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## Kansas City Targets Gun Maker In Novel Pistol-Trafficking Suit

By **Mike Curley**

Law360 (January 8, 2020, 2:22 PM EST) -- Kansas City, Missouri, has set its sights on firearm manufacturer Jimenez Arms Inc. and a group of gun dealers over an alleged scheme to illegally funnel dozens of guns into the area, a move the city said marks the first time in a decade the gun industry has faced such a lawsuit.

In a suit filed in Missouri state court Tuesday, city officials allege former Kansas City firefighter James Samuels was at the center of the scheme, buying cheap firearms either directly from Jimenez Arms or through sellers like CR Sales Firearms and Mission Ready Gunworks, only to sell them off again at higher prices to people who were not legally allowed to buy firearms.

The guns made by Jimenez Arms are of low quality and cost, according to the petition, and have been found at numerous crime scenes in the area. According to city officials, between 2014 and 2018, 166 Jimenez Arms guns have been recovered, seized or held as evidence in crimes in the city.

"Today's definitive action by the city of Kansas City and Everytown Law signals that our community will not look the other way when it comes to illegal gun trafficking," Kansas City Mayor Quinton Lucas said in a statement Tuesday. "As we continue working to end the violent crime epidemic in Kansas City, identifying and prosecuting those who illegally obtain or provide guns to those [who] should not have them, as defined by law, will remain part of the solution."

Attorneys for Kansas City said the last such suits, *The City of New York v. A-1 Jewelry & Pawn Inc. et al.* and *City of New York v. Bob Moates' Sport Shop Inc. et al.*, were both filed in 2006 in the Eastern District of New York.

According to the complaint, Jimenez Arms either knew or "consciously avoided knowing" that Samuels was reselling the guns, often through a "straw purchaser," Iesha Boles, also named as a defendant in the petition. The city further alleges that Jimenez Arms and the other gun sellers knew, or should have known, that those buying guns from Samuels would use them for illegal activities.

As Samuels is not a licensed gun retailer, selling him the guns for resale violates federal law and regulations, the city says. As a result, the guns have found their ways into the hands of criminals, contributing to Kansas City having one of the highest per-capita homicide rates in the country, according to the petition, with a firearm, typically a handgun, being used in 96% of murders in the city.

"Gun dealers and manufacturers have a legal responsibility not to ignore suspicious purchasing behaviors that indicate illegal gun trafficking or straw purchasing," Alla Lefkowitz of Everytown Law, representing Kansas City, said in a statement Tuesday. "This lawsuit should send a clear message to companies that choose to profit off illegal gun sales: You will be held accountable."

According to the petition, Samuels and Boles have been charged in federal court in the alleged scheme. Boles pled guilty in May, while Samuels pled not guilty.

In the suit, Kansas City is seeking a court order directing the gun makers to take corrective action in identifying and recovering the trafficked guns and to comply with state and federal law. In addition,

they're asking for five years of supervision by a court-appointed monitor over the companies and mandatory training for all the companies' employees.

Representatives for the city declined further comment, referring to the new release and news conference on Tuesday.

A spokesperson for CR Sales Firearms declined to comment.

Representatives for the other defendants could not immediately be reached for comment Wednesday.

Kansas City is represented by Alla Lefkowitz, Molly Thomas-Jensen, Aaron Esty and Ryan Gerber of Everytown Law, Eric L. Dirks, Matthew L. Dameron and Courtney M. Stout of William Dirks Dameron LLC and Tara M. Kelly of the Office of the City Attorney.

Counsel information for the defendants was not available Wednesday.

The case is City of Kansas City, Mo. v. Jimenez Arms Inc. et al., case number unavailable, in the Circuit Court of Jackson County, Missouri, at Kansas City.

--Editing by Orlando Lorenzo.

*Update: This story has been updated with additional information about the last suits filed by a major city against the gun industry.*