

**EXHIBIT D****IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**

**ALBERT SNYDER,**  
Plaintiff

v.

**FRED W. PHELPS, SR.,  
JOHN DOES, JANE DOES, and  
WESTBORO BAPTIST CHURCH, INC.**  
Defendants

Civil Action No. RDG 06 CV-1389

**AFFIDAVIT OF SPECIAL PROCESS SERVER**

I, Delbert R. White, being duly sworn according to law, depose and state as follows:

1. That I am of lawful age and a Licensed Private Detective and Special Process Server in the State of Kansas with an office address of P. O. Box 422, Meriden, Kansas, 66512;
2. That I have been appointed by the Plaintiff in this action to serve process in this litigation;
3. That I have made numerous attempts to effect service of process of the Summons and Complaint in this action on the named Defendants, Fred W. Phelps, Sr. (hereinafter "Defendant Phelps") and Westboro Baptist Church, Inc., (hereinafter "Defendant Church");
4. That the record address of Defendant Church is 3701 SW 12th Street, Topeka, Kansas 66604;
5. That the last known residence address of Defendant Phelps is 3640 SW Churchill Road, Topeka Kansas 66604;
6. That the records of the Kansas Department of State identify the resident agent of Defendant Church as being Abigail R. Phelps, 3636 SW Churchhill Rd., Topeka Kansas 66604;

7. That the Church property on SW 12th Street and the residences of Defendant Phelps and Abigail Phelps, are combined with a series of other buildings into a compound covering an approximate one block area enclosed by privacy fencing and closed gates;

8. That the Westboro Baptist Church on SW 12th Street is not open to the public;

9. That my attempts to serve process on Defendant Phelps and Defendant Church are enumerated and described as follows:

(a) On June 12, 2006, at approximately 9:55 a.m., I attempted service at the Church premises at 1701 SW 12th Street, Topeka. No one answered the door. A young unidentified white male working outside the building stated neither Mr. Phelps nor Abigail R. Phelps were present and he had no information as to their whereabouts.

(b) On June 12, 2006, at approximately 10:10 a.m., I attempted service at the Phelps Law Office, 1414 SW Topeka Blvd, Topeka. A young female stated that neither Defendant Phelps nor Abigail Phelps worked there and she could not give me any information as to their whereabouts.

(c) On June 12, 2006, at approximately 5:14 p.m., I attempted service at 3701 SW 12th St., Topeka, and again there was no answer at this location.

(d) On June 14, 2006, at approximately 9:25 a.m., I attempted service at 3701 SW 12th St., Topeka, and there was no answer at this location.

(e) On June 16, 2006, at approximately 8:17 a.m., I attempted service at 3636 Churchill Rd., Topeka, and there was no answer at this location.

(f) On June 16, 2006, at approximately 8:20 a.m., I attempted service at 3640 Churchill Rd., Topeka, and there was no answer at this location. I noted that the doorbell was very loud and could be heard from outside.

(g) On June 16, 2006, at approximately 8:25 a.m. I attempted service at 3701 SW 12th St., Topeka, and there was no answer at this location.

(h) On June 17, 2006, at approximately 8:00 p.m., I attempted service at 3640 Churchill Rd., Topeka, and again there was no answer at this residence. I noted again that the doorbell was very loud and could be heard from outside.

(i) On June 17, 2006, at approximately 8:02 p.m., I attempted service at 3636 Churchill Rd., Topeka, and there was no answer at this residence.

(j) On June 17, 2006, at approximately 8:05 p.m., I attempted service at 3701 SW 12th St., Topeka, and again there was no answer.

(k) On June 23, 2006, at approximately 3:10 p.m., I attempted service at 3640 Churchill Rd., Topeka. I noted that the doorbell was very loud and could be heard from outside, but again no one answered.

(l) On June 23, 2006, at approximately 3:13 p.m., I attempted service at 3636 Churchill Rd., Topeka, and there was no answer at this residence address.

(m) On June 23, 2006, at approximately 3:16 p.m., I attempted service at 3701 SW 12th St., Topeka, and there was no answer.

