

U.S. District Court

District of Columbia (Washington, DC)

CIVIL DOCKET FOR CASE #: 1:08-cv-00686-HHK

DIGIAN v. MCCAIN et al
Assigned to: Judge Henry H. Kennedy
Cause: 42:1983 Civil Rights Act

Date Filed: 04/21/2008
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

ROBERT DIGIAN

represented by ROBERT DIGIAN
1124 Green Street
Marcus Hook, PA 19061
(610) 800-8915
PRO SE

V.

Defendant

JOHN SIDNEY MCCAIN, III

Defendant

BARACK HUSSEIN OBAMA, JR.

Date Filed	#	Docket Text
04/21/2008	1	COMPLAINT against JOHN SIDNEY MCCAIN, III, BARACK HUSSEIN OBAMA, JR (Filing fee \$ 350, receipt number 4616011793) filed by ROBERT DIGIAN. (Attachments: # 1 Civil Cover Sheet, # 2 Exhibit)(jf,) (Entered: 04/28/2008)
04/21/2008		SUMMONS Not Issued as to JOHN SIDNEY MCCAIN, III, BARACK HUSSEIN OBAMA, JR (jf,) (Entered: 04/28/2008)
06/02/2008		Summons Issued (2) as to JOHN SIDNEY MCCAIN, III, BARACK HUSSEIN OBAMA, JR. (ls,) (Entered: 06/02/2008)
06/02/2008	2	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to JOHN SIDNEY MCCAIN, III served on 6/2/2008, answer due 8/1/2008; BARACK HUSSEIN OBAMA, JR served on 6/2/2008, answer due 8/1/2008. (td,) (Entered: 06/05/2008)

FILED

APR 21 2008

Clerk, U.S. District and
Bankruptcy Courts

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Robert DiGian
Unincorporated, 12 January 1946
U.S. Army Infantry Officer, Act of Congress
Vietnam Veteran

Plaintiff, in Fiduciary & Under Oath

Vs.

JOHN SIDNEY MC CAIN III
Incorporated 29 August 1936,
U.S. Naval Aviation Officer, Act of Congress
Vietnam Veteran, Ex Prisoner of War,
2008 Member of United States Congress,
United States (S) Senator from Arizona State,
Declared Republican Party Candidate for
4 November 2008 election for the Office of
President of United States of America. AND

BARACK HUSSEIN OBAMA, JR.
Incorporated 4 August 1961,
Member of United States Congress,
United States (J) Senator from Illinois State,
Declared Democratic Party Candidate for
4 November 2008 election for the Office of
President of the United States of America.

Defendants in Fiduciary & Under Oath

CIVIL ACTION

Case Number:

Judge:

Case: 1:08-cv-00686
Assigned To : Kennedy, Henry H.
Assign. Date : 4/21/2008
Description: Civil Rights-Non-Employ.

**JURY
ACTION**

**COMPLAINT
For Special Extraordinary Emergency Relief**

(If Applicable: Trial by Jury of Twelve to All Issues Demanded Pursuant to Rule 38 of the Federal Rules of Civil Procedure)

1

I UNABRIDGED INTRODUCTION

All truth passes through three stages. First it is ridiculed; second, it is violently opposed; and third, it is accepted as self-evident.

-- Arthur Schopenhauer

1.) All language is subject to construction. Plaintiff who owns the suit defines all language construction within Complaint. Complaint deemed an extraordinary occasion, which demands immediate fair and substantial justice through judicial declaratory relief.

1a.) The Plaintiff's belief is that the herein Complaint will be potentially deemed as a case of first impression and may ultimately result in the nature of a **dual test** for both the Defendants and the court, Defendants (herein after) **MCCAIN** and (herein after) **OBAMA**, and with the court, this in order to satisfy a just resolution of the controversy that asks this court to disqualify two (2) leading 2008 presidential candidates **MCCAIN** and **OBAMA** that are accused of concealing a felony **HATE CRIME**, supported by substantial and credible evidence, of a third (3rd) leading presidential candidate, Hillary Rodham Clinton, who did order the actual commissioned of a felony **HATE CRIME** cognizable by a court of United States.

1b.) The Plaintiff's belief is that the herein Complaint will be potentially deemed as a case of first impression and may ultimately result in the nature of a **dual test** for both the Defendants and the court, Defendants (herein after) **MCCAIN** and (herein after) **OBAMA**.

1c.) The Plaintiff's Complaint asks the Court to examine the facts supported by substantial and credible evidence herein below, consisting of sixteen (16) years, much of

which is relevant evidence recorded in the official U.S. Court dockets, Police Incident reports, Fire Reports of arson, et al., and begs the question.

1d.) Then subsequent to court review after diligent examination of the official court documents and the submitted exhibits, a reasonable man would have a spirit of expectancy that the court may render a **Declaratory Judgment**, declaring that two leading 2008 presidential candidates, as herein Defendants, **MCCAIN** and **OBAMA**, be disqualified in their capacity as 2008 presidential candidates for alleged concealment of a felony **Domestic Terrorist Hate Crime**, on domestic soil. (See Hate Crime more fully explained herein below and in EXHIBITS)

1e.) That **MCCAIN** and **OBAMA** campaign camps perhaps should be advised by an expert or some political confidant, to voluntarily resign from the United States Senate membership to save face and avoid indictment. What if anything, the Clinton's have on the Defendants, **MCCAIN** and **OBAMA**, may never be revealed, but it would appear by their collective silence, which speaks volumes, and has given birth to this Complaint, that they should take the judgment rightly due the Clintons,' one must truly marvel.

1f.) The resignations however would be in keeping with National Election Resignation Officers Doctrine (NEROD). Some Policy Resignation alumni are President, Nixon, Vice President, Agnew, U.S. Senator, Gary Hart, New Jersey Governor, McGreevey, New York Governor, Spitzer, et al.

1g.) The above developing series of events may generate, of its own volition, a scenario that can best describe that all three leading presidential candidates may have a political near death experience of sorts, only to awake and find themselves deleted from their presidential candidate status and this from the court of public opinion before a court

is afforded a time slot to surrender any judgment(s). *“Public opinion in this country is everything.” Abraham Lincoln Source:Speech, Cinn, Ohio 1859.*

1h.) The aforementioned **Domestic Terrorist Hate Crime** was an “actual commission of a felony cognizable by a court of the United States” and ordered by the other 2008 leading presidential candidate, **Hillary Rodham Clinton**.

