

1 Maurer Law Office, PLLC
2 1604 West Dean Avenue
3 Spokane, Washington 99201
4 Tel: 509.768.5637
5 Fax: 509.747.5674

6
7
8
9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF WASHINGTON

11 JOSHUA CLARK, a single individual,
12 Plaintiff,

NO.

13 vs.

COMPLAINT

14 CITY OF SPOKANE VALLEY
15 POLICE DEPARTMENT; CITY OF
16 SPOKANE VALLEY; SAMUEL
17 TURNER, in his official and personal
and personal capacity; DAVE ELLIS, in his official

18 Defendants.

19
20 COMES NOW Plaintiff, Joshua Clark, by way of Complaint against the
21 defendants named herein, complains and alleges the following:

22 //

23 //

24
25 COMPLAINT - 1



26 1604 West Dean
Spokane, Washington 99201
(509) 838 - 9111

INTRODUCTION

1
2 This civil action arises from a violation of Plaintiff Joshua Clark's
3 constitutional rights during an incident on October 1, 2023, in the City of Spokane
4 Valley, Washington. The City of Spokane Valley, maintains an independent
5 municipal police department. Dave Ellis is the Chief of Police of the City of
6 Spokane Valley Police Department.

7 Municipalities which establish police departments hold a non-delegable
8 constitutional duty to ensure the proper training, supervision, and discipline of their
9 officers, in order to protect citizens' constitutional rights. Despite this fundamental
10 duty, the City of Spokane Valley has failed to implement any policies or
11 procedures for training, supervising, or disciplining its officers. Neither the City of
12 Spokane Valley, nor the City of Spokane Valley Police department engage in any
13 oversight, supervision, training or discipline of their officers. Rather, they have
14 elected to contract with a third party for these services, thereby delegating their
15 non-delegable duty.

16 On October 1, 2023, Spokane Valley Police Officer Sam Turner unlawfully
17 detained and arrested Joshua Clark without reasonable suspicion or probable cause.
18 In addition, Officer Turner unlawfully accessed the interior of Mr. Clark's car
19 without probable cause, warrant, or other legal justification by ripping open Mr.
20 Clark's vehicle door. During this encounter, Officer Turner used violent, excessive
21 force, inflicting serious and permanent injuries upon Mr. Clark. Despite clear
22 evidence of excessive force, the City of Spokane Police Department superiors
23 approved and thereby endorsed Officer Turner's use of force by ratification.

1 The City of Spokane Valley failed to conduct its own review of the use of
2 force or exercise any supervision over the matter, whatever. The City of Spokane
3 Valley failed to properly train Officer Turner, whatever. The City of Spokane
4 Valley failed to take any disciplinary action, whatever. The city of Spokane Valley
5 and its police department thereby ratified the use of force utilized by Officer
6 Turner.

7 Following the interaction between Joshua. Clark and Officer Turner, Officer
8 Turner filed a criminal citation charging Mr. Clark with (1) felony assault on a
9 police officer, (2) obstructing a law enforcement officer, (3) resisting arrest, and
10 (4) criminal trespass. All criminal charges were dismissed, with prejudice.

11 The policies, customs, and practices maintained by Dave Ellis, The City of
12 Spokane Valley Police Department, and The City of Spokane Valley were the
13 direct cause and moving force behind the violation of Plaintiff's rights under the
14 United States Constitution, the Washington State Constitution, and common law.
15 The Defendants' actions and omissions reflect a deliberate indifference to the
16 constitutional protections owed to the Plaintiff.

17 The behavior and actions of Officer Turner towards Joshua Clark is a result
18 of discriminatory practices wherein Caucasian suspects are treated significantly
19 different than minority suspects, being investigated for the same or similar
20 conduct. Furthermore, the entire basis for Officer Turner's stop and seizure was
21 tethered together by threads of racism. Officer Turner initiated a seizure of Mr.
22 Clark and his vehicle because he "matched the description" of a felony suspect.
23 However, the only similar characteristic between Mr. Clark and the "felony
24 suspect" was their African American race. Officer Turner did not articulate or

1 attempt to verify any similarities between Joshua Clark and the “felony suspect,”
2 despite the fact law enforcement had had several prior contacts with this suspect.
3 Furthermore, the entire basis for Officer Turner’s detention of Joshua Clark was
4 his status as a black man. Officer Turner only observed Joshua Clark through the
5 tinted windows of a van parked in a parking lot, from Officer Turner’s position as
6 a passerby in a motor vehicle on an adjacent street. There is no reasonable basis for
7 the gross invasion of Mr. Clark’s constitutional right to privacy and his right to be
8 left alone.

