

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

 RONELD LOGORY,)
 individually and on behalf of a Class of)
 others similarly situated,)
)
 Plaintiff,)
)
)
 v.)
)
 THE COUNTY OF SUSQUEHANNA)
)
 Defendant.)

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

INTRODUCTION

1. This is a class action lawsuit brought to redress the deprivation by The County of Susquehanna, of rights secured to the plaintiff, Roneld Logoroy, and the proposed Class, by the United States Constitution and the laws of the United States of America. For at least the past two years prior to the date of the commencement of this litigation, Susquehanna County and the Susquehanna County Jail have had a blanket policy of delousing, showering and strip-searching all individuals who enter the Susquehanna County Prison (“SCCF”) and are placed in jail clothing, regardless of the crime for which they are charged. This blanket policy is, in part, derived from the written procedures of the SCCF, and was promulgated by senior Susquehanna County officials.

2. It has been well established in this Judicial Circuit for many years that individuals charged with misdemeanors or minor violations cannot be strip-searched absent particularized suspicion that they possess weapons or contraband. In short, the blanket policy of Susquehanna

County and the SCCF to force those charged with minor crimes to undergo the indignities of a strip search upon entry into the SCCF (“SCJ”) is illegal.

3. Ronel Logory (“Plaintiff”) brings this action on behalf of himself, and on behalf of a class of thousands of others who were deloused, showered, and strip searched after being charged with petty offenses, to vindicate the clear and unnecessary violation of his civil rights and those of the class members he proposes to represent. Plaintiff was charged with a misdemeanor offense, and subjected to a strip search, in violation of his right against unreasonable searches under the Fourth Amendment of the United States Constitution. Plaintiff seeks monetary damages for himself and each member of the proposed class, a declaration that the Jail’s policies are unconstitutional, and an injunction precluding Susquehanna County and the SCCF from continuing to violate the rights of those placed into their custody. With the foregoing as background, and upon information and belief except as to the allegations concerning himself, Plaintiff complains as follows:

JURISDICTION

4. This Court has jurisdiction over this action under the provisions of 28 U.S.C. §§ 1331, 1341 and 1343 because the action was filed to obtain compensatory damages and injunctive relief for the deprivation, under color of state law, of the rights of citizens of the United States secured by the United States Constitution and by federal law pursuant to 42 U.S.C. §§ 1981 and 1983. This Court also has jurisdiction over this action under the provisions of 28 U.S.C. § 2201, as it was filed to obtain declaratory relief relative to the constitutionality of the policies of a local government.

5. Venue is proper under 28 U.S.C. § 1391(e) (2) because the events giving rise to the Plaintiff’s claims and those of the proposed class members occurred in this judicial district.

PARTIES

6. Plaintiff, Roneld Logory, is, and at all times relevant hereto has been, a resident of the State of New Jersey, and is domiciled in Princeton, New Jersey. On or about June 19, 2008, Mr. Logory was detained at the SCCF.

7. Defendant Susquehanna County (the "County") is a county government organized and existing under the laws of the Commonwealth of Pennsylvania. At all times relevant hereto, the County was responsible for the policies, practices, supervision, implementation and conduct of all matters pertaining to the SCCF and was responsible for the appointment, training, supervision and conduct of all SCCF personnel. In addition, at all relevant times, the County was responsible for enforcing the rules of the SCCF and for ensuring that SCCF employees obey the Constitution and the laws of the United States.

CLASS ACTION ALLEGATIONS

8. Plaintiff brings this action pursuant to Rules 23(b)(1), 23(b)(2) and 23(b)(3) of the Federal Rules of Civil Procedure on behalf of Plaintiff and a class of similarly situated individuals who were arrested for misdemeanors or minor violations and who were unlawfully strip-searched upon their entry into the SCCF .

9. The class that Plaintiff seeks to represent is defined as follows:

All persons who have been placed into custody of the SCCF after being charged with misdemeanor offenses, summary offenses, traffic infractions, family court violations and/or civil commitments and were strip-searched upon their entry into the SCCF. The Class period commences on or about July 24, 2007 and extends to the date on which the Defendant is enjoined from, or otherwise ceases, enforcing its unconstitutional policy, practice and custom of conducting strip-searches absent reasonable suspicion. Specifically excluded from the Class are Defendant and any and all of its respective affiliates, legal representatives, heirs, successors, employees or assignees.