1i.) *The following paragraphs are relevant and material to the herein Complaint, the contents of which below will massage one’s conscience into a reasonable solidified presumption of guilt by association and practice, that, Hillary Rodham Clinton, has been contiguously involved her entire career, since at lease “hooking up” with William Jefferson Clinton, in one long monolithic path of felony acts cognizable by a court of the United States and amazingly has escaped prosecution from same.*

1j.) Hillary’s published accounts detail that a quasi verbal “contract” was entered into with Bill Clinton, and was purported to be that they would both acquire the office of President of the United States, and as it turns out, that agreement was by any and all means necessary to get inside the White House and hold on to that office at all cost.

1k.) At all times material to this Complaint, **Hillary Rodham Clinton**, (Herein after **“The Commissioner Hillary”** as one who commissions acts) is declared by the Plaintiff, as owner of the suit, for **“The Commissioner Hillary”** to be “the” major premise object of this evolving case, to include all the relevant actions surrounding the herein controversies and a central figure in the **NOTICE** served on the **Defendants**.

1l.) That is to say, one must by necessity now employ this action to pass through **Defendants, MCCAIN and OBAMA** to reach **“The Commissioner Hillary,”** because

the Defendants, well suited and positioned to act on their fiduciary obligation in exposing “The Commissioner Hillary’s” criminal acts, refused or failed to do so and this action had to be pursued by the Plaintiff.

1m.) “**BIMBO ERUPTIONS**” explain linkage of felony activity by Clinton “Hit Squads” and source of financing to pay for burglaries of Bill Clinton’s damage control operations.

In the fall of 1992, when “The Commissioner Hillary” was busy working damage control by managing all those bimbo eruptions of women Bill had raped or had consensual affairs with to witness as follows:

Note:Current google search results under ~ “1992 bimbo eruption” = 38,600 sites

“Jerry Seper, writing in the *Washington Times*, criticizes former President Clinton for not mentioning all of the women he was accused of raping, sexually harassing, or having extra-marital affairs with. This strikes me as an unfair criticism. After all, the book was only 947 pages”.

c Dolly Kyle Browning, a real estate lawyer and Clinton high school classmate

who said she had an off-and-on-again romance with Mr. Clinton for 30 years.

c Sally Perdue, a former Miss Arkansas who said she had a four-month affair with him in 1983.

c Connie Hamzy, a self-proclaimed rock-and-roll groupie, who said Mr. Clinton propositioned her in 1984 while she was sunbathing by a Little Rock hotel pool.

c Juanita Broadrick, a gubernatorial campaign volunteer who said Mr. Clinton raped her during a nursing-home-operators convention in Little Rock in April 1978.

c Bobbie Ann Williams, a one-time Little Rock prostitute who said Mr. Clinton fathered a child by her when he was the governor of Arkansas.

c Eileen Wellstone, an English woman who said Mr. Clinton sexually assaulted her after she met him at a pub near Oxford University where Mr. Clinton was a student in 1969.

c Sandra Allen James, a former Washington, D.C., political fund-raiser who said Mr. Clinton invited her to his hotel room during a 1991 campaign trip, pinned her against the wall and put his hand under her dress.

c Christy Zercher, an airline flight attendant on Mr. Clinton's 1992 campaign plane, who said Mr. Clinton exposed himself and grabbed her breasts.

c Lencola Sullivan, a former Miss Arkansas and fourth runner-up in the Miss America pageant.

c Elizabeth Ward, a former Miss Arkansas and Miss America.

c Susie Whitacre, press aide to Mr. Clinton when he was governor.

1n.) These bimbo damage control acts required an order from **"The Commissioner Hillary"** to dispense, what former Clinton handler, **Dick Morris**, has stated on many a public occasion, that the Clintons have **"HIT SQUADS."**

1o.) RE: "HIT SQUADS" ~ Published accounts did circulate that many of the women involved with Bill Clinton had their homes and apartments burglarized during the bimbo eruption timeline and most reported that nothing of value was taken only revealing photos and incriminating correspondence with Bill Clinton and at no time did any of these burglars get arrested in Arkansas.

1p.) The Clinton model or Standard Operating Procedure, S.O.P. is exhibited early on and according to, **Dick Morris**, and words to the effect that their model was 'developed in Arkansas and exported to Washington, DC' and that working model

displayed a grossly large volume of time, money, and resources to carry out any and all actual commissions of felony acts cognizable by a court of the United States. (SEE: As material and relevant to herein Complaint because “Marc Rich” herein below, is named in NOTICE served on Defendants, as herein mentioned as bankrolling the Clinton’s “Hit Squads” in exchange for a much needed “pardon.”)

1q.) The immediate below paragraph(s) and the documented history is a wide spread foundation laid to positioned and strike any and all preemptory contentions by the Defendants or their counsel challenging the manner and procedure applied by the Plaintiff under the particular means of the use of doctrine of agency by which to effect the NOTICE to be served on the Defendants as true, correct, and complete:

1r.) Commence of Historical facts: On the 22nd of September of 1992, date of filing and service of DiGian vs. Clinton (92CV-5494), [Before Paula Jones vs. Clinton which was incubated by filing on May 6, 1994] {NOTE – *with interest - compliance to U.S. Supreme Court rulings from 1803 or there about, that to challenge a person applying for elected office it must be effected or commence prior to the election because the election process stands as the ultimate qualification or disqualification standard of any candidate back then in 1803 and currently as of this case in 2008.*

This was reinforced in the matter of McCormack vs. Powell, when Speaker McCormack tried to remove Powell from being seated as a member of the House of Representatives, but the U.S. Supreme court in the end, of the dances with wolves, ruled against McCormack and stated that Powell’s, Harlem congressional district voted him in office as ‘qualified,’ and in Powell did remain.

