

Petition for Review of a Judicial Council Decision

Please consider this as a Petition for the Judicial Conference Committee on Judicial Conduct and Disability to Review a Judicial Council Decision on Judicial Complaint No.'s 11-15-90101 through 11-15-90104. The Judicial Complaint of Misconduct was filed 08-11-2015 regarding Hon. Judge William S. Duffey of No. District of Georgia – Atlanta Div. and Hon. Black, Pryor and Kravitch of 11th Cir. of Appeals with regards to No. District of GA, Case No.: 1:03-CV-00925-JTC / 1:03-CV-00925-WSD Docket no. of any appeal to the Eleventh Circuit: 04-16688-EE. On 10-16-2015, the Chief Judge, Hon. Ed Carnes, ruled in favor of accused Judges listed in Complaint stating, 'Apart from the decisions or procedural rulings with which Complainant takes issue, she provides no credible facts or evidence in support of her allegations...'

Something is amiss because to state that there is 'lack of evidence' or 'no credible facts or evidence is incorrect. At each level of the Judicial Complaint process, from the Chief Judges decision to the Judicial Council's response to the Judicial Petition, not one of the many documents supporting Pltf's. allegations were ever acknowledged or mentioned.

The Judicial Council Affirmed the Chief Judge's Ruling on 01-20-2016, "*The allegations of this Complaint are "directly related to the merits of a decision or procedural ruling," JCDR 1 I(c)(1)(B), and the Complaint "is based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred or that a disability exists,"*

However, Rule (3) (A) does include: ...If the decision or ruling is alleged to be the result of an improper motive, e.g., a bribe, ex parte contact, racial or ethnic bias, or improper conduct in rendering a decision or ruling, such as personally derogatory remarks irrelevant to the issues, the complaint is not cognizable to the extent that it attacks the merits. AND (B) an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in

delaying a particular decision. With regard to Rule 3(h)(3)(B), a complaint of delay in a single case is excluded as merits-related...But, by the same token, ...or an allegation of deliberate delay in a single case arising out of an illicit motive, is not merits-related.

In addition, this complaint also addresses the conduct of the Courts and not only the rulings but the following of its own Rules and Procedures. The Bound COM/ Judicial Complaint included 70+ pages of documents supporting alleged misconduct;

1. Litigant...was treated in a demonstrably egregious and hostile manner; AND
2. The Court(s) delay of this Complaint arose out of an illicit motive and in order to assist the Def. who are a governmental entity, evade accountability; AND
3. The judge's used their office to offer special treatment when minority Pltf. files suit against governmental agencies; AND Discrimination against minority female litigant on account of race, ethnicity, sex...through manipulation of filings/docket entries; thus, obstructing justice.' See Bound COM pgs. 8-77.

Each act alleged, leads to a substantial and widespread lowering the public's confidence in the courts. Each instance listed would never have happened so blatantly if Pltf. were not a minority female filing in Forma Pauperis. In my cover letter for Petition for Review, I humbly requested to meet with the Committee directly so that I may explain each allegation to show misconduct and compare the submitted Complaint with the one that the Chief Judge was provided. Each page of attachments was referenced within the Complaint and highlighted with explanation demonstrating the alleged misconduct. I was never contacted and I never received a copy of this 01-20-2016 decision. Plaintiff decided to check online and only then discovered Ruling.

The majority of the attached evidence was taken directly from Courts dockets and also retained by Pltf's. from the actual court case - Northern GA Docket # 1:03-CV-00925 /JTC / 1:03-CV-00925-WSD. I filed the appeal because one of the main reasons for filing the initial complaint was due to the editing, mislabeling, hindering and withholding of my filings by the Court and its clerks (as indicated in both Motion for Correction and other filings).

Courts Order delegated that Clerks prepare and process service upon Defendants.

Per 28 U.S. Code § 1915 (d) - Proceedings IFP - *In Forma Pauperis* dictate (d) The officers of the court shall issue and serve all process, and perform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases. Pltf. submitted all filings to Clerks in triplicate.

The Clerk's office confirming IFP filing, accepted every filing/motion in triplicate as demonstrated with Pltf's U.S. Certified Mail receipts which confirmed weight and dates of ALL filings. These Motions were never returned to Pltf. and pacer reflected receipt of each filing.

Although Docket clearly shows when Service was processed, Def. were allowed to blame Pltf filing IFP for lack of service.

The Clerks also confirmed filings by mailing both Pltf. and Def. a copy of Docket [11-2] Notice of Motion for Summary Judgment by Pltf filed 04/23/04 MAILED 04/26/04. **Note:** In addition, Document 11-2 only displays Dekalb Probation as Def. instead of Dekalb Police, Def. although

Courts Order (Doc. 7) advised clerk to return Dekalb Police as Def. names to Complaint...See Attached.

After receiving Doc. 11-2, Pltf. filed an Amended Motion which included attachments supporting genuine issue for trial. That Notice gave Def. another additional 20 days.

During the entire process, Pltf. filed a total of (2) Motion(s) for Correction advising Courts of questionable behavior and regarding failure to perform duties, holding and the removal/editing of filings.

On Document 7, Page 8, Section IV - Granted Motion for Correction (Document 5-1) - which notified Courts that Clerks withheld and neglected to list Dekalb Police as def. Although they were initially included on original Complaint!

NOTE: Courts Order only list probation as Def. but the original Complaint (filed March 11, 2003 - Docket 2) and all of Pltf's filings listed Dekalb Police as 1st defendants.

The Courts ignored IFP filing status. The Courts refused to recognize the Order for CLERKS to process Service. The Courts refused to acknowledge Docket entry no. 9 that shows Service Process began on 03/16/2004. Although Docket clearly shows when Service was processed, Def. were allowed to blame pltf filing IFP for lack of service. The Courts refused to acknowledge that Clerks processed a 2nd Process of Service and falsely indicated that Pltf. executed this 2nd Service Process. The Courts ignored Pltf's proof that 2nd Service was unsigned by Pltf.

CLEARLY, the Docket shows Pltf's Amended Motion for Entry of Default and Summary Judgment (which included attachments supporting genuine issue for trial) was filed 05/06/2004 but was not given to Judge until after sudden Judge switch on 08/02/2004.

Although Docket clearly shows when Service was processed, Def. were allowed to blame pltf filing IFP for lack of service. The 2nd Return of Service was then executed by COURTS/CLERKS without any communication with Pltf or signature as if original Service was not processed by Courts Clerks on 06/16/2004. Even this Return of service stated Answer due by 07/29/2004 but Def. did not answer until 08/19/2004.

Regarding Deliberate Delays, illicit motive for delays and Courts bias and offering shows favor and willfully delayed out of an illicit motive and in order to assist the Def. who are a governmental entity, evade accountability.

The Clerks received the Pltf's completed Summons and USM-285 ON 02/17/2004; Yet, Clerks held and did not process until after 30 days...on 03/16/2004. Pltf. filed Motion for Entry of Default and Request for Summary Judgment on 04-23-2004, 38 days after Summons and Waiver was processed as indicated on Courts docket system. The Amended motion was filed on 0-06-2004, 52 days after initial Service was processed. EACH filing was submitted to Clerk in triplicate.

Defendant was allowed to Answer on 08-19-2004, 155 days after initial filing...equivalent to 5 months. Def's. docket entries reflected less than 30 days of entries, filings and motions and not one was delayed, questioned or disregarded. However; Pltf waited 9 months to even proceed, 30 days for Clerks to process submitted Service package and 6 months for switched judge to Rule on Motion submitted to Court on 05-06-2004 until 11-04-2004.