10. This action may be brought and may properly be maintained as a class action under Federal law and satisfies the numerosity, commonality, typicality and adequacy requirements for maintaining a class action under Fed. R. Civ. P. 23(a).

11. The members of the Class are so numerous as to render joinder impracticable. There are, and have been, hundreds and probably thousands of people who have been arrested for misdemeanors, summary offenses, traffic infractions, failing to make payment on outstanding traffic violations, failing to make payment on outstanding fines, family court commitments or other minor crimes, who were strip-searched under the circumstances described herein.

12. Joinder of all these individuals is impracticable because of the large number of Class members and the fact that Class members are likely dispersed over a large geographic area, with some members residing outside of Susquehanna County and this Judicial District. Furthermore, many members of the Class are low-income persons, may not speak English, may not know of their rights and likely would have great difficulty in pursuing their rights individually.

13. Common questions of law and fact exist as to all members of the Class, in that all Class members' rights to be free from unreasonable searches were violated by Defendant, which conducted blanket strip searches absent particularized suspicion. All members of the Class were charged with misdemeanour crimes or other minor crimes when placed into the custody of the SCCF, and all were illegally strip searched in violation of the established law in this Judicial Circuit.

14. Plaintiff's claims are typical of the claims of the members of the Class. Plaintiff and all members of the Class have sustained damages arising out of Defendant's course of conduct. The harms suffered by the Plaintiff are typical of the harms suffered by the Class.

15. The representative Plaintiff has the requisite personal interest in the outcome of this action and will fairly and adequately protect the interests of the Class. Plaintiff has no interests that are adverse to the interests of the members of the Class.

16. The named Plaintiff has retained counsel with substantial experience and success in the prosecution of class action and civil rights litigation. Plaintiff is being represented by Charles J. LaDuca, Alexandra Warren, and Brendan Thompson of Cuneo Gilbert & LaDuca, LLP; Elmer Robert Keach, III, Esquire of the Law Offices of Elmer Robert Keach, III, PC; and Beverly Steinberg-Sporn, Esquire. Plaintiff's counsel have the resources, expertise and experience to successfully prosecute this action against the Defendant. No conflict exists between the Plaintiff and members of the Class, or between counsel and members of the Class.

17. This action, in part, seeks declaratory and injunctive relief. As such, the Plaintiff seeks class certification under Fed.R.Civ.P. 23(b)(2), in that all Class members were subject to the same policy requiring the illegal strip searches of individuals charged with misdemeanor or other minor crimes and placed into the custody of the SCJ. In short, the County of Susquehanna, and SCCF Officers acted on grounds generally applicable to all Class members.

18. In addition to certification under Rule 23(b)(2), and in the alternative, Plaintiff seeks certification under Rule 23(b)(3).

19. Common questions of law and fact exist as to all members of the Class that predominate over any questions that affect only individual members of the Class. The predominant common questions of law and fact include, without limitation, the common and predominate question of whether the Defendant's written and/or *de facto* blanket policy of strip-searching individuals who were charged with misdemeanor charges or violations when transferred to and placed into

the custody of the Jail violate the Fourth and Fourteenth Amendments to the United States Constitution and whether such a written and/or *de facto* policy existed during the Class period.

20. A class action is superior to other available methods for the fair and efficient adjudication of this controversy since joinder of all of the individual members of the Class is impracticable given the large number of Class members and the fact that they are dispersed over a large geographic area. Furthermore, the expense and burden of individual litigation would make it difficult or impossible for individual members of the Class to redress these constitutional violations. The cost to the federal court system of adjudicating thousands of individual cases would be enormous. Individualized litigation would also magnify the delay and expense to all parties and the court system. By contrast, the classification of this action as a class action in this District presents far fewer management difficulties, conserves the resources of the parties and the court system, and protects the rights of each member of the Class.

21. There are no other actions pending to address the Defendant's flagrant violation of the civil rights of detainees, even though the Defendant has maintained its illegal strip search regimen for at least the past several years.

22. In addition to, and in the alternative, Plaintiff seeks certification under Fed.R.Civ.P. 23(b)(3) or seeks partial certification under Fed. R.Civ.P. 23(c)(4).

FACTS

Facts Applicable to the Class Generally

23. The Fourth Amendment of the United States Constitution prohibits the Defendant from performing strip searches of pre-trial detainees who have been charged with misdemeanors, summary offenses, civil commitments or other minor crimes unless there is reasonable suspicion to believe that the arrestee is concealing a weapon or contraband.

24. Susquehanna County has instituted a blanket policy of delousing, showering and strip-searching all individuals who enter the custody of the SCJ regardless of the nature of their charged crime and without the presence of reasonable suspicion to believe that the individual was concealing a weapon or contraband.

25. Susquehanna County has instituted a written blanket policy of delousing, showering, and conducting visual inspections of all detainees who enter the SCJ while they are in a state of complete undress, regardless of the individual characteristics or the nature of their charged crime. For purposes of this Complaint, this practice is collectively referred to as “strip-searches.”

26. Defendant knows or should know, that it may not institute, enforce or permit enforcement of a policy or practice of conducting strip-searches without particularized, reasonable suspicion. The SCJ written policy is based on a policy promulgated by Susquehanna County and/or the SCCF.

27. The Defendant’s written and/or *de facto* policy, practice and custom mandating blanket strip-searches of pre-trial misdemeanor detainees has been promulgated, effectuated and/or enforced in bad faith and contrary to clearly established law.

28. Reasonable suspicion to conduct a strip search may emanate only from the circumstances incident to the search, such as the nature of the crime charged, the characteristics of the arrestee, and/or the circumstances of the arrest.

29. Susquehanna County has promulgated, implemented, enforced, and/or failed to rectify a written and/or *de facto* policy, practice or custom of strip-searching **all** individuals placed into the custody of the SCJ without any requirement of reasonable suspicion in violation of the Fourth Amendment to the United States Constitution. This written and/or *de facto* policy has

made the strip-searching of pre-trial detainees routine; neither the nature of the offense charged, the characteristics of the arrestee, nor the circumstances of a particular arrest have been taken into account in enforcing the policy, practice and custom of routine strip-searches.

30. Pursuant to this written and/or *de facto* policy, each member of the Class, including the named Plaintiff, was the victim of a routine strip-search upon their entry into the SCCF. These searches were conducted without inquiry into or establishment of reasonable suspicion, and in fact, were not supported by reasonable suspicion. Strip searches are conducted for individuals arrested for, among other minor offenses, unpaid parking tickets, traffic violations, outstanding traffic fines and other minor offenses.

31. As a direct and proximate result of the unlawful strip-search conducted pursuant to this written and/or *de facto* policy, the victims of the unlawful blanket strip-searches—each member of the Class, including the named Plaintiff— has suffered or will suffer psychological pain, humiliation, suffering and mental anguish.

Facts Applicable to the Named Plaintiff

32. Plaintiff's experiences are representative of the Class.

33. On the evening of June 19, 2008, Mr. Logory was arrested for Driving Under the Influence, a misdemeanor offense. Upon being transported to the SCJ, Plaintiff was taken to a bathroom by two Correctional Officers. Mr. Logory was directed to remove all of his clothing and, among other things, spread the lobes of his buttocks and lift his testicles, to allow for inspection by the Correctional Officers. After the strip search, a Correctional Officer sprayed Plaintiff with a delousing agent on his genitals and was then required to undergo a supervised shower. Plaintiff was humiliated and degraded by these illegal unconstitutional acts.

CAUSES OF ACTION

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST
DEFENDANT SUSQUEHANNA COUNTY**

Violation of Constitutional Rights Under Color of State Law

**—Unreasonable Search and Failure to Implement Municipal Policies to Avoid
Constitutional Deprivation Under Color of State Law—**

34. Plaintiff incorporates by reference and realleges each and every allegation stated in the preceding paragraphs, as if fully set forth herein.

