

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia

Aaron Tobey

Plaintiff

v.

Janet Napolitano, et al.,

Defendant

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Civil Action No. 3:11CV154

SUMMONS IN A CIVIL ACTION

Neil H. MacBRIDE

To: (Defendant's name and address)

United States Attorney for the
Eastern District of Virginia
Main Street Centre, 18th Floor
600 East Main Street
Richmond, Virginia 23219

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

James J. Knicely
Knicely & Associates, P.C.
487 McLaws Circle, Suite 2
Williamsburg, Virginia 23185
(757) 253-0026

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 3-10-11

[Handwritten Signature]
Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) ~~Andrew Dick~~ Neil H. MacBride
was received by me on (date) 3-15-11 U.S. Attorney for Eastern District of Va.

I personally served the summons on the individual at (place) _____
on (date) _____ ; or

I left the summons at the individual's residence or usual place of abode with (name) _____
_____, a person of suitable age and discretion who resides there,
on (date) _____, and mailed a copy to the individual's last known address; or

I served the summons on (name of individual) Debra Prillaman, who is
designated by law to accept service of process on behalf of (name of organization) Neil MacBride
asst. U.S. Attorney on (date) 3-15-11 ; or

I returned the summons unexecuted because _____ ; or

Other (specify): _____

My fees are \$ _____ for travel and \$ 40 for services, for a total of \$ 40.00

I declare under penalty of perjury that this information is true.

Date: 3-15-11

Andrew Dick

Server's signature
Andrew Dick

Printed name and title

2343 Penrose Dr. Richmond, Va 23235

Server's address

Additional information regarding attempted service, etc: