

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Clyde Alfonso Bush
Plaintiff,

Case No. 3:11-cv-031

v.

United States of America, et. al.,
Defendants.

Judge Timothy S. Black

ORDER


It appearing to the court that the parties have stipulated:

- 1) That the City of Dayton Department of Police Bureau of Identification records contain an entry indicating that Plaintiff, Clyde Alfonso Bush was “Arrested” in Madison Township, (Montgomery County) Ohio, on a Charge of Domestic Violence on September 3, 1989, and
- 2) While there are records maintained by the City of Trotwood Police Department indicating that Mr. Bush was arrested for the crime of domestic violence on September 3, 1989, there is no record of any formal criminal charges being filed against Mr. Bush related to that arrest, his prosecution, or that Mr. Bush was prosecuted or convicted for any crime related to that arrest.
- 3) The presence of the September 3, 1989, entry on the City of Dayton Department of Police Bureau of Identification record that has no disposition may provide an impediment to the Plaintiff, Clyde Alfonso Bush’s rights to purchase, bear, and possess firearms as is

guaranteed by the Second Amendment to the Constitution.

After due consideration and for good cause shown it is the **ORDER** of this court that the Defendant City of Dayton cause its Department of Police Bureau of Identification to indicate in its records under the disposition for the September 3, 1989 arrest that Mr. Bush was not prosecuted or convicted of any crime associated with the September 3, 1989 arrest.

SO ORDERED:

 6/20/11
Timothy S. Black, U. S. District Court Judge