35. The Fourth Amendment of the United States Constitution protects citizens from unreasonable searches by law enforcement officers, and prohibits officers from conducting strip searches of individuals arrested for misdemeanor offenses or violations absent some particularized suspicion that the individual in question has either contraband or weapons.

36. The actions of the Defendant Susquehanna County, as detailed above, violated Plaintiff's and the Class's rights under the United States Constitution. Simply put, it was not objectively reasonable for SCCF personnel to strip search Plaintiff and the members of the Class based on their arrests for misdemeanor or other minor criminal charges.

37. These strip searches were conducted pursuant to the blanket policy, custom or practice of Susquehanna County. As such, Defendant Susquehanna County is directly liable for the damages of the Class.

38. This conduct on the part of the Defendants represents a violation of 42 U.S.C. § 1983, given that their actions were undertaken under color of state law.

39. As a direct and proximate result of the unconstitutional acts described above, Plaintiff and the Class have been irreparably injured and seek damages, as well as the declaratory and injunctive relief set forth immediately below in the Prayer for Relief.

DEMAND FOR TRIAL BY JURY

40. The Plaintiff hereby demands a trial by jury.

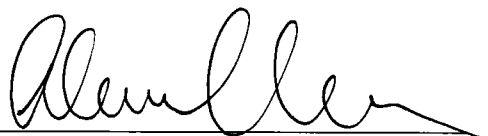
PRAYER FOR RELIEF

WHEREFORE, Plaintiff, individually and on behalf of a Class of others similarly situated, requests that this Honorable Court grant them the following relief:

- A. An order certifying this action as a class action pursuant to Fed. R. Civ. P. 23.
- B. A judgment against Defendant Susquehanna County on Plaintiff's claims detailed herein, awarding compensatory damages to Plaintiff and each member of the proposed Class in an amount to be determined by a jury and/or the Court on both an individual and a class-wide basis.
- C. A declaratory judgment against Defendant declaring Susquehanna County's policy, practice and custom of strip searching all detainees entering the SCCF, regardless of the offense charged or suspicion of contraband, to be unconstitutional and improper.
- D. A preliminary and permanent injunction enjoining Defendant from continuing to strip search individuals charged with misdemeanor offenses and minor crimes absent particularized, reasonable suspicion that the arrestee subjected to the search is concealing weapons or other contraband.
- E. A monetary award for attorneys' fees and the costs of this action, pursuant to 42 U.S.C. § 1983 and Fed.R.Civ. P. 23,
- F. Such other and further relief as the Court may deem just and proper.

Dated: July 24, 2009

Respectfully submitted,



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***ATTORNEYS FOR PLAINTIFF
AND THE CLASS***

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

RONELD LOGORY, individually and on behalf of a Class of others similarly situated,

(b) County of Residence of First Listed Plaintiff State of New Jersey
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Alexandra C. Warren, Cuneo Gilbert & LaDuca, LLP,
507 C Street NE, Washington DC 20002, (202) 789-3960

DEFENDANTS

The County of Susquehanna

County of Residence of First Listed Defendant Susquehanna
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	PERSONAL INJURY	PERSONAL INJURY	PROPERTY/PENALTY	BANKRUPTCY	OTHER STATES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 424 State Reapportionment <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER MATTERS	LABOR	IMMIGRATION	PROPERTY RIGHTS	FEDERAL TAX SUITS
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))

V. ORIGIN

(Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1983

Brief description of cause:
Class action addressing illegal strip searches at local jail

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ _____ CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 7/24/09

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO 440 (Rev. 01/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

RONELD LOGORY

Plaintiff

v.

The County of Susquehanna

Defendant

)
)
)
)
)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The County of Susquehanna
C/O Clerk, Susquehanna Board of Commissioners
11 Maple Street
Montrose, PA 18801

A lawsuit has been filed against you.

Within 20 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:

Alexandra C. Warren
Cuneo Gilbert & LaDuca, LLP
507 C Street NE
Washington, DC 20002

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

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 01/09) 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. 45.)

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

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

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____

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

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: