

November 21, 1994

John C. James  
722 Walter SE  
Albuquerque, NM 87102

REMINGTON ARMS  
1007 Market St.  
Wilmington, De 19898

To Whom It May Concern:

I am 67 years of age and enjoy hunting, especially big game. I bagged my first deer ( an eight pointer) when I was 18 years of age. I have hunted almost every year since and killed several deer and elk.

About ten years ago I purchased a Remington model 700 270 cal. rifle and was very proud of it until Saturday, November 5, 1994. My wife and two sons went deer hunting at Reserve, NM, on Friday Nov. 4, we hunted all day with no luck. We went to Silver City that night to sleep. The next morning we were going back to Reserve to hunt some more. We stopped at Glenwood, NM to fill the car with gas. I drove up to the pump behind a jeep to wait my turn. In the jeep was a game warden. My son and I decided to unload our rifles. My rifle was in the front seat pointing muzzle first to the floor boards. When I went to unload it, I moved the safety lever to fire, in order to open the bolt. When I lifted the bolt it fired without any warning. The car was on a small incline and began to move forward toward the jeep, I put my foot on the brake and the pedal went to the floor. The car rolled into the warden's jeep. The warden was very disturbed and ordered me to get out of the car. I asked him not to get excited as the gun had misfired. He took the rifle from me and unloaded it. The bullet that misfired went through the floor board and struck the frame of the car where two brake lines were attached, severing them. A part of the bullet or floor board struck my wife's ankle injuring her. I was dripping blood all over and discovered that my thumb was cut from the safety lever. The right hand tire was flattened. There turned out to be seven holes in the sidewall of the tire.

cont.

As there were no facilities there to repair the car, my sons and I tried to repair the lines with rubber hose and clamps. After five hours of trying to repair it, to no avail, we gave up and spent the night at Glenwood in a motel. The next morning we drove very slowly to Reserve, using the emergency brake. At Reserve we managed to repair one line to the front brakes (as the back brake shoes were worn from the emergency use) with a brass coupling and a piece of tubing. We slowly drove back to Albuquerque.

I do not know why the rifle misfired, as it has never given me any trouble before, I have fired approximately 60 rounds total from the rifle. The game warden said he has heard reports of this particular type of rifle misfiring on others. I took the rifle to Ron Peterson's Gun Shop and he said he would be glad to send it in to you as there was a re-call on this rifle. I am having him send the rifle to you for correction.

I have had expense and nerve racking experience. It is as follows;

- |   |               |
|---|---------------|
| 1. Rifle to be corrected--make it safe. |               |
| 2. 1- 195-14 Tire                       | \$ 60.00      |
| 3. Brake lines--parts and labor         | 175.00        |
| 4. Rear brake-shoes                     | 45.00         |
| 5. Hole in floor board                  | 10.00         |
| 6. Motel rent--one night                | 42.00         |
|   | <u>332.00</u> |

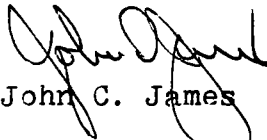
The injury to my thumb and my wife's ankle is healing and is not serious. The hole in the carpet of the floor board, we can live with. The two day hunting trip turned out to be a 3-day fiasco with one day of hunting.

The car is a Celebrity Chev. 1989 4-door.

The rifle is a Remington model 700 serial #A6818852.

Please let me know, at your earliest convenience, what is to be done about this matter.

Thank you,

  
John C. James

Note: Ron Peterson Guns will be sending you the rifle, I am enclosing a copy of his order.