The die is cast once the election process is exercised with regards to a candidate's qualifications or disqualification's "if" the case leading to a controversy is not commenced before the election process, and it might be added, significantly before the election process to give courts room not to rush to judgment as was the case against Clinton disability not to serve any office under the United States. SEE EXHIBITS },

Bill Clinton's election chances were pushed to the precipice when his first private ("citizen") civil Complaint did arrived at the Clinton/Gore Political Headquarters Office, on 22 September 1992, prior to the general election, on the upper floors of South Broad Street, Philadelphia, Pennsylvania.

1s.) (The service of summons and Complaint merits instant review because of the material and relevant nexus to the context of the herein case.)

[Note: Material is subject matter to herein case: "Scooter Libby," recently disbarred, records that he started his law career in Philadelphia, at the Schnader's law firm; birds of a feather do indeed flock together, "Scooter Libby," later in life also represented, "The Fugitive Billionaire, Marc Rich," the same Marc Rich that Bill Clinton as de facto President issued an 11th hour pardon scheme in 2001, is material to this herein case and Plaintiff's claim that Marc Rich bankrolled all of the Clinton "Hit Squads" criminal acts for a period of at lease twelve (12) years of record that the Plaintiff was subject to the criminal acts, and that Marc Rich supplied the three (3) each missiles that did enter into U.S. Domestic space, that were employed and commissioned by Hillary Rodham Clinton's to preserve her husband's office, and for Bill Clinton to remain seated in his unlawfully seated office of President, and that Hillary did destroy the Veterans Church facility at 6924-28 Woodland Avenue,

Philadelphia, Pennsylvania, on 26 October 1996, with the use of said missile devices, where offices were actively prosecuting to remove Clinton from the presidency, later, even after Clinton left office, the Clinton removal program was continuing past the 2000 election cycle with help from two top Pennsylvania lawyers, who believed Clinton was de facto for both of his terms as President, Miles Warner of Chadds Ford, Pa. and Malcolm H. Waldron, Jr. of Phila., both found with bullet holes in their heads months apart in 2003, all this for a quid pro quo of a pardon from a de facto U.S. President!)

Continuing: That 1992 Complaint served on Clinton's Headquarters' agency in Philadelphia, in fact, was initially challenged that the service of the Summons and Complaint was defective by the private Democratic Law firm hired by **private citizen**, Bill Clinton, so named ~ Schnader, Harrison, Segal, and Lewis. (Hereinafter "Schnader")

The official court record documents state Clinton personally authorized to defend the suit, stated by a Schnader Law firm representative from Philadelphia and the firm's agent representing Clinton first private civil Complaint also stated on the record, 'That Clinton was never in Pennsylvania State the entire month of the 1992'

The Plaintiff's belief is that OBAMA, likewise, was not in Pennsylvania State when the NOTICE was served on his Headquarters agency on or before the Ides of March)

With regards to the 1992 campaign cycle, and the claim that service of summons and Complaint (92CV-5494) was a defective service. (Established by Clinton's own authorization to defend, is proof that Bill and Hillary overtly knew, in fact, he had a live "disability" prior to the election and aware that it may be subject to a possible

retroactive nullification process with regards to the 1992 general election results, all of which gives rise to a powerful motive to ultimately end up playing a very risky card of throwing all caution to the four winds by ordering to destroy a Church building in Philadelphia on 26 October 1996.)

1t. Later, the Schnader private Law Firm capitulated and did agree service was properly executed under the doctrine and or law of agency did prevail, inasmuch as both of the services, the one in 1992 at the Clinton/Gore headquarters and the herein Defendant, OBAMA'S 2008 headquarters, are deemed by the herein Plaintiff to be Philadelphia twin brothers, separated by a sixteen (16) gap, because both were served on campaign agents working in campaign Political Headquarters agencies in Philadelphia and herein served NOTICE did issue in the same procedural manner, therefore it follows that Notice to agent is Notice to Principal, and is at all times still valid and this unabridged introduction should explain and should resolve, up front, any future contentions that the herein Defendants, MCCAIN and OBAMA or their counsel shall attempt to challenge whether a tried and tested method of a hand carried service did or did not have valid service of NOTICE is put to rest.

1u. Those acts culminated in the Clinton's mother of all "risky" criminal acts described herein as the Domestic Terrorist Hate Crime, which remains the central nucleus for understanding the complexities of this herein case and controversy matter.

The Complaint's cause of action stems from the Plaintiff's aforementioned NOTICE hand delivered service of a particular NOTICE (Note: Hereinafter always underlined throughout the pleadings as the object served on Defendants, as to distinguish it from the general terms of Notice not underlined.) on the Defendants campaign agents

on or about the Ides of March, within Pennsylvania State, at a time when the next scheduled primary election contest would occur on the 22nd of April 2008, and the Pennsylvania primary represents the only national state primary for the entire month of April.

1v. The contents of the hand carried **NOTICE** did give both Defendants a document consisting of two (2) high density pages of substantial and credible evidence of a major **DOMESTIC TERRORIST HATE CRIME ACT** (Hereinafter **HATE CRIME**).

1w. The **HATE CRIME** was executed against the Vietnam Veterans Church & Rest Home (Hereinafter VVC) a facility located in the City of Philadelphia's Southwest region at 6924-28 Woodland Avenue, that was destroyed by a missile attack, after a failed dirty-tricks demolition hit, some twelve (12) years ago in the City of Brotherly Love, Philadelphia: "The City that bombs you back" to witness the infamous Osage avenue bombing incident that leveled an entire City block on Mother's Day, a Sunday back in 1985.

1x. The **MOTIVE** to destroy the VV Church comes from the fact that the Veterans activist arm, Lawtech, was relentlessly prosecuting Bill Clinton from offices inside the facility to have Clinton removed with a retroactive nullification of his *de facto* held office of President of the U.S., an office that Hillary Rodham Clinton needed as a springboard platform for her contract with Bill to become President sometime after his two terms at bat.

