

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) ERIC HOLDER
Attorney General
U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

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

Date: SEP - 8 2010

AO 440 (Rev. 12/09) 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)* Eric Holder, Attorney General
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)* Donna Whitley, Correspondence, Clerk, who is
designated by law to accept service of process on behalf of *(name of organization)* Eric Holder, Attorney General
950 Pennsylvania Avenue, NW, Washington, DC on *(date)* 09-09-10 1:55 PM; or

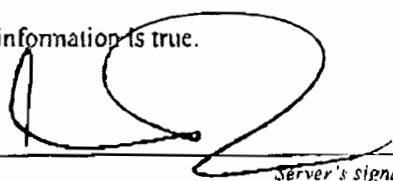
I returned the summons unexecuted because _____ ; or

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

Frederick Parsons, Jr., 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 Person Application of r Admission Pro Hac Vice re: Charles J. Cooper; Application for Admission Pro Hac Vice re: David H. Thompson; and Application for Admission Pro Hac Vice re: Jesse Panuccio