On 06/23/2004, [11-1] Motion for Entry of Default and Motion for Summary Judgment was submitted to Hon. Judge Jack T. Camp who had previously stated that “‘Police’ entities can be a suable entity...’ (if certain criteria are met).’

On 07/12/2004 (19 days later), the Courts started a whole new process of service without the Pltf’s involvement. The judge is switched to a Judge who completely disregarded the initial judge’s ruling on ‘police being a suable entity.’

Pltf. filed Motion for Entry of Default 38 days after Summons and Waiver was processed.

Again, at each level of the Judicial Complaint, from the Chief Judges decision to the Judicial Council’s response to the Judicial Petition, not one of the many documents supporting my allegations were ever acknowledged or mentioned.

The issues regarding the Motion(s) for Correction were never actually addressed. The alleged issues regarding Service and/or Lack of Service for IFP filings were either nonexistent and/or were created by Courts and its Clerks. This fact and many other questionable behavior has been completely ignored and disregarded when considering that every filing by pltf was in triplicate as confirm by Certified Mail Receipts that were attached.

In addition; at each level and with each decision, there has not been any correspondence regarding plaintiff’s rights or recourse as governed by Judicial Rules and Procedures that are supposed to be included with each decision and ruling. In the Order there was no mention of the initial Judge’s ruling which completely contradicted the newly switched Judge’s stance on

‘suable entities.’ There is no way that the Courts would have allowed the pltf. who is African-American, female refuse to follow Courts Rules and procedures by failing to file an Answer for (5) five months. to a Complaint and Summons issued March 16, 2004 to August 19, 2004, period.

It is egregious for Courts to refuse to acknowledge Pltf’s filings of REPEATED Motions for Correction and Notice of (Clerks) Error’s, indicated cause for concern with the - 1st Motion filed, April 1, 2003 - Document #5 regarding the editing of filings, and removal of the Dekalb County Police from the Docket when clearly listed on Complaint and 2nd Motion filed July 27, 2004 - Docket #14 regarding Clerks mislabeling and withholding filings. Both Judges ignored that these Motions demonstrated a serious concern and neither acknowledged as serious infraction; therefore, ‘they’ condoned and were most likely were colluding. (See COM, Pgs. #35-37, 28-50, 51-54, 57. Also see COM pgs. 14-19 –Pacer Printout).¹

The attached documents are only of few of the supporting documents that have been submitted with Complaints and Petitions. Thank you for your consideration!

Tiwanda Lovelace

¹ BACKGROUND - Pltf. filed against Dekalb County Police Dept. and Dekalb Probation. The Courts dismissed complaint against Dekalb Probation, declaring ‘not suable entity.’ However, Pltf’s Complaint alleged the Dekalb Police failed to train and supervise its employees regarding maintenance of offenders’ arrest records. Pltf alleged that these failures were intentional and that they deprived Pltf. of her federal constitutional rights. Pltf alleged that Dekalb Police, Def., ‘acting under color of state law, engaged in “willful misconduct...that raises a presumption of conscious indifference to consequences” by failing to train and supervise its employees in the entry and maintenance of criminal history information in CJIS and GCIC. Pltf alleged the Def. actions caused various constitutional harms specified in the Complaint. After the magistrates IFP ruling (per Docket date 04-04-2003), the case was then assigned to Hon. Jack T. Camp...who ruled Dekalb Police, Def. ‘can be a suable entity...’ *adding...* ‘noting that a local government can be found liable under 1983 only where the entity itself causes the constitutional violation at issue.’ Hon. Jack T. Camp advised, “that to sufficiently plead a 1983 claim against a local government entity...(if certain criteria would have to be met).

