border in Juarez, Now Mexico's murder capital. People are desperate, he says, and they're telling the government that if they can't protect them, then they will protect themselves.

● **Washington, D.C.:** If you go the Coalition to Stop Gun Violence's website, you will see a blue hole where their Twitter feed used to be. The reason is that their Twitter account has been suspended due to a violation of the terms of service. In other words, by using Twitter to "out" bloggers and, more importantly, reveal their personal information including home addresses, Ladd Everitt and CSGV broke the rules and are now paying for it.

● **Trenton, New Jersey:** County and state prosecutors are not law enforcement officers under New Jersey's strict gun laws that allow retired cops to carry weapons, an appellate panel ruled. The decision upholds a lower court that Giles Casaleggio, a former assistant prosecutor before being a deputy attorney general, does not qualify for a gun permit as a retired law enforcement officer.

Parting Shot

MY HOME IS MY CASTLE

Home intruders are a disappearing breed, largely because most homeowners now have the "Castle Doctrine" self defense law to shield them from liability, and hostile intruders do not usually encounter an armed homeowner more than once.

A burglary suspect was shot and killed by a Fort Worth, Texas homeowner in the 1100 block of East Jefferson Avenue, not far from Carol Peak Elementary School. The homeowner told police that he had been asleep inside his home when he was awakened by someone at the rear window, according to Officer Sharron Neal, a police spokeswoman.

"As he got up, he went to the window and saw someone trying to break in," Neal said. The homeowner fired one shot through the window, she said.

The suspect ran off, jumped over a fence and was later found by officers and a neighbor lying in an alleyway, Neal said. He was pronounced dead at the scene.

A North Nashville, Tennessee homeowner fatally shot a man and critically wounded another after the men forced their way into the house and attacked with a tire iron, police said. Edward Williams, 42, of 1703 26th Ave. North, reached for his handgun and shot the men multiple times shortly after 2 p.m., police spokeswoman Kris Mumford said.

Police are trying to identify the body, and the second man is in critical condition at Nashville General Hospital. A third suspect drove the injured 29-year-old man to the hospital. Investigators interviewed the driver.

Tacoma, Washington police are calling a fatal shooting self defense after a homeowner shot two burglars who were trying to break into his home, killing one burglar and wounding the other.

The man spotted two burglars trying to break into his garage and home. "He was armed, held them at gun point. And at one point while he was detaining them, both subjects charged at him. He fired at both and hit both of them," said Mark Fulghum, Tacoma Police Department.

Officers responded to a Dayton, Ohio home around 11:00 p.m., where a homeowner said a man, a teenaged boy and a woman stormed into his house and tried to rob him. One of the suspects reportedly went to take the homeowner's television set. That is when the homeowner says he opened fire, hitting a 20-year old suspect in the back. The injured suspect was driven to Miami Valley Hospital for treatment. His injuries are serious, but he should recover enough to face charges.

Your home is your castle.

Alan M. Gottlieb

Joseph D. Tartaro

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