1y. The **MEANS** to destroy the VV Church comes from the fact that the Clintons made a determination on government property, known to many as the White House, to

destroy the building where the threat was emanating from, all of which conversations were tapped by the Israeli Mossad, and one good fortune was that the Clintons did have a political confidant in the Democratic majority City of Philadelphia named, Edward Rendell, who was the Mayor of Philadelphia in October of 1996, and was District Attorney during the 1985 Osage Avenue bombing incident that caught a world of attention, and Rendell by this time in his career is a certified Democratic Party expert Demolitionist & Mad Bomber, willing to risk all to gain all, and recruited as live component to the "Hit Squads" made credible by a former major league Clinton confidant named, Dick Morris, the order is given by the Clintons to City of Philadelphia to destroy the VV Church before the 1996 general elections.

1z. The **OPPORTUNITY** to destroy the VV Church comes on the recognition of a Federal Columbus Holiday weekend, in 1996, under cover of the layback Holiday, the Clinton's did plan, finance, and supervise from the White House, the **DOMESTIC TERRORIST HATE CRIME**. At first, the plan is to pull off a simple and clean dirty-tricks demolition hit on the VV Church, at 6924-28 Woodland Avenue, but that plan is compromised by getting caught, by the herein Plaintiff, when the Philadelphia Police were summons by a recorded 911 call from the Plaintiff, and ultimately even the Police that day in question, had to recognize that the construction crew from New Jersey, (*Later determined, under supervision by then "Republican" New Jersey Governor, Christie Todd Whitman, who ends up in the W. Bush White House cabinet!*), did not have a permit issued by the complicit, City of Philadelphia, to demolish the VV Church (SEE Philadelphia Police Incident Report # 96-12-66934, indicates they shut down and told construction crew to cease operations immediately.) and the covert operators, as

the registered hired demolition construction crew, are being paid \$50,000, with **tax payer funds** to execute a **State sponsored felony Hate Crime** against a recognized Church in Philadelphia, under Mayor, “Fast Eddie”, Rendell, working in concert with, “Slick Willie” Clinton. Next, on the first day of court business after the Columbus Holiday, a Tuesday, on 15 October 1996, the herein Plaintiff did obtain a temporary restraining **ORDER**, issued and signed by, Federal Judge, Donald W. VanArtsdalen, (SEE 96CV-6974) [**Just as Lenin, of the Soviet Revolution fame did state, ‘Treaties are like pie crust, they are meant to be broken.’**] Rendell, Lenin’s DNA counter part, a generation removed, could have issued a similar statement as follows, ‘Restraining **ORDERS** from Federal Judges, are meant to be broken and held in contempt.’ On the same day of 15 October 1996, the issued ORDER, by J. VanArtsdalen , the City, who bombs you back, Philadelphia, under Mayor, Rendell, in overt and willful contempt did commission to render the once temporary “saved” Church, to suffer a disposition whereby the City, accomplished their assigned task, and did subject the VV Church in danger of imminent collapse. On the 26 of October 1996, the Philadelphia’s own Fire Report #963000039 Alarm #1776, did list as Arson the cause of fire, but neglected to mention surrounding neighbors heard in coming missiles which did trigger the resulting fire that developed into a towering inferno that did require a three block radius to be evacuated door to door by Philadelphia Police.

1aa.) The Plaintiff’s belief is that the herein Complaint will be potentially deemed as a case of first impression and may ultimately result in the nature of a **dual test** for both the Defendants and the court, Defendants (herein after) **MCCAIN** and (herein after) **OBAMA**, and with the court, this in order to satisfy a just resolution of the controversy

that asks this court to disqualify two (2) leading 2008 presidential candidates **MCCAIN** and **OBAMA** that are accused of concealing a felony **HATE CRIME**, supported by substantial and credible evidence, of a third (3rd) leading presidential candidate, Hillary Rodham Clinton, who did order the actual commissioned of a felony **HATE CRIME** cognizable by a court of United States.

1bb. Further, in the first instance, the Plaintiff specifies for clarification, that the Defendants are in fact in all ways sued in their capacity as **private citizens** are.

1cc. Further still, in the second instance, same Defendants as **private citizens** who did declare themselves as 2008 presidential candidates are in fact in all ways subject to an inescapable obligation under fiduciary in their capacity as **private citizens**.

1dd. Further yet, in the third instance, same Defendants as **private citizens**, as declared presidential candidates, as under fiduciary, and now introduced as recipients of a formal **NOTICE** (hereinafter underlined) served on Defendant's agents as NOTICE to Defendant principals, the contents (hereinafter more fully explained below) of which did have *knowledge of the actual commission of a felony HATE CRIME cognizable by the court of the United States, conceals and does not as soon as possibly make known the same to some judge or other person in civil or military authority under the United States*, are guilty of a misprision of felony, **Title 18 U.S.C. § 4**.

Title 18 U.S.C. § 4 (misprision of felony).

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both.

1ee. The presumption before the court, as of the filing date of Plaintiff's Complaint, suggest that the **Defendants** in fact did conceal the commission of a felony **HATE CRIME**, a political autocidal act, and simultaneously did ask 'We the People' to vote them into the highest office in the land, as President of the United States of America, while under the specific live disability of an alleged concealment of an in fact **HATE CRIME**.

1ff. Plaintiff gives, in the nature of **JUDICIAL NOTICE** to the court, and reasonable NOTICE to all and any anticipated parties of interest, that the **Defendants** are summons to court in the herein matter, at a pivotal juncture prior to the political party conventions, where by candidates have not as yet been translated into concrete party nominees, and therefore herein **Defendant** candidates are readily subject to immediate dismissal, by this court, from the 2008 presidential race, said dismissal of **Defendant** candidates elicit no substantial collateral damage to the ongoing general election process.

1gg. Plaintiff's herein action intent to '**Swift Boat**' **Defendants** out of the Potomac, in their capacity as **private citizens**, who did declare to the public that they are 2008 live presidential candidates for the office of President of the United States, which demands an oath or affirmation by the **Defendants** with regards to their anticipatory office of President, shall require **Defendants** under specific performance to **preserve**, **protect** and **defend** the Constitution of the United States of America.

1hh. At present, as of the date of filing herein Complaint, and at issue, **Defendants** did conceal the actual commission of a felony **HATE CRIME**, cognizable by a court of the United States, in which **Defendants** also did preemptively fail all three (3) enumerated demands of the **preserve**, **protect** and **defend** clauses of the Constitution of the United

States of America, subsequent to service of felony **HATE CRIME NOTICE**, did render Defendants fatally defective on their face and unfit for **any** office of trust or profit under the United States.

1ii. Plaintiff's claim is material to demanded relief (herein below) supported by clearly established law, **SEE Title 18 U.S.C. § 4 (misprision of felony)**, cognizable by this court of the United States, and that the court may take liberty to exercise it's Congressional grant of jurisdictional authority to declare, subject Defendants, **MCCAIN** and **OBAMA**, like 'Swift Boated' 2004 Democratic Party Presidential nominee, **JOHN FORBES KERRY**, before them, are as **unfit** for the provision of **Commander and Chief of the United States Armed Forces**, and deny them the privilege to continue in the image and likeness of 2008 Presidential candidates, who do seek the highest office in the land, while the American nation exist under the urgency of a **WAR FOOTING**.

II JURISDICTION AND VENUE

2. This action arises under the Constitution and laws of the United States regarded as 'Federal Questions' which Congress did establish jurisdiction for the above court over this case and controversy pursuant to 28 U.S.C. §1331.

3. Further, this action is a tripartite citizenship compilation with regards to: Plaintiff's Pennsylvania State, Defendant **MCCAIN'S** Arizona State, and Defendant **OBAMA'S** Illinois State, as such invokes diversity of citizenship pursuant to 28 U.S.C. §1332.

4. Further still, Plaintiff's claim for declaratory and injunctive relief is authorized by 28 U.S.C. § 2201 and § 2202, and by Rules 57 and 65 of the Federal Rules of Civil Procedure.

5. Venue within the known enclave of the 'District' of Columbia is proper for *de jure* Article III § 1. and § 2. Court, where defendants traffic and maintain substantial contacts within 'District' with regards to acts or omissions giving rise to this case occurred, or will occur.

6. 'District' of Columbia United States Supreme Court retains original jurisdiction over everything, including State sponsored terrorist acts on domestic United States soil, which States make themselves a party to.

III IDENTIFICATION OF PARTIES

7. At all times material to the herein Complaint, Plaintiff did sue named Defendants, in his capacity as a domestic natural born **private citizen**, as subordinate under oath to the U.S. Constitution in perpetuity, devoid of any record of a personal act of voluntary expatriation, under "**recognition**" by the U.S. Government, date of military commission 1967, as U.S. Army Infantry Officer, as Veteran of record in Republic of Vietnam War, and as of this Complaint, remains a live subject citizen of the United States of America, and as subject inhabitant within the voluntary incorporated Pennsylvania State, and person subject to **Whoever**, with open access to the court(s), subject to the filing fee compliance of \$350.00, said newest fee consistent with the tacit "American Motto" of nothing for nothing and damn little for a Hundred bucks!

8. Defendant, **JOHN SIDNEY MC CAIN III, nom de guerre** (again herein after **MCCAIN**), as campaigner in the capacity as a **private citizen** person, while under alter ego membership of the U.S. Senate, did declare to the public that he is and remains as of the date of this Complaint, a live 2008 presidential candidate and person subject to **Whoever**, for an office of profit and trust under the United States Constitution, whereby

the U.S. Government did give "**recognition**" to the same **private citizen** person, herein Defendant **MCCAIN**, as witnessed by "**eligibility**" for U.S. Secret Service protection.

8a. As a result of the U.S. Government's self evident exhibit of "**recognition**," of Defendant **MCCAIN**, demonstrated by the government's offer of U.S. Secret Service protection, under the "**eligibility**" clause one's status is by necessity elevated, (*to whom much is given much is expected*), did make protection available for all the leading 2008 presidential candidate(s), it now follows that the candidate(s), herein directly above as Defendant **MCCAIN**, is now subject and being held to a higher level of accountability, in part because of the "**recognition**" factor, this in line with the existence of the published and prominent exponential vote tally, thus subjecting Defendant to an implied term of candidate "good behavior" and to be of account for any and all wrong behavior during the cycle of the presidential candidate selection process, and is a fundamental root issue at stake in the herein Complaint with regards to Plaintiff's prayer for Declaratory judgment relief to prevent further injury to Plaintiff by dismissal of Defendants from continuance as presidential candidates for 2008.

9. Defendant, **BARACK HUSSEIN OBAMA, JR., nom de guerre** (again herein after **OBAMA**), as campaigner in the capacity as a **private citizen** person, while under alter ego membership of the U.S. Senate, did declare to the public that he too is and remains as of the date of this Complaint, a live 2008 presidential candidate and person subject to **Whoever**, for an office of profit and trust under the United States Constitution, whereby the U.S. Government did give "**recognition**" to the same **private citizen** person, herein Defendant **OBAMA**, as witnessed by his "**eligibility**" for U.S. Secret Service protection.

9a. As a result of the U.S. Government's self evident exhibit of "**recognition**," of Defendant **OBAMA**, demonstrated by the government's offer of U.S. Secret Service protection, under the "**eligibility**" clause one's status is by necessity elevated, (*to whom much is given much is expected*), did make protection available for all the leading 2008 presidential candidate(s), it now follows that the candidate(s), herein directly above as Defendant **OBAMA**, is now subject and being held to a higher level of accountability, in part because of the "**recognition**" factor, this in line with the existence of the published and prominent exponential vote tally, thus subjecting Defendant to an implied term of candidate "good behavior" and to be of account for any and all wrong behavior during the cycle of the presidential candidate selection process, and is a fundamental root issue at stake in the herein Complaint with regards to Plaintiff's prayer for Declaratory judgment relief to prevent further injury to Plaintiff by dismissal of Defendants from continuance as presidential candidates for 2008.

IV INTRODUCTION TO FACTUAL ALLEGATIONS

10. The Plaintiff's 'necessary clause' of this case and controversy summarized below is the Alpha & Omega as to why **MC CAIN** and **OBAMA** find themselves named as Defendants, just as they are attempting to prepare to cross their Rubicon/Potomac river to obtain the victory laurel wreath of the office of President of United States.

11. The eminently relevant timing and material background in support of the Complaint, will reveal on the 22nd of April 2008, in the Pennsylvania Primary Election, where Democrats & Republicans may vote in the "Keystone State" being of supreme strategic and keystone concern to all three (3) residual leading presidential candidates, by

seniority, **JOHN MCCAIN, HILLORY RODHAM CLINTON, BARACK OBAMA,** and of even greater material concern to the Plaintiff's Complaint.

12. Plaintiff did observe that the prevailing status of all three (3) leading presidential candidates are reaching critical mass since the last State primary contests ended in early March 2008.

13. Further, Plaintiff believes that any mere penetrating tactical cross wind of doctrine, introduced by anyone, at this juncture of the existing State primary status may forever alter the course of the 2008 presidential candidate's campaigns and their political careers.

14. Further still, Plaintiff remains an equal opportunity litigate and demonstrates he shall suffer both Democrats and Republicans, but let experience show and have history prove that the herein mentioned **HATE CRIME** against the Veterans Church facility that was destroyed by a missile attack, after a failed dirty-tricks demolition hit, some twelve (12) years ago in the City of Brotherly Love, Philadelphia, was an act engineered by the *de facto* Clinton Administration and condoned by **National Democratic Party** as an effort to prevent the Veterans in the Philadelphia region from having the *de facto* Clinton administration retroactively nullified by an Act of the Gingrich Congress.

15. In conclusion to section IV, Introduction to Factual Allegations, Plaintiff takes this liberty to address that the design intent of the Complaint's action is not to dissect and dismember the **National Democratic Party Beast System** but may be the unintended reaction. Selah

V ACTUAL FACTUAL ALLEGATIONS

14. At all times previous and now material to this Complaint, Plaintiff exhibits the following records in the courts of the United States (92CV-5494) (93CV-1123) (93CV-1056) (93CV-3421) (96CV-6974) same Court Docket Records do verify a substantial factual paper trail exposing the enormity of domestic and foreign government actors, in concert with *de facto* Clinton Administration to facilitate success with regards to engineering the September 11th of 2001 airborne attack on domestic United State soil, as of the date of filing this action, with specificity the Clintons remain absolute immune to prosecution.

FACTS COMMENCE HERE

15. On or about the Ides of March 2008, within Pennsylvania State, Plaintiff, accompanied by witnesses, did serve NOTICE on campaign agents on behalf of principals, MCCAIN and OBAMA, herein named as Defendants of this action.

16. Service of NOTICE hand carried, on or about mid morning, to unnamed by request, MCCAIN campaign agent, while herein Defendant, did address Town Hall Meeting inside Springfield Country Club, 400 West Sproul Road, Springfield, Pennsylvania State.

17. Service of NOTICE hand carried, on or about late afternoon, to herein Defendant, OBAMA, campaign agent, unnamed by request, at OBAMA Philadelphia Campaign Headquarters, situate 1500 Block of Samson Street, 4th floor, Philadelphia, Pennsylvania State.

18. At all times material to the service of NOTICE, Plaintiff did exercise doctrine of agency, therefore NOTICE to the Defendants campaign agents is NOTICE to Defendants campaign Principals, named MCCAIN and OBAMA.

19. Plaintiff claims that NOTICE recipient Principals, MCCAIN and OBAMA, herein Defendants, in their corporate campaign venture capacity as **private citizens** persons, who did engage to publicly declare that they are administratively competent, 2008 presidential candidates, as implied *compos mentis*, and well suited to negotiate anticipatory high office responsibility, therefore as such, did receive service of said NOTICE.

CONTENTS OF SERVED NOTICE

20. NOTICE did consist of two (2) pages of highly condensed in the nature of a self evident 'Bill of Information' which did detail substantial and credible evidence in support of HATE CRIME act. (SEE EXHIBIT P-1)

(SEE EXHIBIT P-2) Division of the Independent Counsel, for the Circuit of the District of Columbia, In the Court of Appeals of the United States, IN THE MATTER OF WILLIAM JEFFERSON CLINTON, so named Report of Affiant, dated September the 25th of 1998, the purpose of Report was to expand the Office of Independent Counsel under then (OIC), Kenneth Starr, because of the documented HATE CRIMES recorded in (96CV-6974) against the Plaintiff of the herein Complaint, by the Clintons, U.S. Attorney General, Janet Reno, refused to sign, so the Court under Judges, Sentelle, Butzner, and Fay could not order Starr to expand his OIC into New Jersey, Pennsylvania where a missile attack was launched against the Vietnam Veterans Church in Philadelphia, after the City of Philadelphia, under Mayor, Edward Rendell, and Clinton political confidant

was caught and failed at attempting to pull off a dirty tricks demolition hit, evidence was sufficient for Federal Judge, Donald W. VanArtsdalen to give owner, herein Plaintiff, of Veterans Church a restraining ORDER against the City of Philadelphia, whereby all of the contents in averment number 20 supports public statements by former Clinton handler, Dick Morris, that the Clintons routinely employed "Hit Squads" that did carry out criminal acts far and wide, domestic and foreign fields

21. For an independent source See: The New Federalist ~ September 21,1998, Titled ~ *What Was the Mossad Role in the Lewinsky Affair?* By Edward Spannaus @ opening paragraph, "*Sept.16, 1998 (EIRN)—According to a little-noticed passage in the Starr Report, during March 1997, President Clinton told Monica Lewinsky that he suspected a foreign embassy was tapping his telephone conversations.*"

22. Plaintiff did obtained possibly 2nd generation copies from a New Jersey operative of many of the Mossad wire taps of Clinton's conversations and not only of the Lewinsky conversations from her 'Watergate' apartment complex but the sex talk from alleged secure Air Force One communication lines, and apparently the entire White House was wired under the Clinton administration to include rest room facilities, same Clinton tapes survived a missile attack in Philadelphia but were destroyed by an agent of Wall Street who feared the market would crash if the contents were exposed.

23. Plaintiff did serve **NOTICE** on herein named defendants in their private citizens capacity and claims that as private citizens they are subject to an inescapable obligation under citizen fiduciary to perform when informed of substantial an credible evidence as exhibited after receipt of served **NOTICE**.