02/17/2004	8	ANSWERS TO INITIAL DISCLOSURES by plaintiff. (dfb) (Entered: 02/24/2004)
02/17/2004		Received summons and USM-285 form from plaintiff for dft DeKalb County Police Dept. (dfb) (Entered: 02/24/2004)
03/16/2004	9	Summons issued for defendant Dekalb County Police. (dfb) (Entered: 03/16/2004)
03/16/2004		Package prepared and forwarded to USM for service upon defendant Dekalb County Police. (dfb) (Entered: 03/16/2004)
03/18/2004	10	REQUEST FOR WAIVER of Service as to Dekalb County Police mailed 3/17/04 Waiver of Service due by 4/16/04 for Dekalb County Police (bsm) (Entered: 03/20/2004)
04/23/2004	11	MOTION by Tiwanda Lovelace for clerk to enter default as to Dekalb County Police and for summary judgment (bsm) (Entered: 04/26/2004)
04/26/2004		Notice of [11-2] motion for summary judgment by Tiwanda Lovelace filed 4/23/04 mailed 4/26/04. (bsm) (Entered: 04/26/2004)
05/06/2004	12	Amended MOTION by plaintiff amending [11-1] motion for clerk to enter default as to Dekalb County Police, [11-2] motion for summary judgment (fmm) (Entered: 05/07/2004)
06/23/2004		SUBMITTED to Judge Jack T. Camp on [11-1] motion for clerk to enter default as to Dekalb County Police, [11-2] motion for summary judgment (cdg) (Entered: 06/23/2004)

The Clerks received the Plt's completed Summons and USM-285 ON 02/17/2004; Yet, Clerks held and did not process until after a month on 03/16/2004.

On 06/23/2004, [11-1] Motion for Entry of Default and Motion for Summary Judgment was submitted to Hon. Judge Jack T. Camp who had previously stated that "Police' entities can be a suable entity...' (if certain criteria are met).'

On 07/12/2004 (19 days later), the Courts started a whole new process of service without the Plt's involvement. The judge is switched to a Judge who completely disregards the initial judge's ruling on 'police being a suable entity.'

7/18/13

CM/ECF-GA Northern District Court

04/15/2003	<u>5</u>	MOTION by plaintiff for correction and notice of error: District court clerk excluded 1st dft from complaint with brief in support. (cdg) (Entered: 04/15/2003)
05/08/2003		SUBMITTED to Judge Jack T. Camp on [5-1] motion for correction and notice of error: District court clerk excluded 1st dft from complaint (file in chambers) (cdg) (Entered: 05/08/2003)
07/30/2003	<u>6</u>	Notice of filing change of address by plaintiff. (cdg) (Entered: 08/05/2003)
01/30/2004	<u>7</u>	ORDER by Judge Jack T. Camp GRANTING [5-1] motion for correction and notice of error: the court DIRECTS the Clerk to list Dekalb County Police Department as a defendant on the docket; the Court DISMISSES w/prejudice plaintiff's claims against dft Dekalb Central Probation; pla's claims against the Dekalb County Police Department are ALLOWED TO PROCEED as any other civil action. Clerk to forward USM285 forms to plaintiff to be completed w/in 20 days. [7-1] order to be submitted on 2/26/04, (cc: w/usm285, summons, and initidisc forms) (kt) (Entered: 02/02/2004)
02/17/2004	<u>8</u>	ANSWERS TO INITIAL DISCLOSURES by plaintiff. (dfb) (Entered: 02/24/2004)
02/17/2004		Received summons and USM-285 form from plaintiff for dft DeKalb County Police Dept. (dfb) (Entered: 02/24/2004)
03/16/2004	<u>9</u>	Summons issued for defendant Dekalb County Police. (dfb) (Entered: 03/16/2004)
03/16/2004		Package prepared and forwarded to USM for service upon defendant Dekalb County Police. (dfb) (Entered: 03/16/2004)
03/18/2004	<u>10</u>	REQUEST FOR WAIVER of Service as to Dekalb County Police mailed 3/17/04

On 02-17-2004, Pacer Court records No. 8 – Plaintiff's USM285 forms and Summons were completed and returned. Lovelace returned ALL completed forms as directed.

Pacer No. 9 - shows that the SUMMONS WAS ISSUED ON 03/16/2004 to the Defendants-Dekalb County Police Dept. BUT after (4) Four Months past the allotted (20) twenty days..

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04/23/2004	<u>11</u>	MOTION by Tiwanda Lovelace for clerk to enter default as to Dekalb County Police and for summary judgment (bsm) (Entered: 04/26/2004)
04/26/2004		Notice of [11-2] motion for summary judgment by Tiwanda Lovelace filed 4/23/04 mailed 4/26/04. (bsm) (Entered: 04/26/2004)
<u>05/06/2004</u>	<u>12</u>	Amended MOTION by plaintiff amending [11-1] motion for clerk to enter default as to Dekalb County Police, [11-2] motion for summary judgment (frm) (Entered: 05/07/2004)
06/23/2004		SUBMITTED to Judge Jack T. Camp on [11-1] motion for clerk to enter default as to Dekalb County Police, [11-2] motion for summary judgment (cdg) (Entered: 06/23/2004)
07/12/2004	<u>13</u>	Return of Service Executed by Tiwanda Lovelace. Dekalb County Police Department served on 7/9/2004, answer due 7/29/2004. (cdg) (Entered: 07/20/2004)
07/15/2004		Case reassigned to Judge William S. Duffey for all further proceedings. (mmc) (Entered: 07/21/2004)
07/15/2004		Submission of <u>11</u> Motion for Clerk's Entry of Default, Motion for Summary Judgment to

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04/23/2004	<u>11</u>	MOTION by Tiwanda Lovelace for clerk to enter default as to Dekalb County Police and for summary judgment (bsm) (Entered: 04/26/2004)
04/26/2004		Notice of [11-2] motion for summary judgment by Tiwanda Lovelace filed 4/23/04 mailed 4/26/04. (bsm) (Entered: 04/26/2004)
05/06/2004	<u>12</u>	Amended MOTION by plaintiff amending [11-1] motion for clerk to enter default as to Dekalb County Police, [11-2] motion for summary judgment (fmm) (Entered: 05/07/2004)
06/23/2004		SUBMITTED to Judge Jack T. Camp on [11-1] motion for clerk to enter default as to Dekalb County Police, [11-2] motion for summary judgment (cdg) (Entered: 06/23/2004)
07/12/2004	<u>13</u>	Return of Service Executed by Tiwanda Lovelace. Dekalb County Police Department served on 7/9/2004, answer due 7/29/2004. (cdg) (Entered: 07/20/2004)
07/15/2004		Case reassigned to Judge William S. Duffey for all further proceedings. (nmc) (Entered: 07/21/2004)
07/15/2004		Submission of <u>11</u> Motion for Clerk's Entry of Default, Motion for Summary Judgment to

https://ecf.gand.uscourts.gov/cgi-bin/DktRpt.pl?955831251180543-L_1_0-1

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Copy of Docket Notation between and under # 13 - # 14:

shows only Item 11 (filed April 23, 2004) was submitted to newly assigned Judge Duffey on JULY 15, 2004...

CLEARLY, withholding Item 12- (filed May 6, 2004) Amended Motion.

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EECF

Query

Reports

Utilities

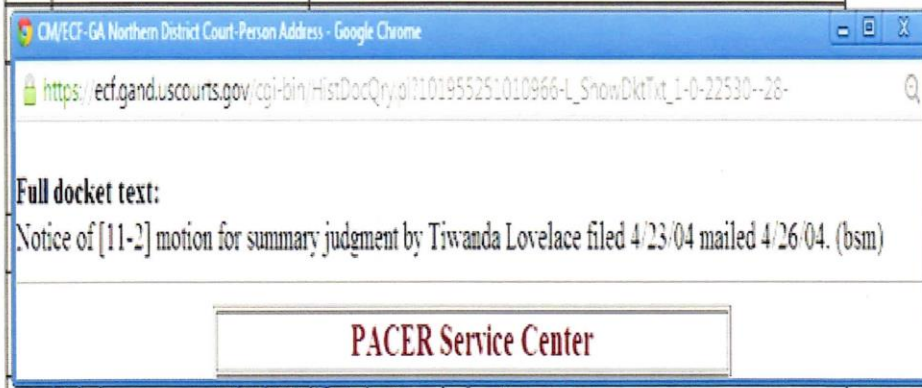
Logout

10	Filed: Entered:	03/18/2004 03/20/2004	Request for Waiver of Service
11	Filed: Entered: Terminated:	04/23/2004 04/26/2004 09/17/2004	Motion for Clerks Entry of Default
	Filed & Entered:	04/26/2004	Notice (Other)
12	Filed: Entered: Terminated:	05/06/2004 05/07/2004 11/24/2004	Motion for Miscellaneous Relief

Full docket text for document 12:

Amended MOTION by plaintiff amending [11-1] motion for clerk to enter default as to DeKalb County Police. [11-2] motion for summary judgment (fmm).

	Entered:	03/20/2004	
11	Filed:	04/23/2004	Motion for Clerks Entry of Default
	Entered:	04/26/2004	
	Terminated:	09/17/2004	



Plaintiff provided courts with 3 copies of every filing (as confirmed by date-stamps and as confirmed received and mailed below!)

Clerk ignored Request for Summary Motion for Judgment after allotted 20 days for response and after switching Judges. I was never addressed but the Clerks processed ANOTHER USM-285 without a Court Order or my signature. Clearly, manipulating the 'system.'

The initial Court's Order advising Clerks to process the USM-285 was back in February not July. Clerks was supposed to Enter Default and Motion for Summary Judgments after 20 days after receiving Amended Motion which included documents supporting genuine issue for trial.

N O T I C E
- - - - -

To: Tiwanda Lovelace
P.O. Box 232091
Las Vegas, NV 89123

April 26, 2004

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Tiwanda Lovelace,

plaintiff

CIVIL ACTION

v.

NO. 1:3-cv-925-JTC

DeKalb Central Probation, et al,
defendant



NOTICE TO RESPOND TO SUMMARY JUDGMENT MOTION

On 4/23/04, Tiwanda Lovelace, et al,
filed a motion for summary judgment in this Court, case document
number 11.

Pursuant to this Court's order dated April 14, 1987, opposing coun-
sel is hereby notified that within 20 days from the date said motion was

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served, filing of all materials, including any affidavits, depositions, answers to interrogatories, admissions on file and any other relevant materials to be considered in opposition to the motion for summary judgment, is required. Federal Rules of Civil Procedure, Rule 56(c); Moore v. State of Florida, 703 F.2d 516, 519 (11th Cir. 1983).

Unless otherwise stated by the trial court, the Court will take said motion for summary judgment under advisement immediately upon the close of the aforesaid 20 day period. Id. at 519. See also Donaldson v. Clark, 786 F.2d 1570, 1575 (11th Cir. 1986); Griffith v. Wainwright, 772 F.2d 822, 825 (11th Cir. 1985).

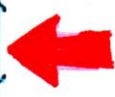
The entry of a summary judgment by the trial court is a final judgment on the claim or claims decided. Finn v. Gunter, 722 F.2d 711, 713 (11th Cir. 1984). Whenever the non-moving party bears the burden of proof at trial on a dispositive issue and the party moving for summary judgment has demonstrated the absence of any genuine issue of fact, the nonmoving party must go beyond the pleadings and must designate, by affidavit or other materials, "... specific facts showing that there is a genuine issue for trial." Federal Rules of Civil Procedure, Rule 56(e); Celotex Corp. v. Catrett, 477 U.S. 317, 324; 106 S.Ct. 2548, 2552-53; 91 L.Ed.2d 265, 272-3.

