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## Parents of victim in 2023 Kingessing mass shooting sue ghost AR-15 seller

Joseph Wamah Jr.'s parents sued an Indiana-based businessman and two of his businesses for selling rifle parts that allowed the shooting suspect to evade a background check.



by Abraham Gutman

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Before the suspect in a two-day shooting spree in July 2023 killed five people in Kingessing, he purchased online parts of an AR-15-style rifle in a way that allowed him to avoid background checks, according to a new lawsuit against the gun seller filed by one victim's parents.

Kimbrady Carriker is accused of executing one of the deadliest mass shootings in Philadelphia's history, shooting at random as he walked through the Southwest Philadelphia neighborhood.

Nearly two days before he fatally shot four people and wounded several others, authorities say, Carriker also shot and killed 31-year-old Joseph Wamah Jr., a sketch artist who ran a wedding photography business with his father.



The lawsuit, filed Thursday in the Philadelphia Court of Common Pleas by Wamah's parents, Johan and Helen Wamah, points a finger at the gun seller for facilitating the bloodshed.

Carriker purchased the parts for the AR-15 from an Indiana online gun seller, 80-Lower, according to the complaint. (Carriker also used a 9mm handgun during the spree, according to law enforcement.) The business, as well as its parent company, Tactical Gear Heads LLC, and owner Chad Myers, are named as defendants in the complaint, alongside Carriker.

Firearms that are assembled from parts are known as "ghost guns" because they are not traceable by law enforcement.

They also allow buyers to evade the background checks that are required by Pennsylvania law, the lawsuit says.

Carriker was arrested in 2003 on drugs and firearm charges, and pleaded guilty to a misdemeanor charge of carrying an unlicensed gun. That disqualified him from purchasing a firearm in Pennsylvania, and a background check would have blocked the sale had he went to a licensed arms dealer, the lawsuit says.

The gun sellers specifically marketed their products to people attempting to evade background checks and records of firearms purchases, the suit says, advertising with slogans such as, "Free men don't ask permission. Built. Not Bought."



Johan Wamah, father of Joseph Wamah, one of the victims in the mass shooting that took place one year ago in Kingessing, in Lansdowne, PA, June 28, 2024.

Jessica Griffin / Staff Photographer

“Defendants negligently entrusted ghost gun components, including a receiver for an AR15 style ghost gun to Defendant Kimbrady Carriker,” the lawsuit says.

The words “negligently entrusted” in the complaint are carefully chosen. Gun sellers and manufacturers enjoy immunity from lawsuits for crimes committed with their firearms under a 2005 federal law. But there are exemptions, including “negligent entrustment” by a gun seller when they should have known their product would be used “in a manner involving unreasonable risk of physical injury to the person or others,” the law says.

The liability protection poses a catch-22 for ghost gun sellers like those in the Wamahs’ case, according to Shanin Specter, of Kline & Specter, who represents the victim’s parents.

The immunity extends to gun sellers, but sellers of ghost-gun parts bypass gun-control measures by claiming they do not sell guns, Specter said.

“They have to claim this is a gun in order to take advantage of this immunity,” the attorney said.

Such admission would give the Wamahs an opportunity to “hammer” the sellers in court, Specter said, because the immunity also exempts sellers who violate state law.

The Defender Association of Philadelphia, which represents Carriker in his criminal case, declined to comment. The suspect awaits trial, according to the court docket.

Lower-80 and Tactical Gear Heads did not respond to a request for comment. The Inquirer was unable to reach Myers based on publicly available contact information.

The Wamah family lawsuit is the second against the gun industry in relation to the Kingsessing mass shooting.

In 2023, Philadelphia and the Giffords Law Center to Prevent Gun Violence sued two gun manufacturers, Polymer80 and JSD Supply, saying that by claiming they were not arms dealers, but merely part sellers, the companies circumvent state and federal gun laws requiring background checks.

At the time the lawsuit was filed, only the handgun used in the mass shooting was linked back to its sellers, said Jack O’Neill, a Kline & Specter attorney who also represents the Wamahs. Because the gun parts aren’t traceable, it took a significant investigation to find the seller, he said.

In the first half of 2023, nearly 90% of ghost guns retrieved by law enforcement in criminal investigations in Philadelphia were manufactured by Polymer80, the city said.

The 2023 complaint accused the manufacturers of perpetuating the gun violence crisis in Philadelphia by marketing and selling ghost guns without a serial number.

The two gun manufacturers settled the case in 2024, agreeing to halt sales in the city and the nearby counties and provide more than \$1 million for gun violence prevention.