(n) On June 26, 2006, at approximately 5:22 p.m., I attempted service at 3640 Churchill Rd., Topeka, and again no one answered the door. I noted that the doorbell was very loud and could be heard from outside.

(o) On June 26, 2006, at approximately 5:24 p.m., I attempted service at 3636 Churchill Rd., and again there was no answer at this location.

(p) On June 26, 2006, at approximately 5:26 p.m., I attempted service at 3701 SW 12th St., Topeka, and again there was no answer at this location.

(q) On June 27, 2006, at approximately 12:11 p.m., I attempted service at 3640 Churchill Rd., Topeka. At this time, I observed a group of persons outside at the west side of the residence, but they left immediately upon my arrival. Again, no one answered the doorbell.

(r) On June 27, 2006, at approximately 12:13 p.m., I attempted service at 3636 Churchill Rd., Topeka, and again there was no answer.

(s) On June 27, 2006, at approximately 12:14 p.m., I attempted service at 3701 SW 12th St., Topeka, and there was no answer.

(t) On June 29, 2006, at approximately 8:00 a.m., I attempted service upon Abigail R. Phelps, the resident agent for Defendant Church, at her place of employment, the Kansas Juvenile Corrections Complex, 1430 NW 25th St., Topeka, Kansas. I was informed that Ms. Phelps was not in; therefore, I left word that I would return later in the day.

(u) On June 29, 2006, at approximately 1:18 p.m., I returned to the Kansas Juvenile Corrections Complex, 1430 NW 25th St., Topeka, and was informed that Abigail Phelps was not at the facility and would not return until the following week.

(v) On July 5, 2006, at approximately 1:00 p.m., I returned to the Kansas Juvenile Corrections Complex, 1430 NW 25th St., Topeka. I identified myself to the receptionist at the facility, however, Ms. Phelps failed to respond to a call from the receptionist.

(w) On July 5, 2006, at approximately 3:00 p.m., I returned to the Kansas Juvenile Corrections Complex, 1430 NW 25th St., Topeka. I informed the receptionist that I had court documents for Ms. Phelps and that it was important that I see her. Again, Ms. Phelps failed to respond to the call from the receptionist. At that time I left my name and number with the request that Ms. Phelps contact me.

(x) On July 9, 2006, at approximately 6:50 p.m., I attempted service at 3640 Churchill Road, Topeka. Upon arrival at the address, I observed that interior lights were on. After I rang the doorbell the interior lights went off and I heard a door closing in the rear of the residence. However, no one answered the doorbell.

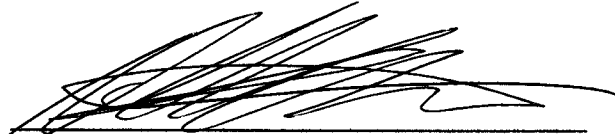
(y) On July 9, 2006, at approximately 6:53 p.m., I attempted service at 3636 Churchill Road, Topeka. There was no answer at the residence.

(z) On July 18, 2006, at approximately 3:25 p.m., I attempted service at the Kansas Juvenile Corrections Complex, 1430 NW 25th St., Topeka. I again identified myself to the receptionist and asked to see Abigail Phelps. The receptionist called Ms. Phelps and advised her that I was at the front desk. However, Ms. Phelps refused to see me.

10. That despite the efforts as set forth above, I have been unable to effect service of process in this litigation;

11. That it is my opinion, based on my experience as a Special Process Server, Defendant Church and Defendant Phelps have secreted themselves to avoid service of process;

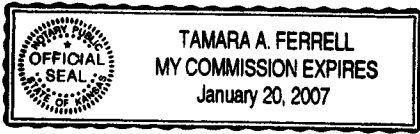
Further, affiant sayeth not.



Delbert R. White

State of Kansas     )  
                              Ss:  
County of Shawnee    )

Subscribed and sworn to before me this 31<sup>st</sup> day of July, 2006.



*Tamara A Ferrell*  
Notary Public

My Commission Expires: 1-20-07