

## Renter Who Shot Burglar Sues Landlord for Gun-Related Eviction Threat

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Harvey Lembo, sitting next to his wheelchair,

is suing his landlord. Photo courtesy of Press Herald. [/caption]

*Summary: A wheelchair-bound man who lived in a dangerous apartment complex shot a burglar and was later threatened with eviction for possessing a gun. That man has now filed a lawsuit against his landlord for violating his 2nd Amendment rights.*

Harvey Lembo, 67, has lived in his Rockland, Maine apartment for years, and he was tired of seeing burglary after burglary--5 in 6 years in fact. On August 31, he bought a 1943 revolver to protect himself, and a day later, a man broke into his home while he was in bed.

Lembo, a retired Maine lobsterman, saw the burglar sifting through his pain medication, and he immediately took action, CBS News reports.

"I had the gun under my pillow. I reached out and I cocked it. And I got in my wheelchair," Lembo said.

The burglar tried to escape, so Lembo shot him in the shoulder as he fled. The intruder, Christopher Wildhaber, 56, was nabbed in the nearby woods near Lembo's apartment. Last week he was indicted on burglary, theft, attempted theft, and refusing to submit to arrest.

Fox News states that Wildhaber is being held at the Knox County Jail.

While some may find Lembo's actions admirable, his landlord wasn't pleased. The lobsterman was served an eviction warning for possessing a weapon, a violation of a term in his lease. Although Lembo wasn't actually evicted, he decided to fight back. He is suing his landlord, Parkland Place Associates of Rockland, for violating his right to own a gun.

Parkland Place and its management company responded to the suit this week. They asked a judge to dismiss the case, and they argued that a warning was not enough to trigger the protection under the Second Amendment.

Lembo and the local NRA, however, want justice for the simple notification.

"Threatening to evict Mr. Lembo for defending himself clearly violates his constitutional rights," NRA Maine State Liaison John Hohenwarter said. "Self-defense is a fundamental, God-given right that belongs to every law-abiding American — no matter their tax bracket, zip code or street address. Furthermore, Article 1 Section 16 of the Maine Constitution echoes this sentiment by stating: 'Every citizen has a right to keep and bear arms and this right shall never be questioned.'"

Source: <http://www.foxnews.com/us/2015/12/27/maine-landlord-asks-judge-to-dismiss-tenants-gun-rights-lawsuit.html>

Source: <http://www.cbsnews.com/news/tired-of-thefts-maine-man-buys-gun-and-shoots-burglar-hours-later/>