

DVM-01326 DC-20080369-116
IN RE: ANDREW FURER & ELOISA FURER
District Court 8711/2008 01 30 PM
Washoe County 3370
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FILED

JUL 11 2008

HOWARD W. CONYERS, CLERK
BY: *[Signature]*
DEPUTY CLERK

**IN THE FAMILY DIVISION
IN THE SECOND JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE**

**ANDREW FURER,
Plaintiff,**

Vs.

**ELOISA FURER,
Defendant.**

Case No. DV04-01626

Dept. No. 11

**ORDER GRANTING PLAINTIFF'S MOTION TO AMEND DECEMBER 23, 2005 ORDER
REGARDING POSSESSION OF FIREARMS**

The Court has considered Plaintiff's Motion to Amend December 23, 2005 Order Regarding Possession of Firearms, filed June 13, 2008 and Defendant's Opposition, filed July 7, 2008.

On December 23, 2005 the Court issued an Order after Case Management Conference that prohibited Mr. Furer from maintaining a gun in his possession. The Order also prohibited Mr. Furer from appearing in public with his then fiancé, Earlene Douglas, at such time that she had a gun in her possession. Ms. Douglas has a license to carry a gun as a retired law enforcement officer.

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Mr. Furer's present motion informs the Court that the former Ms. Douglas is now his wife. The motion asks the Court to remove the above described restrictions.

Defendant's Opposition discusses Plaintiff's "admitted belligerence," "outspoken disposition," "vulnerable state of mind" and emotional expressiveness. It alleges that Plaintiff's motion is intended to incite the Defendant. The Opposition states that a negative result to be expected from the granting of Plaintiff's motion is "increasing Ms. Furer's vulnerable state of mind." In view of the Opposition's other descriptions of the Defendant, this can be read as a warning that Defendant will respond emotionally if Plaintiff's motion is granted. While concerning, Defendant's possible reaction is not a legitimate basis upon which to deny the requested relief.

The Opposition does not allege that Plaintiff is a threat to the Defendant or that any threat to the Defendant would be reduced by maintenance of the firearms restrictions.

Accordingly, Plaintiff's motion is granted. Mr. Furer is no longer prohibited by the Order of December 23, 2005 from possessing a gun or from being in public with his wife at such time as she has a gun on her person.

IT IS SO ORDERED:

Dated this 11 day of July, 2008


DISTRICT COURT JUDGE