24. Further, defendants, MCCAIN and OBAMA sued as private citizens are now as of this action presented by the Plaintiff subject to (misprision of felony) and under their new title of **Whoever, having knowledge**, such as was contained in the **NOTICE** served on defendants on or about the Ides of March, *of the actual commission of a felony cognizable by a court of the United States*, Federal Judge, Donald W. VanArtsdalen, U.S.D.C. Eastern District of Pennsylvania did issue restraining ORDER on 15 October 1996, against the City of Philadelphia and City Solicitors did stipulate before VanArtsdalen that they understood the ORDER and shall not touch Plaintiff's Veteran Church, but that did not stop Edward, Fast Eddie, Rendell to issue his order in direct willful contempt of a Federal restraining ORDER to continue the demolition "Hit" rendering the Vietnam Veterans Church in imminent danger of collapse and there is not statute of limitations on HATE CRIMES, *conceals and does not as soon as possible make known the same to some judge*, such as the United States Judge assigned to this Complaint, *or other person in civil or military authority under the United States*, let the defendants pick somebody on the streets of Washington, DC or *shall be fined not more than \$500.00 or imprisoned not more than three years, or both*.

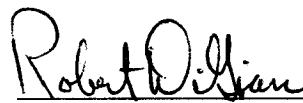
25. Plaintiff declares and publishes in herein Complaint at averment number twenty five (25) an offers to defendants, MCCAIN and OBAMA, a grace period consisting of six (6) days from date of service of summons of this Complaint to afford defendants time to regroup, if their agents were negligent and failed to deliver **NOTICE** to principals in a timely manner as instructed by Plaintiff within the time sensitive space of twenty (20) days from receipt of **NOTICE**.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

That this **Court** extend its long arm reach and so render a **Declaratory Judgment** declaring that both **private citizens** as herein above and below named **Defendants**, **JOHN SIDNEY MC CAIN III** and **BARACK HUSSEIN OBAMA, JR.** are unfit for **Commander in Chief of the United States Armed Forces** while the nation subsists under a **WAR FOOTING**, and be henceforth disqualified as leading 2008 presidential candidates, who do seek the office of trust and profit as President of the United States of America, which office shall demand subordination of oath or affirmation to **PRESERVE, PROTECT** and **DEFEND** the Constitution of the United States of America from both foreign and domestic enemies, did in contempt of said Constitution violate the clearly established law at Title 18 U.S.C. § 4 (misprision of felony) while under "recognition" by the United States Government, same recognition sufficient to make **Defendants** eligible for the privilege of United States **SECRET SERVICE** protection, **Defendants** acting under their publicly declared 2008 leading presidential candidate status did conceal the actual commission of a felony **HATE CRIME** cognizable by a court of the United States after **Defendants** did receive service of a hand carried formal **NOTICE** which did contain substantial and credible evidence of a sufficiency to clearly exhibit the identity of an **in fact** existence of a **HATE CRIME**, commissioned in part by, **HILLARY RODHAM CLINTON**, and **Defendants** did further fail to, *as soon as possible make known the same to some judge or other person civil or military authority under the United States*. Let Justice be done or the Heavens fall for there is no statute of limitations for a **HATE CRIME** at all.

B. Such other relief as may be just and proper.

A handwritten signature in black ink, reading "Robert DiGian". The signature is written in a cursive style with a large initial "R".

Robert DiGian, Plaintiff
Monday, 21 April 2008

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

Robert DiGian

Plaintiff, in Fiduciary & Under Oath

Vs.

JOHN SIDNEY MC CAIN III, and

BARACK HUSSEIN OBAMA, JR.

Defendants in Fiduciary & Under Oath

CIVIL ACTION

Case Number:

Judge:

Deck Type

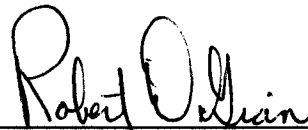
Date Stamp:

Monday 21st of April 2008

VERIFICATION

I, **Robert DiGian**, declare under penalty of perjury that the foregoing is true and complete.

Executed on 21 April 2008



Robert DiGian

EMAIL CONTACT
LAWTECH318@COMCAST.NET

EXHIBIT P-1

HATE CRIME NOTICE

TO

**Vietnam Veteran & 2008 Presidential Candidate, U.S. Senator John McCain
Springfield Country Club, 400 West Sproul Road, Springfield, Pa.**

**2008 Presidential Candidate, U.S. Senator Barack Obama,
Headquarters 15th & Samson Street, Philadelphia, Pennsylvania**

**Today, 14 March 2008, agents for the Veterans for Truth 2008 did NOTICE
Vietnam Veteran & U.S. Senator John McCain and U.S. Senator Barack Obama
within the provisions of the doctrine of agency at above listed locations.**

That on or about 15 September of 1996, on government property, known as the White House, Washington, DC, then occupants, now presidential candidate U.S. Senator Hillary Rodham Clinton, in concert with then, de facto U.S. President William Jefferson Clinton, did order the actual commission of a felony HATE CRIME in the nature of an act of war against the Vietnam Veterans Church & rest home at 6924-28 Woodland Avenue, South West Philadelphia, Pennsylvania.

On or about 6:00am on Saturday, 12 October 1996, the first of a three (3) day Columbus federal holiday weekend, the City of Philadelphia, under Clinton political confidant, Edward Rendell, in the capacity of Mayor of City of Philadelphia, did act on the Clinton's order and did commission a felony HATE CRIME and did execute a dirty tricks demolition hit on the high rise, 36,000 sq. ft. building structure known as the Vietnam Veterans Church & rest home.

Philadelphia Police from the 12th & 14th Districts at 65th & Woodland Avenue did answer the 911 call placed by agents of the Vietnam Veteran's church upon discovery of the demolition hit ordered by the executive branch of government for the City of Philadelphia under Mayor, Edward Rendell.

The church was saved late in the day when the second shift Philadelphia police commander was convinced and did recognized that the state of New Jersey demolition construction crew, A&E Greenman, did cross state lines into Pennsylvania, under interstate commerce, and was devoid of a City of Philadelphia issued demolition permit.

On Tuesday, 15 October 1996, the first day of Federal court business after the Columbus holiday, Vietnam Veteran church agents lodged a suit 96CV-6974 against the City of Philadelphia, officers, agents, & employees of the executive & legislative branches of City government.

The assigned Philadelphia U.S. District Court Federal Judge, Donald W. Vanartsdalen, did address the actual commission of a felony HATE CRIME demolition hit cognizable by a court of the United States and did issue a temporary emergency restraining ORDER against the City of Philadelphia in favor of the Vietnam Veterans church.

The legal staff from the City of Philadelphia Solicitor's office, under the supervision of lead Solicitor, Reena Parambath did stipulate before Federal Judge, Vanartsdalen, that the City of Philadelphia will honor the restraining ORDER and not touch the Veterans church.

On the same day of the issuance of the restraining ORDER, 15 October 1996, Edward Rendell, in contempt of same Federal restraining ORDER did continued the actual commission of a

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FILED

APR 21 2008

Clerk, U.S. District and
Bankruptcy Courts

HATE CRIME felony cognizable by a court of the United States. Edward Rendell did again order the demolition of a portion of the church to render the structure in imminent danger of collapse.

From 16 October 1996 to 25 October 1996, the City of Philadelphia under Police protection did consecutively remove, devoid of consent, and in contempt of existing federal restraining ORDER the entire church private property from the HATE CRIME site with employment of tractor-trailers.

On 26 October 1996, on or about 12:45am, with the church empty of contents at 6924-28 Woodland Avenue, neighborhood residents did witness three incoming missile explosions, minutes apart. The first missile fell short of the upper church target wall and did strike at the base of the structure and did hit the parked tractor trailer cab.

That missile did destroy the tractor cab and sent the diesel engine with transmission attached across four lanes of roadway and engine & transmission did stop in a grass covered dirt embankment. The target church tallest structure in the entire immediate area. Target church about eight (8) stories, surrounding row homes consist of two (2) stories.

Alarm called in on or about 12:45am, Philadelphia fire department located with Police at 65th & Woodland Avenue, consisting of four (4) blocks away from target church at 6900 block.

Neighborhood witnesses did confirm that fire companies arrived, did charge hoses with water, and willfully refused to place water on church structure. Criminal negligence by Philadelphia Fire Department not to start pumping water did cause towering inferno and subsequently did cause Police to be called in for three (3) block door to door evacuation of children and elderly. Philadelphia Fire Department report did list arson as cause of fire. Neighborhood witnesses did state that by late morning demo crews removed all evidence of arson or missile fragments.

There exist no statutes of limitations for HATE CRIMES. The Vietnam Veterans have substantial and credible evidence that Marc Rich, the fugitive billionaire put up the money to finance the initial covert operations and did supply armaments against the Veterans to prevent William Jefferson Clinton from being removed from office in exchange for Marc Rich to obtain his presidential pardon from Clinton. The veterans did attempt to have the 1992 & 1996 elections retroactively nullified on the merits of clearly established constitutional law (See U.S. Const. 14th amend. Sec. 3)

Every branch of the Federal Government did block or obstruct the removal of Clinton from office. The FBI & BATF did willfully refused to investigate an interstate commerce commission of a HATE CRIME felony cognizable by a court of the United States without impunity. The Veteran's church did not receive just compensation for the taking of private property.

If any above NOTICED presidential U.S. Senators refuse to make known to the public said HATE CRIMES and or some judge or other person in civil or military authority under the United States same Senators shall be accused of Title 18 U.S.C. section 4, Misprision of felony (See Below)

If New York Governor, Eliot Spitzer merited impeachment if he refused to resign over the prostitution matter, how much more should be demanded by 26 million living military veterans if the above U.S. Senators refuse to expose and adjudicate this HATE CRIME by one of their 100 member U.S. Senate.

14 March 2008

*Response time: 20 days from date of service

Robert DiGian

Robert DiGian 610-800-8915

Title 18 U.S.C. § 4

Title 18 U.S.C. § 4 (misprision of felony). Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
District of Columbia

ROBERT DiGiAn

SUMMONS IN A CIVIL CASE

v.

JOHN S. McCAIN III

CASE NUMBER: 08CV-0686
HHK

TO: (Name and address of Defendant) OFFICE OF SENATOR
(JOHN S. McCAIN III)
U.S. SENATE OFFICE BLDG. WASH., D.C.
WASHINGTON, D.C. 20510

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

RECEIVED
U.S. COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA
2008 JUN -2 PM 4:45
FILING DEPOSITORY

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on 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. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

NANCY M. MAYER-WHITTINGTON

JUN - 2 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>2 JUNE 2008</u>
NAME OF SERVER (PRINT) <u>MICHAEL ALBRECHT</u>	TITLE <u>SERVER</u>

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.Name of person with whom the summons and complaint were left: CAROLINE SMITH☐ Returned unexecuted: _____☐ Other (specify): _____**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

2 JUNE 2008
Date

Signature of Server

1124 GREEN ST
MARCUS HOOK, PA 19061
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
District of Columbia

ROBERT DiGIAN

SUMMONS IN A CIVIL CASE

v.

BARACK H. OBAMA, JR.

CASE NUMBER:

08 CV - 0686
HHK

OFFICE OF SENATOR

TO: (Name and address of Defendant) (BARACK H. OBAMA, JR.)

U.S. SENATE OFFICE BLDG. WASH., D.C.
WASHINGTON, D.C. 20510

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

RECEIVED
U.S. COURT OF APPEALS
FOR THE 4TH CIRCUIT
2008 JUN -2 PM 4:45
FILING DEPOSITORY

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on 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. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

NANCY M. MAYER-WHITTINGTON

JUN - 2 2008

CLERK

DATE

De Janau Scott
(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>2 JUNE 2008</u>
NAME OF SERVER (PRINT) <u>MICHAEL ALBRECHT</u>	TITLE <u>SERVER</u>

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.Name of person with whom the summons and complaint were left: CHRIS LU☐ Returned unexecuted: _____☐ Other (specify): _____**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 2 JUNE 2008
Date

Signature of Server

1124 GREEN ST
MARCUS HOOK, PA. 19061
 Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.