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OCT 30 2009

United States District CourtU. S. DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
ST. LOUIS**EASTERN DISTRICT OF MISSOURI****GREGORY MCKENNA,****Plaintiff****Vs.****THE ST. LOUIS COUNTY POLICE DEPARTMENT,****Case No. 4:09cv1113CDP****OFFICERS CHARLES BOSCHERT, KENNETH****WILLIAMS, 8 UNKNOWN AGENTS OF THE****FEDERAL BUREAU OF INVESTIGATION,****JURY DEMANDED****MARK KAPPELHOFF, APPLE INC., A-1****PRIVATE INVESTIGATIONS, TIMOTHY****BONINE, D'ANGELO AUTOMOTIVE,****Defendants**

PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT JUDGMENT AGAINST**DEFENDANTS MARK KAPPELHOFF AND A1 INVESTIGATIONS**

COMES NOW, pro se Plaintiff Gregory McKenna, and for his motion for entry of default judgment against Defendants Mark Kappelhoff and A1 Investigations, moves this Honorable Court pursuant to Rule 55(b)(2) of Federal Civil Procedure, and in support thereof states as follows:

- (1) On or around July 15, 2009, Plaintiff filed a Complaint against Defendants Mark Kappelhoff (Kappelhoff), A1 Investigations, and others for Conspiracy to Violate Constitutional Rights, Conspiracy to Interfere with Civil Rights, Action for Neglect to Prevent, Aiding and Abetting, Intentional Infliction of Emotional Distress, Fraudulent Misrepresentations, and others. A copy of the said Complaint is attached hereto as Exhibit 1 and is incorporated by reference.

(2) On or around September 9, 2009, Plaintiff proceeded to hire Quick Call Process Servers in Washington, D.C. and the St. Louis County Sheriff's Office in St. Louis to serve Defendants Kappelhoff and A1 Investigations. The Summons issued by the Court informs the Defendants, "YOU ARE HEARBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY... an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint."

(3) After due diligence and several attempts to serve the Defendants, Defendant Kappelhoff refused to accept service of the Summons and Complaint. According to Quick Call Process Servers' Affidavit of Due Diligence, three attempts were made to serve Defendant Kappelhoff. After the third attempt, the process server spoke directly with Defendant Kappelhoff over the phone. According to the affidavit, "Mr. Kappelhoff stated that he would return my call regarding arrangements to accept service. To date, I have not received a return call from Mark Kappelhoff." The affidavit was signed and dated on October 15, 2009. Despite knowledge of the order to answer Plaintiff's Complaint in less than 20 days, Kappelhoff willfully and knowingly diverted service and defaulted. A copy of the said affidavit is attached hereto as Exhibit 2 and incorporated by reference.

(4) On or around September 14, 2009, the St. Louis County Sheriff's Department attempted to serve Defendant A1 Investigations. When service was attempted, Defendant A1 Investigations proceeded to deny liability for the allegations stated in Plaintiff's Complaint and rejected service of summons. Despite knowledge of the Court's order to answer

Plaintiff's Complaint in less than 20 days, Defendant A1 Investigations willfully and knowingly defaulted and refused to answer. A copy of the said St. Louis County Sheriff Department's proof of service is attached hereto as Exhibit 3 and incorporated by reference.

(5) On October 8, 2009, after more than twenty days had elapsed since the service of said Complaint and Summons upon the Defendants, and no Answer thereto, Plaintiff sent a letter via US Mail addressed to Defendants Kappelhoff and A1 Investigations. The letter informed the Defendants of an entry of default judgment that may be filed against them for their refusal to accept the Complaint and Summons. A copy of said letters are attached hereto as Exhibits 4 and 5 and are incorporated herein by reference.

(6) The Defendants have failed to plead or otherwise defend this action, and the Plaintiff is entitled to judgment by default against the Defendants.

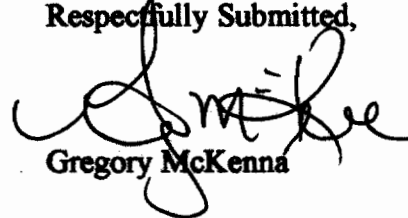
(7) Pursuant to the provisions of Rule 55(b)(2), Federal Rules of Civil Procedure, this Court is empowered to enter a default judgment against the Defendants for relief sought by plaintiff in his Complaint, and written notice of this action has been given to the Defendants as set forth in the attached affidavit.

PRAYER

WHEREFORE, Plaintiff prays that this Court enter a judgment of default against the Defendants, that the Defendants be ordered to pay all monetary damages sought by the Plaintiff stated in his Complaint, and that the Defendants be enjoined and restrained from violating the US Crime Victims' Rights Act, the Communications Act, his constitutional rights, and all other law violations for which Plaintiff is entitled relief.

Date: October 27, 2009.

Respectfully Submitted,



Gregory McKenna

Pro Se Plaintiff

9937 Young Drive, H

Beverly Hills, CA 90212

(310) 213-8851

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 27 day of October, 2009, a true and accurate copy of Plaintiff's Motion for Default Judgment will be forwarded to the Defendants, via first-class mail, postage prepaid, to:

- 1) Defendant Mark Kappelhoff, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530.
- 2) Defendant A-1 Private Investigations, 8008 Carondelet Avenue, Suite 107, St. Louis, MO 63105.
- 3) Defendants the St. Louis County Police Department, Officers Charles Boschert, & Kenneth Williams, 7900 Forsyth Boulevard, Clayton, Missouri 63105;
- 4) Defendant the FBI, US Attorney's Office, 111 South 10th Street, #20.333, St. Louis, MO 63102;
- 5) Defendant Apple Inc. represented by Thompson Coburn LLP, Kathy A. Wisniewski & John W. Rogers, One Bank Plaza, St. Louis, MO 63101;
- 6) Defendant D'Angelo Automotive, 1104 North Jefferson, Florissant, MO 63031.