

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

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

JAMES D'CRUZ

Plaintiff

v.

THE BUREAU OF ALCOHOL, TOBACCO,
FIREARMS, AND EXPLOSIVES, ET AL

Defendant

Civil Action No. 5:10-CV-00140-C

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES
c/o KENNETH MELSON, Acting Director
1310 G Street, N.W.
Washington, DC 20220

A lawsuit has been filed against you.

Within 21 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:

Fernando M. Bustos
LAW OFFICES OF FERNANDO M. BUSTOS, P.C.
P.O. Box 1980
Lubbock, TX 79408-1980

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

C. Lovel

Signature of Clerk or Deputy Clerk

SEP - 8 2010

Date: _____

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Civil Action No. _____

PROOF OF SERVICE

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

This summons* for (name of individual and title, if any) The Bureau of Alcohol, Tobacco
Firearms and Explosives
was received by me on (date) 09/09/10

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) Jacqueline Magruder, Staff Assistant, who is
designated by law to accept service of process on behalf of (name of organization) The Bureau of Alcohol, Tobacco
Firearms and Explosives
at 99 New York Avenue, NE, Washington, DC 20002 on (date) 09/10/10 at 1:05 pm.

I returned the summons unexecuted because _____; or

Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

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

Date: 09/10/10



Server's signature

Alex Hernandez, Private Process Server

Printed name and title

Capitol Process Services, Inc.

1827 18th Street, NW
Washington, DC 20009
(202) 667-0050

Server's address

Additional information regarding attempted service, etc:

* Complaint for Declaratory Judgment and Injunctive Relief; Certificate of Interested Persons; Application for Admission Pro Hac Vice re: Charles J. Cooper; Application for Admission re: David H. Thompson; and Application for Admission Pro Hac Vice re: Jesse Panuccio