

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

ETHAN MCROREY, KAYLEE FLORES,)
GUN OWNERS OF AMERICA, INC., and)
GUN OWNERS FOUNDATION,)

Plaintiffs,)

v.)

Civil Action No. _____

MERRICK B. GARLAND, in his Official)
Capacity as Attorney General of the)
United States, and the FEDERAL)
BUREAU OF INVESTIGATION)

Defendants.)
_____)

DECLARATION OF ETHAN MCROREY

1. My name is Ethan McRorey. I am a U.S. citizen and resident of Texas. I live in Montague County, and am currently twenty (20) years old. I am a member of Gun Owners of America, Inc.

2. I make this declaration in support of Plaintiffs' Complaint for Declaratory and Injunctive Relief. Unless otherwise stated, I make this declaration based on personal knowledge. If called as a witness, I can testify to the truth of the statements contained therein.

3. I am a law-abiding person, eligible under both state and federal law to possess firearms. I have never been arrested or charged with any crime. There is no disqualification that would prohibit me from possessing or purchasing a rifle or shotgun.

4. As is particularly relevant here, I have no mental health conditions or disability that would prohibit me from possessing firearms, or might otherwise implicate my ability to handle firearms safely and responsibly.

5. I am currently a Corrections Officer with the Cooke County Sheriff's Office in Gainesville, Texas. I am responsible for the security of inmates, and additionally with ensuring the security of the general public.

6. As a condition of my employment, I was required to pass a rigorous background check, which included mental health screening.

7. I have never purchased a firearm, but I desire to purchase a shotgun to keep in my home for all lawful purposes, including self-defense within my home.

8. On May 12, 2023, I attempted to purchase a 12 gauge shotgun from Academy Sports + Outdoors in Wichita Falls, Texas, which holds a federal firearm license.

9. After I chose the shotgun I wished to purchase and, after filling out the ATF Form 4473, the store staff submitted my information to the FBI NICS system for the required background check.

10. However, as a result of a new federal statute, my attempted purchase was immediately placed in a delay status, which I know is due simply to my age. I was told that the store would contact me whenever the process was completed so I can pick up the firearm. Because of this new law, I was unable to complete my purchase of my shotgun, and I left the store emptyhanded.

11. I am aware that, even if I am eventually allowed by the FBI to purchase this shotgun, for each and every future firearm I attempt to purchase, until I turn 21, I would be subject to this same mandatory delay.

12. I fully intend to purchase additional firearms in the future, including before I turn 21, and I do not believe I should be mandated to wait any longer than any other adult to exercise my Second Amendment rights, simply because of my age.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 12, 2023


ETHAN MCROREY