Luther D. Thomas, Clerk
United States District Court
Northern District of Georgia

Copies to counsel of record

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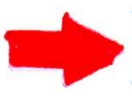
*Without my signature, Courts began a second
Summons process and then made entry reflecting
that Plaintiff initiated Re-Service and executed
2nd Summons while never acknowledging Clerks
served Summons already*



07/12/2004

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Return of Service Executed by Tiwanda Lovehce: Dekalb County Police Department
served on 7/9/2004, answer due 7/29/2004.(cdg) (Entered: 07/20/2004)



Defendants did not file an Answer until August 19, 2004...

The Courts unfairly allowed Def. an additional
(4) four months to Answer, although Court
Order shows Clerks had duty to process service.
See Docket #17-ANSWER filed August 19, 2004

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ORIGINAL

UNITED STATES DISTRICT COURT

Northern

District of

Georgia

Tiwanda Lovelace

SUMMONS IN A CIVIL CASE

v.

DEKALB County
Police Department

CASE NUMBER: 1:03-CV-925-JTC

TO: (Name and address of Defendant)

DEKALB County Police Department
90 CEO Vernon Jones
MANUEL J MALOOF Center
1300 Commerce Dr., 6th Fl
DECATUR GA 30030

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

Tiwanda Lovelace
P.O. Box 232091
LAS VEGAS NV 89123

an answer to the complaint which is served on you with this summons, within 20 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.

Luther D. Thomas
CLERK

3/16/04
DATE

Olma Bankhead
(By) DEPUTY CLERK

⑨

**NOTICE OF LAWSUIT AND REQUEST FOR
WAIVER OF SERVICE OF SUMMONS**

U.S. DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA, GEORGIA
MAR 18 2004
Clerk
Deputy Clerk

TO: DeKalb County Police Dept. Civil Action
c/o CEO Vernon Jones
1300 Commerce Drive, 6th Floor
Decatur, GA 30030

No. 1:03-cv-925-JTC-JTC
Tiwanda Lovelace
vs.
DeKalb County Police Dept.

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the Northern District of Georgia, Atlanta Division, and has been assigned the above case number. The enclosed Complaint WAIVER OF SERVICE OF SUMMONS form are served pursuant to Rule 4(d) of the Federal Rules of Civil Procedure.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if the United States Marshal's Service receives a signed copy of the waiver within 35 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

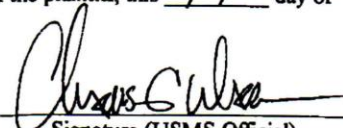
If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, appropriate steps will be taken to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and then, to the extent authorized by those Rules, the court will be asked to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth on the reverse side of the waiver form.

If you waive further service YOU MUST COMPLETE, SIGN AND DATE THE WAIVER OF SERVICE OF SUMMONS form ON ALL COPIES. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

This portion to be completed by U.S. Marshal's Service only.

I affirm that this request is being sent to you on behalf of the plaintiff, this 17th day of MAR, 2004


Signature (USMS Official)

U.S. DOJ Marshal USM-285 Initial Process Paperwork

NOTE: This was a part of the initial paperwork that was used by Clerks Office to process Service upon the Defendants. Per PACER Docket Item #9 – March 16, 2004 Clerks mailed.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF Tiwanda Lovelace	COURT CASE NUMBER 1 03 CV 0925						
DEFENDANT DeKalb County Police Department	TYPE OF PROCESS Civil Complaint						
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN DeKalb County Police Department						
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) MANUEL J. MALOOF CENTER - CEO VERNOR JONES 1300 Commerce Dr. 6th Floor DECATUR GA 30030						
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:							
[Tiwanda Lovelace P.O. Box 232091 LAS VEGAS NV 89123]	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Number of process to be served with this Form - 285</td> <td style="width: 30%; text-align: center;">1</td> </tr> <tr> <td>Number of parties to be served in this case</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Check for service on U.S.A.</td> <td></td> </tr> </table>	Number of process to be served with this Form - 285	1	Number of parties to be served in this case	1	Check for service on U.S.A.	
Number of process to be served with this Form - 285	1						
Number of parties to be served in this case	1						
Check for service on U.S.A.							

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service): Fed



Signature of Attorney or other Originator requesting service on behalf of: <u>Jane Jones</u>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 702-937-9894	DATE 02/07/04
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	No. _____	No. _____	No. _____		

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	
	Date of Service: _____ Time: _____ am/pm Signature of U.S. Marshal or Deputy: _____

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund

REMARKS:

PRIOR EDITIONS MAY BE USED

1. CLERK OF THE COURT

FORM USM-285 (Rev. 12/15/80)

Clerks Secondary U.S. DOJ Marshal's USM-285 Process of Service Form

U.S. GPO 2003-488-5730-724

U.S. Department of Justice United States Marshals Service		PROCESS RECEIPT AND RETURN <small>See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.</small>	
PLAINTIFF <u>Liwanda Loveace</u>		COURT CASE NUMBER <u>1:03-cv-925 JTC</u>	
DEFENDANT <u>DeKalb County Police Dept Solomon Jones</u>		TYPE OF PROCESS <u>Civil Complaint</u>	
SERVE NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONTAIN <u>DeKalb County Police Dept 90 Vernon Jones</u>			
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>1300 Commerce Drive 6th Floor Decatur, GA 30030</u>			
AT			
SEND NOTICE OF SERVICE ONLY TO RESPONDER AT NAME AND ADDRESS BELOW <u>Liwanda Loveace P.O. Box 232091 Las Vegas, NV 89123</u>		Number of process to be served with this Form - 285 <u>1</u>	
		Number of parties to be served in this case <u>1</u>	
		Check for service on U.S.A. <input type="checkbox"/>	
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Approval Numbers, All Telephone Numbers, and Estimated Times Available for Service) <div style="text-align: center; color: orange; font-size: 2em; font-weight: bold;">↓</div>			
Signature of Attorney or other Originator requesting service on behalf of <input type="checkbox"/> PLAINTIFF <input checked="" type="checkbox"/> DEFENDANT		TELEPHONE NUMBER	DATE
SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE			
I acknowledge receipt for the same number of process submitted (Sign only for USM 285 if more than one USM 285 is submitted)		Total Process <u>1</u>	Number of Originals <u>1A</u>
		Number of Copies <u>1A</u>	Number of Copies <u>1A</u>
		Signature of Authorized USM Deputy Clerk <u>[Signature]</u>	
		Date <u>7/12/04</u>	
I hereby certify and return that I <input checked="" type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks" the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc. shown in the address printed below			
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)			
Name and title of individual served (if not shown above) <u>ATRISHA MOORE, ex. Secy. to CEO</u>		<input type="checkbox"/> A person of suitable age and discretion has been served in the defendant's usual place of abode	
Address (complete only if different than shown above)		Date of Service <u>7/12/04</u>	Time <u>12:20</u>
		Signature of U.S. Marshal <u>[Signature]</u>	
Service Fee <u>\$45.00</u>	Total Mileage Charges (including out-of-pocket) <u>\$15.00</u>	Forwarding Fee	Total Charges <u>\$60.00</u>
Advance Deposit		Amount of Refund	
		<u>WEEKLY CLERK'S OFFICE</u> <u>J.B.D.C.-ATLANTA</u>	
REMARKS <u>1ST envelope - 1x BUSM, 40 miles - RT, SERVING.</u>			
JUL 12 2004			
LUTHER D. [Signature] By [Signature] Deputy Clerk			
Attachment #			

Courts decided to process another Summons - (4) Four Months Later - 07/09/2004, NOTE: Plaintiff's signature not listed... After Plaintiff filed Request for Entry of Default, Motion for Summary Judgment and Amended motion w/ attachment...