JURISDICTION AND VENUE

- 11 1. This Court has jurisdiction over the federal civil rights violations in this
12 matter under 28 U.S.C. § 1331 and 28 U.S.C. § 1343(a)(3)-(4) and
13 supplemental jurisdiction to hear the common law and state law claims
14 under 28 U.S.C. § 1367.
- 15 2. A Notice of Claim was presented to Defendant Spokane County pursuant
16 to the Revised Code of Washington 4.96.020 on October 6, 2024.
- 17 3. A Notice of Claim was presented to Defendant City of Spokane Valley
18 pursuant to the Revised Code of Washington 4.96.020 on June 11, 2024.
- 19 4. Plaintiff’s claims are predicated upon the Fourth and Fourteenth
20 Amendments to the United States Constitution and 42 U.S.C. § 1983,
21 which authorizes action to redress deprivations under color of state law
22 of rights, privileges, and immunities secured to the plaintiff by the
23 Constitution of the United States, as well as the laws of the State of
24 Washington.

- 1 5. Plaintiff claims for attorneys' fees, costs, and expert fees are predicated
2 upon 42 U.S.C. § 1988, which authorizes the award of attorneys' fees and
3 costs to prevailing parties for claims arising under 42. U.S.C. § 1983
- 4 6. Venue is proper in this court under upon 28 U.S.C. § 1391(b) because at
5 least one of the defendants resides in the Eastern District for the State of
6 Washington and the events giving rise to this cause of action occurred in
7 the Eastern District for the State of Washington.
- 8 7. All relevant acts or omissions constituting a basis for this cause of action
9 occurred within the Eastern District of Washington.

10 **PARTIES**

- 11 8. Plaintiff Joshua Clark is a single individual residing within the Eastern
12 District of the State of Washington.
- 13 9. The City of Spokane Valley Police Department is a law enforcement
14 agency responsible for serving The City of Spokane Valley.
- 15 10. The City of Spokane Valley is a municipality responsible for the policies
16 and procedures of the Spokane Valley Police Department.
- 17 11. Officer Sam Turner was a duly sworn and licensed police officer of the
18 City of Spokane Valley Police Department, acting under color of law and
19 within the scope of his employment.
- 20 12. Dave Ellis is Chief of Police of the City of Spokane Valley, and is the
21 person responsible for the implementation of policies and procedures of
22 the Spokane Valley Police Department.

FACTS

1
2 13. On October 1, 2023, at approximately 7:45 a.m., Joshua Clark was sitting
3 in the driver’s seat of his motor vehicle, parked in a designated parking
4 space for the Hometowne Studio apartment complex, located at 12803 E.
5 Sprague Avenue, Spokane Valley, Washington.

6 14. Joshua Clark was a resident of the apartment complex and lived with his
7 mother.

8 15. Joshua Clark was engaged in lawful activity, had a legal right to be
9 present in the parking lot of his apartment complex, and had a reasonable
10 expectation of privacy and safety.

11 16. While on routine patrol, Officer Turner drove past the Hometowne
12 Studio apartment complex. While driving by, he observed a black man
13 sitting the driver’s seat of a silver Dodge SUV.

14 17. Believing what he perceived to be evidence of the location of a wanted
15 felony suspect, Officer Turner returned to the apartment complex, pulled
16 into the complex parking lot, activated his overhead lights and parked his
17 vehicle directly behind Mr. Clark’s vehicle.

18 18. Officer Turner then exited his vehicle and aggressively approached Mr.
19 Clark’s Driver’s side door.

20 19. In his report, signed under penalty of perjury, Officer Turner testifies: “I
21 observed Clark look up at me and motion like he was going to lock the
22 door. The windows of the Dodge were tinted but I could see Clark was
23 the only occupant, but nothing further inside the vehicle. To prevent
24 Clark from avoiding apprehension and to clearly see inside the vehicle, I

1 opened the driver's side door and informed Clark the reason for the
2 contact."

3 20. The allegations of Officer Turner contained in the preceding paragraph
4 are objectively false, misleading and or grossly inaccurate.

5 21. The interaction between Officer Turner and Joshua Clark is
6 memorialized with the body-worn camera of Officer Turner.

7 22. The body-worn camera of Officer Turner records the Officer approaching
8 Mr. Clark's vehicle and Mr. Clark can be observed through the window.

9 23. At no point in the video does Joshua Clark motion, make any attempt to
10 lock his vehicle doors or otherwise engage in furtive movements or
11 behavior indicative of someone attempted to "avoid apprehension."

12 24. As Officer Turner arrives at the driver's side of Mr. Clark's vehicle, he
13 immediately opens the driver's door. Before opening the driver's side
14 door, Officer Turner does not speak, make gestures to Mr. Clark or
15 otherwise indicate his intentions to contact him.

16 25. At the moment Officer Turner opens the driver's side door, both of Mr.
17 Clark's hands are calmly resting on his thighs.

18 26. Although Officer Turner attempts to justify his unlawful actions by
19 alleging concerns of Mr. Clark "avoiding apprehension," no reasonable
20 officer under the circumstances could believe there was a reasonable risk
21 of Joshua Clark avoiding or attempting to avoid apprehension.

22 27. Furthermore, because Mr. Clark was not engaged in any illegal activity,
23 and his actions could not provide a reasonable officer with reasonably
24

1 articlable facts suggestive of criminal activity, any detention of Mr.
2 Clark was unreasonable and violated his constitutional rights.

3 28. Contrary to his written report, signed under penalty of perjury, at the
4 point Officer Turner opens the driver's side door of Mr. Clark's vehicle,
5 he does not inform Mr. Clark of the reason for the contact.

6 29. Within seconds of unlawfully opening the driver's side vehicle door of
7 Mr. Clark's vehicle, and after more than sufficient facts were presented to
8 Officer Turner, and after a sufficient opportunity was available to Officer
9 Turner to determine the alleged suspect he was looking for was not Mr.
10 Clark, Officer Turner physically assaulted Mr. Clark by physically
11 removing him from his physical.

12 30. Officer Turner never provides Joshua Clark with the option of exiting the
13 vehicle under his own volition, instead he violently grabbed Mr. Clark
14 and forced him to the ground outside of his vehicle.

15 31. After ripping Mr. Clark from his vehicle, Officer Turner continues to
16 assault Mr. Clark.

17 32. In his report documenting the contact with Mr. Clark, Officer Turner
18 alleges Mr. Clark assaulted Officer Turner while being physically
19 removed from his vehicle by reaching behind his head and placing
20 Officer Turner him in a "rear Guillotine" choke hold.

21 33. The allegation of Officer Turner is not supported by the available video
22 evidence, witness accounts or physical evidence, and is grossly
23 inaccurate.

1 34. Officer Turner continues to assault Mr. Clark throughout the remainder
2 of the contact, up until the point other law enforcement personnel arrive
3 on scene.

4 35. During the contact, Officer Turner appears to make multiple comments
5 regarding an alleged assault perpetrated by Joshua Clark, as well as
6 multiple comments about Mr. Clark being physically combative.

7 36. In the body cam footage of Officer Turner, Mr. Clark is clearly protesting
8 his arrest but at no time assaults or becomes physically combative with
9 Officer Turner beyond attempting to protect himself from Officer
10 Turner's violent assault.

11 37. To the Contrary, from the outset of his contact with Mr. Clark, Officer
12 Turner exhibited overly aggressive and unreasonable conduct.

13 38. Officer Turner initiated his contact with Mr. Clark by engaging in an
14 unconstitutional search of his vehicle when he aggressively opened his
15 car door.

16 39. Rather than advise him of the reason for the contact, he demands Mr.
17 Clark's name. Rather than make any attempts to explain or justify his
18 mistakes, he continues in an aggressive manner escalating the tension
19 during the contact.

20 40. Despite his own behavior thus far in the contact, Officer Turner is
21 surprised when Joshua Clark declines to provide the officer with
22 unnecessary information.

1 41. Rather than speaking to Mr. Clark and explaining to him that he would be
2 detained until the officer was able to identify him, Officer Turner
3 immediately resorted to physical violence.

4 42. When Mr. Clark attempted to defend himself from the vicious assault of
5 Officer Turner, Officer Turner used his natural instinct for self-
6 protection/preservation as a basis for his continued physical assault.

7 43. At the point Officer Turner realized he was being watched by witnesses,
8 and other emergency personnel arrived on scene, Officer Turner's
9 demeanor, attitude and physicality immediately changed.

10
11 **FIRST CAUSE OF ACTION –LACK OF REASONABLE SUSPICITON TO**
12 **INITIATE A SEIZURE**

13 44. The Plaintiff re-alleges Paragraphs 1 through 43 as if separately set forth.

14 45. Officer Turner lacked reasonable suspicion to seize Joshua Clark.

15 46. Joshua Clark was not committing a crime at the time he was seized by
16 Officer Turner.

17 47. Joshua Clark was not committing a civil infraction at the time he was
18 seized by Officer Turner.

19 48. No reasonable officer in the same or similar circumstances could have
20 mistaken Joshua Clark's presence at the location in questions as forming
21 the basis for his seizure.

22 49. The acts of Officer Turner violated Joshua Clark's right to be free from an
23 unreasonable seizure in violation of the Fourth Amendment, enforceable
24 through 42 U.S.C. § 1983.

1
2 **SECOND CAUSE OF ACTION – ARREST WITHOUT PROBABLE CAUSE**

3 50. The Plaintiff re-alleges paragraphs 1 through 49 as if separately set forth.

4 51. Officer Turner lacked probable cause to arrest Joshua Clark.

5 52. Joshua Clark was not committing a crime at the time he was placed under
6 custodial arrest by Officer Turner.

7 53. Officer Turner did not possess the knowledge of any facts leading a
8 reasonable officer to conclude there was a basis for making a lawful arrest.

9 54. The acts of Officer Turner violated Joshua Clark’s right to freedom from
10 unreasonable seizure in violation of the Fourth Amendment, enforceable
11 through 42 U.S.C. § 1983.

12
13 **THIRD CAUSE OF ACTION – UNREASONABLE SEIZURE – EXCESSIVE**
14 **FORCE**

15 55. The Plaintiff re-alleges Paragraphs 1 through 54 as if separately set forth.

16 56. Officer Turner used objectively unreasonable and excessive force in his
17 detention and arrest of Joshua Clark.

18 57. The acts of Officer Turner violated Plaintiff’s right to freedom from
19 unreasonable seizures in violation of the Fourth Amendment, enforceable
20 through 42 U.S.C. § 1983.

21
22 **FOURTH CAUSE OF ACTION – VIOLATION OF THE EQUAL**
23 **PROTECTION CLAUSE**

24 58. The Plaintiff re-alleges Paragraphs 1 through 57 as if separately set forth.

1 59. Joshua Clark is an African American man, a member of a racial minority
2 group protected under the Equal Protection Clause of the Fourteenth
3 Amendment to the United States Constitution.

4 60. On the date in question, Officer Turner initiated a stop, detention and use of
5 force against Joshua Clark without lawful justification and with
6 discriminatory intent based on Mr. Clark's status as an African American.

7 61. During the encounter, Defendant Officer Turner subjected Joshua Clark to
8 treatment more severe than that of similarly situated Caucasian individuals.

9 62. Specifically, Officer Turner targeted Joshua Clark solely as a result of his
10 race.

11 63. Officer Turner would not have stopped, detained, or used force against a
12 white individual under the same or similar circumstances.

13 64. Defendant's conduct was intentional, malicious, and undertaken with
14 reckless disregard for Plaintiff's clearly established constitutional rights.

15 65. As a direct and proximate result of the discriminatory conduct of
16 Defendant, Plaintiff suffered violations of his constitutional rights,
17 including but not limited to: loss of liberty, emotional distress, mental
18 anguish, physical pain, reputational harm and humiliation.

19 **FIFTH CAUSE OF ACTION – MUNICIPAL LIABILITY – CITY OF**
20 **SPOKANE VALLEY**

21 66. The Plaintiff re-alleges Paragraphs 1 through 56 as if separately set forth.

22 67. The City of Spokane Valley, at all relevant times, has maintained a policy,
23 custom, or practice that has been the cause, the moving force, behind the
24

1 violation of citizens' rights. Specifically, this policy, custom or practice
2 involves:

- 3 a. The use of objectively unreasonable and excessive force on
4 detainees and arrestees.
- 5 b. Disorderly conduct arrests without probable cause, often only
6 because the arrestee was protesting police conduct.
- 7 c. Overcharging arrestees with resisting arrest, disorderly conduct and
8 assault on a police officer when they are simply being
9 uncooperative.
- 10 d. The arrestees receiving serious injuries but the officers not being
11 injured during such encounters.
- 12 e. The City of Spokane Valley's Police Department failing to
13 investigate allegations of excessive force.
- 14 f. The City of Spokane Valley's Police Departments failing to review
15 any use of force reports of its officers.
- 16 g. The City of Spokane Valley's Police Department failing to properly
17 train its officers.
- 18 h. The City of Spokane Valley's Police Departments failing to
19 supervise its officers.
- 20 i. The City of Spokane Valley's failure to discipline officers who have
21 used excessive force.
- 22 j. The City of Spokane Valley Police Departments failure to institute
23 any policy or procedures to ensure that its law enforcement officers
24

are refraining from using excessive force and disciplined for their failure or breaches of this duty.

k. The City of Spokane Valley Police Departments failure to institute any policy or procedures to ensure its law enforcement officers are abiding by RCW 10.39.190.

l. The City of Spokane Valley’s deliberate indifference towards whether its officers are refraining from using excessive force and disciplined for their failures or breaches of this duty.

m. The City of Spokane Valley’s deliberate indifference to the rights, health and safety of its citizens.

n. The City of Spokane Valley’s deliberate indifference to whether its officers are conducting themselves in a manner which is lawful.

68. The above-described policy, custom or practice, or lack thereof, was the direct, proximate cause of Officer Turner violating Joshua Clark’s Fourth and Fourteenth Amendment rights, enforceable through 42 U.S.C. § 1983.

69. As a result of the above described policy, custom or practice, Joshua Clark has suffered damages.

SIXTH CAUSE OF ACTION – COMMON LAW – FALSE ARREST

70. The Plaintiff re-alleges Paragraphs 1 through 69 as if separately set forth.

71. Officer Turner detained Joshua Clark without reasonable suspicion or probable cause.

72. Officer Turner unlawfully restrained Joshua Clark without legal authority.



1 73. The aforesaid acts of Officer Turner were made within the scope of his
2 employment with Spokane Valley Police Department.

3 74. The unlawful acts of Officer Turner were the direct, proximate cause of
4 Joshua Clark's injuries.

5
6 **SEVENTH CAUSE OF ACTION – COMMON LAW – ASSAULT AND**
7 **BATTERY**

8 75. The Plaintiff re-alleges Paragraphs 1 through 74 as if separately set forth.

9 76. Through his words and actions Officer Turner threatened to inflict bodily
10 harm upon Joshua Clark.

11 77. Through excessive and unreasonable force, Officer Turner caused harmful
12 or offensive bodily contact with Joshua Clark.

13 78. The aforesaid acts were unprivileged.

14 79. The aforesaid acts of Officer Turner were performed within the scope of
15 his employment with Spokane Valley Police Department.

16 80. The alleged acts of Officer Turner were the direct, proximate cause of
17 Joshua Clark's injuries and damages.

18 **EIGHTH CAUSE OF ACTION – VIOLATION OF DUE PROCESS**

19 81. The Plaintiff re-alleges Paragraphs 1 through 80 as if separately set forth.

20 82. Defendants' actions constitute arbitrary, capricious malicious and sadistic
21 conduct which shocks the conscious, in violation of the Fourth, Fifth and
22 Fourteenth Amendments to the United States Constitution.

23 83. The unlawful acts of Officer Turner were the direct, proximate cause of
24 Joshua Clark's injuries and damages.

1
2 **NINTH CAUSE OF ACTION – INTENTIONAL INFLICTION**
3 **OF EMOTIONAL DISTRESS**

4 84. The Plaintiff re-alleges Paragraphs 1 through 83 as if separately set forth.

5 85. Without warning, necessity or lawful justification, Officer Turner
6 intentionally or recklessly committed the common law tort of assault and
7 battery.

8 86. Following his assault and battery of Joshua Clark, Officer Turner engaged
9 in conduct that was designed to intimidate and embarrass Joshua Clark, to
10 wit: alleging his assaultive behavior to other officers hog tying Mr. Clark
11 by binding his hand and feet behind him before forcefully stuffing him into
12 the rear of a patrol vehicle.

13 87. The conduct of Officer Turner was extreme and outrageous and was
14 intended to cause and did cause Joshua Clark severe emotional distress.

15 88. The acts and omission of Officer Turner were performed within the scope
16 of his employment with the City of Spokane Valley Police Department.

17 **TENTH CAUSE OF ACTION – MALICIOUS PROSECUTION**

18 89. The Plaintiff re-alleges Paragraphs 1 through 88 as if separately set forth.

19 90. Officer Turner initiated charges of “Assault Third Degree, Obstructing a
20 Law Enforcement Officer, Resisting Arrest, and Criminal Trespass 2nd
21 Degree.”
22
23
24

1 91. Officer Turner initiated the charges knowing he lacked facts sufficient to
2 establish probable cause or a reasonable belief that Joshua Clark committed
3 the crimes with which he was charged.

4 92. Officer Turner initiated the charges against Joshua Clark in an attempt to
5 conceal Officer Turner’s unlawful and excessive use of force against an
6 African American man.

7 93. Officer Turner initiated the charges against Joshua Clark in retaliation
8 because Mr. Clark attempted to assert his legal right to be an African
9 American present in his apartment complex parking lot, and protesting the
10 unlawful treatment he was receiving from Officer Turner. Mr. Clark
11 committed what is often referred to as “contempt of cop,” a term used to
12 describe situations where law enforcement officers retaliate against
13 individuals who challenge their authority or assert their legal rights.

14 94. The charges filed by Officer Turner were dismissed on motion of the State
15 of Washington, Officer Prosecuting attorney for Spokane County.

16 95. The acts of Officer Turner were performed within the scope of his
17 employment with the City of Spokane Valley.

18 **ELEVENTH CAUSE OF ACTION – NEGLIGENCE**

19 96. The Plaintiff re-alleges Paragraphs 1 through 95 as if separately set forth.

20 97. On or about October 1, 2023, Officer Turner, as a law enforcement officer
21 charged with servicing the City of Spokane Valley, had a duty to exercise
22 the standard of care required of a reasonably prudent law enforcement
23 officer in the same or similar circumstances.

1 98. Officer Turner had a duty to engage in reasonable investigation before
2 detaining or arresting a suspected perpetrator.

3 99. Officer Turner breached this duty by failing to conduct a thorough
4 investigation, jumping to inappropriate conclusions, and violating Mr.
5 Clark's constitutional rights by the cavalier performance of his assigned
6 duties.

7 100. As a direct and proximate cause of Officer Turner's failure to meet the
8 standard of care, Joshua Clark suffered an unlawful arrest, shame, ridicule,
9 embarrassment and significant pain and suffering and other damages.

10 101. The acts and omissions of Officer Turner as described herein constitute
11 negligence under Washington State Law.

12 102. Joshua Clark has suffered and will continue to suffer damages as a
13 result of Officer Turner's negligent acts and omissions.

14 **PRAYER FOR RELIEF**

15 Wherefore, Plaintiff prays for the following relief:

16 103. For an award of economic and noneconomic damages in an amount to
17 be proved at trial;

18 104. For an award of punitive damages against each of the individual
19 defendants in an amount to be determined at trial;

20 105. For reasonable costs and attorney fees incurred in bringing the present
21 action;

22 106. For such other legal and equitable relief as the court deems appropriate
23 and just.

1 //
2 //
3 //
4 //
5 //
6 //

JURY DEMAND

107. Plaintiff hereby demands a jury trial on all issues triable by jury.

DATED this 9th day of April, 2025.

/s/ Joshua P. Maurer, WSBA # 39353

MAURER LAW, PLLC
Attorney for Plaintiff
1604 West Dean Avenue
Spokane, Washington 99201
Tel: 509.838.9111
Fax: 509.7475692
Email: josh@jamaurerlaw.com



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

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)* _____
was received by me on *(date)* _____ .

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)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____ .

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

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

Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

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)* _____
was received by me on *(date)* _____ .

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)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____ .

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

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

Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

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)* _____
was received by me on *(date)* _____ .

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)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____ .

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

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

Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

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)* _____
was received by me on *(date)* _____ .

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)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____ .

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

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

Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: