

Defendant the District of Columbia and the District of Columbia Department of Corrections (“District Defendants”), by and through undersigned counsel, respectfully present this Notice of Removal from the Superior Court of the District of Columbia, Civil Division concerning Case No. 2014 CA 007278 B, pursuant to 28 U.S.C. § 1441, *et seq.* As grounds for the removal, the District Defendants state as follows:

1. On November 14, 2014, Plaintiff Gregory Smith filed an action against the District of Columbia, the District of Columbia Department of Corrections, and William J. Smith in the Superior Court of the District of Columbia, Civil Division, Case No. 2014 CA 007278 B. Plaintiff asserts causes of action related to his incarceration and alleged over-detention from March 18, 2014 until April 10, 2014. *See* Complaint, attached pursuant to 28 U.S.C. § 1446(a).

2. Removal is proper because this Court has an independent basis for exercising jurisdiction over the instant case – federal question jurisdiction based on purported violations of the Fifth and Fourteenth Amendments to the United States Constitution. Specifically, Plaintiff

alleges that the Defendants' actions violated the requirements of the Fifth and Fourteenth Amendments and constituted a violation of his constitutional rights.

3. Causes of action founded on "a claim arising under the Constitution, law or treaties of the United States" are removable without regard to the citizenship or residence of the parties. 28 U.S.C. § 1441(c). Plaintiff alleges a violation of his constitutional rights pursuant to 42 U.S.C. § 1983. Accordingly, removal based on a cause of action founded in federal law is appropriate.

4. All Defendants who have been properly served have consented to the removal of this action. *See* 28 U.S.C. § 1446(b)(2).

Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings and orders received or sent by the District Defendants in this case are attached as Exhibit 1 and incorporated by reference. Under Federal Rules of Civil Procedure 38 and 83, the District Defendants demand a trial by jury by the maximum number of jurors permitted by law.

For these reasons, the District Defendants hereby remove this action to this Court from the Superior Court of the District of Columbia, Civil Division.

Date: February 2, 2015

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

GEORGE C. VALENTINE
Deputy Attorney General, Civil Litigation Division

/s/ Kimberly M. Johnson
KIMBERLY M. JOHNSON [435163]
Chief, General Litigation Section I

/s/ Michael K. Addo
MICHAEL K. ADDO [1008971]
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/s/ Alicia M. Cullen
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Fax: (202) 715-7721
E-mail: alicia.cullen@dc.gov

*Counsel for Defendants the District of Columbia and D.C.
Department of Corrections*

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2015, a true copy of the foregoing document was
served via the Court's electronic filing system to:

Brendan Klaproth
Klaproth Law PLLC
406 5th Street NW
Suite 350
Washington, DC 20001
Counsel for Plaintiff

/s/ Alicia M. Cullen
ALICIA M. CULLEN
Assistant Attorney General

17/
BK

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

GREGORY SMITH
1225 M Street NE
Washington, DC 20002

Plaintiff,

v.

DISTRICT OF COLUMBIA
1350 Pennsylvania Ave NW
Washington, DC 20004

Serve: Office of the Attorney General
For the District of Columbia
Darlene Fields or Tonia Robinson
441 4th Street NW, 6th Floor South
Washington, DC 20001

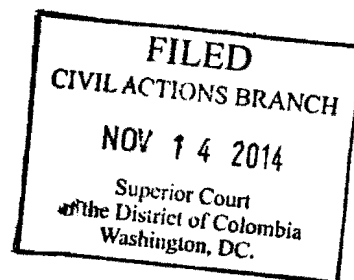
D.C. DEPARTMENT OF CORRECTIONS
2000 14th Street, NW, Seventh Floor,
Washington, DC 20009

Serve: Office of the General Counsel
Maria Amato, Esquire
1923 Vermont Ave NW, STE N 102
Washington, DC 20001

WARDEN WILLIAM J. SMITH,
Individually and in his official capacity,
1901 D St SE
Washington, D.C. 20003

JOHN DOES 1-10 (*being the fictitious names of
agents and employees of the D.C. Department of
Corrections who are not presently known to
Plaintiff*)

Defendants.



Civ. No.

14 - 0007273

COMPLAINT AND JURY DEMAND

Plaintiff Gregory Smith, by his attorneys, alleges for his Complaint herein:



PRELIMINARY STATEMENT

1. This is a civil rights action arising from the wrongful and unlawful detention of Plaintiff Gregory Smith. Mr. Smith was overdetained by the District of Columbia Department of Corrections (“Department of Corrections”) for twenty-three (23) days after he was ordered to be released by Judge McKenna of the D.C. Superior Court. Even more egregious, the underlying charges against Mr. Smith were ultimately dismissed. As a direct and proximate result of Mr. Smith’s overdetention, Mr. Smith suffered substantial damages.

2. Plaintiffs, through their undersigned counsel, hereby alleges the following:

JURISDICTION AND VENUE

3. This civil rights action is brought pursuant to, inter alia, the Fifth and Fourteenth Amendments to the United States Constitution, 42 U.S.C. § 1983, and other state and federal laws for relief from commission of tortious acts. This Court has jurisdiction over this claim pursuant to D.C. Code § 11-921(a)(6).

4. This Court has personal jurisdiction over the Defendants pursuant to D.C. Code § 13-423(a)(1)-(4).

5. The acts alleged in this Complaint occurred in the District of Columbia and therefore venue is proper.

PARTIES AND RELEVANT PERSONS

6. Plaintiff Gregory Smith is a citizen of the District of Columbia. Mr. Smith was detained at the D.C. Jail by the Department of Corrections from March 18, 2014 until April 10, 2014, despite the Court ordering Mr. Smith’s release on March 18, 2014.

7. Defendant District of Columbia is a municipality and the legal entity responsible for the acts and omissions of the individuals employed by the Department of Corrections,

including the practices, policies, and procedures relating to detention, intake, screening, transfer, and release of detained persons at the D.C. Jail. The District of Columbia was given notice of the underlying facts and circumstances of this lawsuit pursuant to D.C. Code § 12-309.

8. The D.C. Department of Corrections is a government agency created in and for the District of Columbia pursuant to D.C. Code § 24-211.01. Under D.C. Code § 24-211.02a, the D.C. Department of Corrections is responsible for processing and releasing inmates from the Central Detention Facility (“D.C. Jail”). The D.C. Code requires that all inmates must be released within 5 hours of being ordered released pursuant to a court order.

9. Warden William J. Smith is, upon information and belief, responsible for the corrections officers at the D.C. Jail. Warden William J. Smith is also, upon information and belief, responsible for establishing the customs, policies, and practices of the D.C. Jail.

10. In addition to named Defendants, unknown employees of the Department of Corrections are sued herein in their individual and official capacities under the fictitious names of JOHN DOES 1-10 because their true names, capacities and/or degree of responsibility for the acts alleged herein are unknown to Plaintiff at this time. When Plaintiff ascertains this information, he will amend this Complaint accordingly. John Does 1-10 are or were at all times mentioned herein employees of the D.C. Department of Corrections. In this capacity, they are or were responsible for the intake and processing of inmates upon arrival at the D.C. Jail, and the eventual release of an inmate upon the conclusion of their sentence or upon an order by the court. Thus, John Does 1-10 were the custodian(s) of Mr. Smith and responsible for his care and well-being while an inmate at the D.C. Jail. Plaintiff is informed and believes, and thereon alleges, that John Does 1-10 are legally liable to Plaintiff in some part for the wrongful acts and omissions of which Plaintiff complains herein.

FACTS COMMON TO ALL COUNTS

Overview of the D.C. Department of Corrections

11. The District of Columbia Department of Corrections holds prisoners committed by the District of Columbia Superior Court, and other agencies, in the Central Detention Facility (“DC Jail”) and the Correctional Treatment Facility (“CTF”).

12. Warden William J. Smith is the responsible official for all activities, including inmate releases, at the DC Jail.

13. The records office located at the DC Jail (“Records Office”) is responsible for administering and maintaining the records of all persons housed at the DC Jail. The Records Office is also responsible for ensuring that all persons housed at the DC Jail are released as required by the release date specified in the court orders.

14. The District of Columbia Superior Court has a policy pursuant to which an in-custody defendant or a defendant ordered into custody may not leave the courtroom without either a commitment order or a release order.

15. Once a defendant is ordered released, the Department of Corrections begins an administrative release process that results in the prisoner’s actual release from the Department of Correction’s custody. Upon information and belief, this process takes from 2 to 2.5 hours to complete.

16. The Department of Corrections considers “anyone released after 11:59 p.m. on the day they are ordered released” to be classified as “overdetained.”

Plaintiff’s Overdetention

17. On March 15, 2014, Mr. Smith was arrested and charged in the District of Columbia with a misdemeanor for failure to appear in relation to a prior citation.

18. On March 18, 2014, after the Court had lawfully detained Mr. Smith for 3 days pursuant to D.C. Code § 23-1322(b)(1)(D), Judge Juliet McKenna of the D.C. Superior Court ordered Mr. Smith's release from custody in both cases. Upon information and belief, the Release Orders were transmitted to the D.C. Jail at 1:28 PM via the Court View computer system. The release order is attached hereto as Exhibit 1.

19. Despite the Court's order on March 18, 2014, the D.C. Department of Corrections did not release Mr. Smith until April 10, 2014 after a hearing before the Court where Judge McKenna *again* ordered the D.C. Jail to release Mr. Smith.

20. On repeated occasions, Mr. Smith stated to the corrections officers at the D.C. Department of Corrections that the court ordered him to be released, and he demanded that he be released. The corrections officers wholly ignored Mr. Smith's requests to be released. On such an occasion, corrections officer, John Doe 1, replied, "If you're here, they know you're here and you're supposed to be here."

21. Mr. Smith was not ultimately released until April 10, 2014—the date upon which Judge McKenna learned that Mr. Smith had been held by the Department of Corrections in direct contravention of Judge McKenna's release order of March 18, 2014.

22. At all relevant times during Mr. Smith's twenty-three (23) day overdetention he was placed in a prison cell with a dangerous prisoner who, upon information and belief, had been found guilty of possession of a loaded fire arm and possession of narcotics with an intent to distribute.

23. The underlying misdemeanor charges against Mr. Smith, which allegedly provided Defendants' justification for the initial detention, were dismissed on September 8, 2014.

24. As a direct and proximate result of Mr. Smith's twenty-three (23) day overdetention, Mr. Smith was terminated from his job.

25. As a direct and proximate result of Defendants' conduct, Mr. Smith has suffered significant economic damages and severe emotional harm.

COUNT I
42 U.S.C. § 1983 Claims for Violations of the Fifth and Fourteenth Amendments to the United States Constitution

26. The Plaintiff realleges and incorporates by reference the allegations contained in the preceding paragraphs of this Complaint as if fully set forth herein.

27. Defendants deprived Mr. Smith of his constitutional right to liberty and deprived him of this liberty without due process of law as required by the Fifth and Fourteenth Amendments to the United States Constitution by detaining Mr. Smith for twenty-three (23) days after he was ordered to be released by the court.

28. Defendants acted under color of law and acted or purported to act in the performance of official duties under federal, state, county or municipal laws, ordinances, or regulations.

29. Defendants' conduct violated clearly established constitutional rights of which Defendants knew, or of which a reasonable public official should have known.

30. The Department of Corrections has a custom, policy, and practice of overdetaining inmates past their court ordered release date. For example, in 2007 the Department of Corrections admitted that 302 inmates were overdetained, 143 in 2008, 56 in 2009, 85 in 2010, and 22 in 2011 through the end of May. This custom, policy, and practice of overdetaining inmates caused the intentional and unjustified overdetention of Mr. Smith in violation of his constitutional rights.

31. Similarly, the Department of Corrections had a custom, policy, and practice of:

- (a) incarcerating inmates without any legal authority to do so;
- (b) failing to maintain accurate records of its inmates;
- (c) failing to keep track of inmates within the D.C. Jail;
- (d) failing to process release orders;
- (e) failing to release inmates on the same day of the inmates' court ordered-release;
- (f) misfiling and/or misplacing release orders issued by the courts;
- (g) failing to respond to inmate complaints of overdetention;
- (h) failing to train its correction officer to process release orders; and
- (i) failing to comply with court orders to release inmates.

These customs, policies, and practices were the direct and proximate cause of the violations of Mr. Smith's constitutional rights.

32. In addition, the District of Columbia knew, or should have known, of the overdetention problem at the DC Jail given the history of overdetentions by the D.C. Jail. The District of Columbia demonstrated a deliberate indifference to the constitutional rights of the inmates at the D.C. Jail and Mr. Smith particularly, by failing to take any steps to remedy the ongoing constitutional violations occurring from the overdetentions. As a result of the District of Columbia's deliberate indifference, Mr. Smith's constitutional rights were violated. Moreover, the District of Columbia demonstrated a deliberate indifference to the Mr. Smith's Constitutional rights by failing to investigate Mr. Smith's claims that he was being unlawfully detained.

33. The actions, omission, policies, patterns, practices and customs of Defendants, complained of herein were intentional, reckless, and show a callous disregard for, or deliberate indifference to Mr. Smith's personal safety, security, freedom, and civil and constitutional rights.

34. These violations are compensable pursuant to 42 U.S.C. § 1983. As a direct and proximate result of these Defendants' conduct, Mr. Smith has suffered economic damages and significant physical and emotional harm.

COUNT II
Common Law False Imprisonment

35. Plaintiff realleges and incorporates by reference the allegations contained in the preceding paragraphs of this Complaint as if fully set forth herein.

36. Defendants unlawfully deprived Mr. Smith of his liberty by placing him in a jail cell where he was restrained against his will. The detention was unlawful where Mr. Smith was detained in direct contravention of a court order mandating him to be released.

37. Mr. Smith was falsely imprisoned by correction officers John Does 1-10. At all relevant times, John Does 1-10 were employed by the District of Columbia as corrections officers and were acting within the scope of their employment.

38. As a direct and proximate result of Defendants' unlawful detention and false imprisonment, Mr. Smith has suffered and continues to suffer damages in an amount to be proven at trial.

39. WHEREFORE, Plaintiff prays for relief in the form of specific performance judgment awarding compensatory damages, attorney's fees, and any other relief the Court deems proper.

COUNT III
Negligence

40. The Plaintiff realleges and incorporates by reference the allegations contained in the preceding paragraphs of this Complaint as if fully set forth herein.

41. Defendants breached their duty of reasonable care by negligently acting or

omitting to act such that Mr. Smith suffered wrongful detention which Defendants knew or should have known would have caused harm to Mr. Smith.

42. Defendants were negligent in performing their duties and failed, neglected and/or refused to properly and fully discharge their responsibilities by, among other things:

- a. Failing to investigate Mr. Smith's claims that he was ordered to be released and the he was unlawfully detained;
- b. Misplacing and/or misfiling Mr. Smith's release order;
- c. Failing to process Mr. Smith's release;
- d. Failing to maintain a system to prevent overdetection of inmates;
- e. Failing to act on a court order;
- f. Failing to properly train and supervise corrections officers to process release orders; and,
- g. Failing to release Mr. Smith on the same day of his court ordered release.

43. As a direct and proximate result of the negligence of Defendant in failing to exercise due care, Plaintiff has suffered and will continue to suffer much physical pain and mental anguish; has incurred medical expenses and will continue to incur medical expenses; and has suffered and will continue to suffer mental and physical pain, and emotional distress.

WHEREFORE, Plaintiff prays for relief in the form of a judgment awarding compensatory damages and any other relief the Court deems proper.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant, as follows:

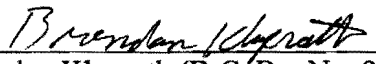
- (a) Awarding Plaintiff compensatory damages, including lost wages and future lost wages, mental anguish, and emotional distress damages;
- (b) Awarding Plaintiff punitive damages against John Does 1-10 for their outrageous, wanton, malicious and reckless conduct with no regard for the damage it would cause to Plaintiff;

- (c) Awarding Plaintiff costs, expenses and attorney's fees pursuant to 42 U.S.C. § 1988 and any other applicable law; and,
- (e) Awarding any other relief the Court deems just and proper.

JURY AND TRIAL DEMAND

Plaintiff hereby demands a trial by jury with respect to each claim in this Complaint.

Respectfully submitted,


Brendan Klaproth (D.C. Bar No. 999360)
Klaproth Law PLLC
406 5th Street NW
Suite 350
Washington, DC 20001
Telephone: 202-618-2344
Email: Bklaproth@klaprothlaw.com

David Akulian (D.C. Bar No. 1005750)
406 5th Street NW
Suite 200
Washington, DC 20001
Telephone: 202-505-2113
Email: info@NotGuiltyInDC.com
Attorney for Plaintiff

EXHIBIT 1

to

COMPLAINT

GREGORY SMITH v. DISTRICT OF COLUMBIA

RELEASE ORDER



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

UNITED STATES

vs.

GREGORY P SMITH

Case No: 2014 CMD 004452

PDID: 661106

DCDC#:

RELEASE ORDER

TO: Superintendent, D.C. Jail

It is HEREBY ORDERED that the defendant be released from custody in this case.

A handwritten signature in black ink, likely belonging to Svetlana Polonchuk.

Svetlana Polonchuk, DEPUTY CLERK

Date: March 18, 2014

A handwritten signature in black ink, likely belonging to Juliet J McKenna.

JULIET J MCKENNA

JUDGE

RELEASE

Received by DUSM: JN Printed Name: JN Badge#: 4256 Signature: JN Date: 3-11-14 Time: 1358





**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

UNITED STATES

vs.

GREGORY P SMITH

Case No: 2012 CMD 007806

PDID: 661106

DCDC#:

RELEASE ORDER

TO: Superintendent, D.C. Jail

It is HEREBY ORDERED that the defendant be released from custody in this case.

A handwritten signature in black ink, appearing to be "S. Polonchuk".

Svetlana Polonchuk, DEPUTY CLERK

A handwritten signature in black ink, appearing to be "Juliet J. McKenna".

JULIET J MCKENNA

JUDGE

Date: March 18, 2014

RELEASE

Received by DUSM:

JSM
Printed Name

Badge#:

4226

Signature:

JSM

Date:

03-18-14

Time:

1335





Superior Court of the District of Columbia
CIVIL DIVISION
500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Telephone: (202) 879-1133

Gregory Smith

Plaintiff

vs.

Case Number 14-0007278

District of Columbia
Office of the Mayor

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within five (5) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Brendan Klyproth

Clerk of the Court

Name of Plaintiff's Attorney

406 5th Street NW, #350

Address

Washington DC 20001

202-618-2341

Telephone

By

Adrienne J. Marshall

Deputy Clerk

Date

11/14/2014

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Để có một bản dịch, hãy gọi (202) 879-4828

번역을 원하시면, (202) 879-4828 로 전화하십시오

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IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-682-2700) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

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Vea al dorso la traducción al español



**TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL**

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

Demandante

contra

Número de Caso: _____

Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veinte (20) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que Usted le entregue al demandante una copia de la Contestación o en el plazo de cinco (5) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante

Dirección

Por: _____

Subsecretario

Teléfono

Fecha _____

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Đề có một bài dịch, hãy gọi (202) 879-4828

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IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO, O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍAN RETENERLE SUS INGRESOS, O PODRÍAN TOMAR SUS BIENES PERSONALES O RAÍCES Y VENDERLOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede afrontar el costo de uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-682-2700) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse de otros lugares donde puede pedir ayuda al respecto.

Vea al dorso el original en inglés
See reverse side for English original



Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Telephone: (202) 879-1133

Gregory Smith

Plaintiff

vs.

14 - 0007278

Case Number

District of Columbia - Office of the Attorney General

Defendant

SUMMONS

To the above named Defendant:

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Brendan Kleproth

Clerk of the Court

Name of Plaintiff's Attorney

406 5th Street NW/Suite 350

Address

Washington DC 20001

202-618-2344

Telephone

By

Adrienne J. Marsh

Deputy Clerk

Date

11/14/2014

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500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

Demandante

contra

Número de Caso: _____

Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veinte (20) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

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SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante

Por: _____

Dirección

Subsecretario

Teléfono

Fecha

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Vea al dorso el original en inglés
See reverse side for English original



Superior Court of the District of Columbia
CIVIL DIVISION
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Telephone: (202) 879-1133

Gregory Smith

Plaintiff

14 - 0007278

vs.

Case Number

D.C. Department of Corrections

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Brendan Klaproth

Name of Plaintiff's Attorney

Clerk of the Court

406 5th Street NW, #350

Address

Washington, DC 20001

202-678-2344

Telephone

By Adrienne J. Marsh

Deputy Clerk

Date 11/14/2014

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**TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL**

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

Demandante

contra

Número de Caso: _____

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Vea al dorso el original en inglés
See reverse side for English original

Superior Court of the District of Columbia

CIVIL DIVISION- CIVIL ACTIONS BRANCH

INFORMATION SHEET

Gregory Smith

Case Number:

14-0007278

vs

Date: 11/14/2014
District of Columbia
☐ One of the defendants is being sued
in their official capacity.

Name: <i>(Please Print)</i> Brendan Klaproth		Relationship to Lawsuit ☒ Attorney for Plaintiff ☐ Self (Pro Se) ☐ Other: _____
Firm Name: Klaproth Law PLLC		
Telephone No.: 202-618-2344	Six digit Unified Bar No.: 999360	

TYPE OF CASE: ☐ Non-Jury☒ 6 Person Jury☐ 12 Person JuryDemand: \$ 5,000,000.00

Other: _____

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: _____

Judge: _____

Calendar #: _____

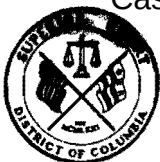
Case No.: _____

Judge: _____

Calendar#: _____

NATURE OF SUIT: <i>(Check One Box Only)</i>		
A. CONTRACTS ☐ 01 Breach of Contract ☐ 02 Breach of Warranty ☐ 06 Negotiable Instrument ☐ 15 Special Education Fees ☐ 10 Mortgage Foreclosure		COLLECTION CASES ☐ 07 Personal Property ☐ 09 Real Property-Real Estate ☐ 12 Specific Performance ☐ 13 Employment Discrimination ☐ 14 Under \$25,000 Pltf. Grants Consent ☐ 16 Under \$25,000 Consent Denied ☐ 17 OVER \$25,000 Pltf. Grants Consent ☐ 18 OVER \$25,000 Consent Denied
B. PROPERTY TORTS ☐ 01 Automobile ☐ 02 Conversion ☐ 07 Shoplifting, D.C. Code § 27-102 (a)		
C. PERSONAL TORTS ☐ 03 Destruction of Private Property ☐ 04 Property Damage ☐ 05 Trespass ☐ 06 Traffic Adjudication ☐ 01 Abuse of Process ☐ 02 Alienation of Affection ☐ 03 Assault and Battery ☐ 04 Automobile- Personal Injury ☐ 05 Deceit (Misrepresentation) ☐ 06 False Accusation ☒ 07 False Arrest ☐ 08 Fraud ☐ 09 Harassment ☐ 10 Invasion of Privacy ☐ 11 Libel and Slander ☐ 12 Malicious Interference ☐ 13 Malicious Prosecution ☐ 14 Malpractice Legal ☐ 15 Malpractice Medical (Including Wrongful Death) ☐ 16 Negligence- (Not Automobile, Not Malpractice) ☐ 17 Personal Injury- (Not Automobile, Not Malpractice) ☐ 18 Wrongful Death (Not Malpractice) ☐ 19 Wrongful Eviction ☐ 20 Friendly Suit ☐ 21 Asbestos ☐ 22 Toxic/Mass Torts ☐ 23 Tobacco ☐ 24 Lead Paint		

SEE REVERSE SIDE AND CHECK HERE ☐ IF USED



Superior Court of the District of Columbia
CIVIL DIVISION

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Telephone: (202) 879-1133

Gregory Smith

Plaintiff

vs.

Warden William J. Smith

Defendant

14 - 0007278

Case Number

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Address

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Demandante

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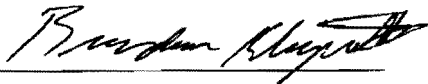
Information Sheet, Continued

C. OTHERS

- | | | |
|---|---|--|
| ☐ 01 Accounting | ☐ 10 T.R.O./ Injunction | ☐ 25 Liens: Tax/Water Consent Granted |
| ☐ 02 Att. Before Judgment | ☐ 11 Writ of Replevin | ☐ 26 Insurance/ Subrogation |
| ☐ 04 Condemnation (Emin. Domain) | ☐ 12 Enforce Mechanics Lien | Under \$25,000 Consent Denied |
| ☐ 05 Ejectment | ☐ 16 Declaratory Judgment | ☐ 27 Insurance/ Subrogation |
| ☐ 07 Insurance/Subrogation | ☐ 17 Merit Personnel Act (OEA) | Over \$25,000 Pltf. Grants Consent |
| Under \$25,000 Pltf. | (D.C. Code Title 1, Chapter 6) | ☐ 28 Motion to Confirm Arbitration |
| Grants Consent | ☐ 18 Product Liability | Award (Collection Cases Only) |
| ☐ 08 Quiet Title | ☐ 24 Application to Confirm, Modify, | ☐ 29 Merit Personnel Act (OHR) |
| ☐ 09 Special Writ/Warrants | Vacate Arbitration Award | ☐ 30 Liens: Tax/ Water Consent Denied |
| (DC Code § 11-941) | (DC Code § 16-4401) | ☐ 31 Housing Code Regulations |
| | | ☐ 32 Qui Tam |
| | | ☐ 33 Whistleblower |
| | | ☐ 34 Insurance/Subrogation |
| | | Over \$25,000 Consent Denied |

II.

- | | | |
|---|---|--|
| ☐ 03 Change of Name | ☐ 15 Libel of Information | ☐ 21 Petition for Subpoena |
| ☐ 06 Foreign Judgment | ☐ 19 Enter Administrative Order as | [Rule 28-1 (b)] |
| ☐ 13 Correction of Birth Certificate | Judgment [D.C. Code § | ☐ 22 Release Mechanics Lien |
| ☐ 14 Correction of Marriage | 2-1802.03 (h) or 32-1519 (a)] | ☐ 23 Rule 27(a) (1) |
| Certificate | ☐ 20 Master Meter (D.C. Code § | (Perpetuate Testimony) |
| | 42-3301, et seq.) | ☐ 24 Petition for Structured Settlement |
| | | ☐ 25 Petition for Liquidation |



Attorney's Signature

11/14/2014

Date



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

GREGORY SMITH

Vs.

C.A. No. 2014 CA 007278 B

DISTRICT OF COLUMBIA et al

INITIAL ORDER AND ADDENDUM

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure ("SCR Civ") 40-I, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the Summons, the Complaint, and this Initial Order. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in SCR Civ 4(m).

(3) Within 20 days of service as described above, except as otherwise noted in SCR Civ 12, each defendant must respond to the Complaint by filing an Answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in SCR Civ 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an Initial Scheduling and Settlement Conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients **prior** to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference **once**, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than six business days before the scheduling conference date. No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each Judge's Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court's website <http://www.dccourts.gov/>.

Chief Judge Lee F. Satterfield

Case Assigned to: Judge MAURICE ROSS

Date: November 14, 2014

Initial Conference: 9:00 am, Friday, February 13, 2015

Location: Courtroom 100

500 Indiana Avenue N.W.

WASHINGTON, DC 20001

Caio.doc

**ADDENDUM TO INITIAL ORDER AFFECTING
ALL MEDICAL MALPRACTICE CASES**

In accordance with the Medical Malpractice Proceedings Act of 2006, D.C. Code § 16-2801, et seq. (2007 Winter Supp.), "[a]fter an action is filed in the court against a healthcare provider alleging medical malpractice, the court shall require the parties to enter into mediation, without discovery or, if all parties agree[,] with only limited discovery that will not interfere with the completion of mediation within 30 days of the Initial Scheduling and Settlement Conference ("ISSC"), prior to any further litigation in an effort to reach a settlement agreement. The early mediation schedule shall be included in the Scheduling Order following the ISSC. Unless all parties agree, the stay of discovery shall not be more than 30 days after the ISSC." D.C. Code § 16-2821.

To ensure compliance with this legislation, on or before the date of the ISSC, the Court will notify all attorneys and *pro se* parties of the date and time of the early mediation session and the name of the assigned mediator. Information about the early mediation date also is available over the internet at <https://www.dccourts.gov/pa/>. To facilitate this process, all counsel and *pro se* parties in every medical malpractice case are required to confer, jointly complete and sign an EARLY MEDIATION FORM, which must be filed no later than ten (10) calendar days prior to the ISSC. Two separate Early Mediation Forms are available. Both forms may be obtained at www.dccourts.gov/medmalmediation. One form is to be used for early mediation with a mediator from the multi-door medical malpractice mediator roster; the second form is to be used for early mediation with a private mediator. Both forms also are available in the Multi-Door Dispute Resolution Office, Suite 2900, 410 E Street, N.W. Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to earlymedmal@dcsc.gov. *Pro se* Plaintiffs who elect not to eFile may file by hand in the Multi-Door Dispute Resolution Office.

A roster of medical malpractice mediators available through the Court's Multi-Door Dispute Resolution Division, with biographical information about each mediator, can be found at www.dccourts.gov/medmalmediation/mediatorprofiles. All individuals on the roster are judges or lawyers with at least 10 years of significant experience in medical malpractice litigation. D.C. Code § 16-2823(a). If the parties cannot agree on a mediator, the Court will appoint one. D.C. Code § 16-2823(b).

The following persons are required by statute to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case. D.C. Code § 16-2824.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code § 16-2826. Any Plaintiff who is *pro se* may elect to file the report by hand with the Civil Clerk's Office. The forms to be used for early mediation reports are available at www.dccourts.gov/medmalmediation.

Chief Judge Lee F. Satterfield

Telephone: 202-505-2113
Email: info@NotGuiltyInDC.com
Attorneys for Plaintiff

**IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

GREGORY SMITH
Plaintiff,

v.

DISTRICT OF COLUMBIA, *et al.*

Defendants.

)
)
)
) Civ. No.: 14 CA 007278 B
) Judge: Hon. Judge Maurice Ross
) Next Event: Initial Scheduling Conference
) February 13, 2015
)
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)

**STATEMENT OF POINTS AND AUTHORITIES
IN SUPPORT OF
PLAINTIFF'S MOTION TO EXTEND THE TIME FOR SERVICE**

Plaintiff, by and through counsel, respectfully submits this Statement of Points and Authorities in Support of Plaintiff's Motion to Extend the Time for Service by sixty (60) days.

Pursuant to Rule 4(m) of the D.C. Superior Court Rules of Civil Procedure, a motion may be made to extend the time for service prior within 60 days of filing of the complaint. “The Court shall extend the period for such time as may be warranted by circumstances.” D.C. Super. Ct. R. Civ. P. 4(m); *see also Wagshal v. Rigler*, 711 A.2d 112 (D.C. 1998) (overturning trial court’s dismissal of case under Rule 4(m)). The circumstances in the present case warrant an extension of the time for service for the following reasons:

1. Plaintiff filed a Complaint on November 14, 2014. Plaintiff has taken the following steps to serve the Defendants thereby warranting an extension for the time to serve.
2. **Defendant District of Columbia** – Plaintiff served Defendant District of Columbia through the Office of the Mayor and the Office of the Attorney General on January 5,

2015. Decl. of Klaproth ¶ 3. The designated representative for the Mayor's Office and the Office of the Attorney General, Marjorie Thomas, accepted service. *Id.*

3. **Defendant Warden William J. Smith** – Pursuant to Rule 4(c)(3), Plaintiff attempted to serve Defendant Warden William J. Smith on January 6, 2015, via certified mail, return receipt requested. Decl. of Klaproth ¶ 5. Plaintiff has, however, yet to receive the return receipt. *Id.* The tracking information (tracking # 9414710200883491358915) indicates that the service documents are still in transit to Defendant D.C. Department of Corrections. *Id.* If Plaintiff does not receive the return receipt within ten (10) days of this motion, Plaintiff will have Defendant Warden William J. Smith personally served.

4. **Defendant D.C. Department of Corrections** – Pursuant to Rule 4(c)(3), Plaintiff attempted to serve Defendant D.C. Department of Corrections on January 6, 2015, via certified mail, return receipt requested. Decl. of Klaproth ¶ 5. Plaintiff has, however, yet to receive the return receipt. *Id.* The tracking information (tracking # 9414710200830559233929) indicates that the service documents are still in transit to Defendant D.C. Department of Corrections. *Id.* If Plaintiff does not receive the return receipt within ten (10) days of this motion, Plaintiff will have Defendant D.C. Department of Corrections personally served.

Thus, for the reasons set forth above, there is good cause to extend the time for service. Moreover, there have been no previous extensions requested. Plaintiff has also diligently pursued serving the Defendants and has outlined the efforts to be made in the future to obtain service. Accordingly, Plaintiff respectfully requests this Court to grant Plaintiff's Motion to Extend Service.

Dated: January 16, 2015

Respectfully submitted,

/s/ Brendan Klaproth

Brendan Klaproth (D.C. Bar No. 999360)

Klaproth Law PLLC

406 5th Street NW

Suite 350

Washington, DC 20001

Telephone: 202-618-2344

Email: Bklaproth@klaprothlaw.com

David Akulian (D.C. Bar No. 1005750)

406 5th Street NW

Suite 200

Washington, DC 20001

Telephone: 202-505-2113

Email: info@NotGuiltyInDC.com

Attorneys for Plaintiff

EXHIBIT 1

to

PLAINTIFFS' MOTION TO EXTEND TIME FOR SERVICE

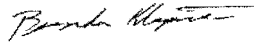
Declaration of Brendan Klaproth

[illegible]

5. Pursuant to Rule 4(c)(3), Plaintiff's attempted to serve Defendant Warden William J. Smith on January 6, 2015, via certified mail, return receipt requested. Plaintiff has, however, yet to receive the return receipt. The tracking information (tracking # 9414710200883491358915) indicates that the service documents are still in transit to Defendant D.C. Department of Corrections.

I declare and affirm under penalty of perjury that the foregoing is true and correct.

Executed on January 16, 2015



Brendan Klaproth (D.C. Bar No. 999360)
Klaproth Law PLLC
406 5th Street NW
Suite 350
Washington, DC 20001
Tel: 202-618-2344
Email: Bklaproth@klaprothlaw.com
Attorney for Plaintiff

**IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

GREGORY SMITH

Plaintiff,

V.

DISTRICT OF COLUMBIA, *et al.*

Defendants.

[illegible]

) Civ. No.: 14 CA 007278 B
) Judge: Hon. Judge Maurice Ross
) Next Event: Initial Scheduling Conference
) February 13, 2015

[Proposed] Order

In consideration of Plaintiff's Motion to Extend the Time for Service, on this _____ day
of _____, it is hereby:

ORDERED that Plaintiff's Motion is **GRANTED**; and it is

FURTHER ORDERED that Plaintiff shall have an additional sixty (60) days to effectuate service on all Defendants.

SO ORDERED.

Honorable Judge Maurice Ross

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2015, I caused to be served a true and correct copy of the foregoing Plaintiffs' Motion to Extend Time for Service and supporting documents through the court's electronic filing system, as well as by first-class mail on all parties.

Dated: January 16, 2015

Respectfully submitted,

/s/ Brendan Klaproth

Brendan Klaproth (D.C. Bar No. 999360)

Klaproth Law PLLC

406 5th Street NW

Suite 350

Washington, DC 20001

Tel: 202-618-2344

Email: bklaproth@klaprothlaw.com

**IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

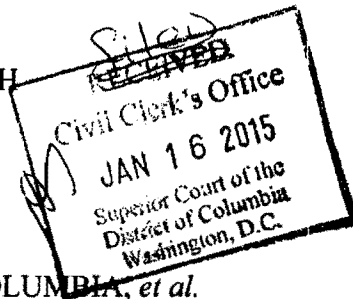
GREGORY SMITH

Plaintiff,

v.

DISTRICT OF COLUMBIA, *et al.*

Defendants.



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)
) Civ. No.: 14 CA 007278 B
) Judge: Hon. Judge Maurice Ross
) Next Event: Initial Scheduling Conference
) February 13, 2015
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**PROOF OF SERVICE FOR
DISTRICT OF COLUMBIA – ATTORNEY GENERAL**

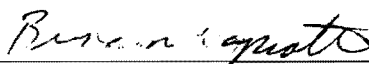
I, Brendan Klaproth, hereby declare under penalty of perjury:

1. On January 5, 2015, I personally served a copy of the (1) summons, (2) complaint, and (3) the initial order setting the case for an Initial Scheduling Conference, on the District of Columbia by serving the designated official from the Office of the Attorney General, Majorie Thomas, at approximately 3:20pm.

I declare and affirm under penalty of perjury that the foregoing is true and correct.

Dated: January 15, 2015

Respectfully submitted,


Brendan Klaproth (D.C. Bar No. 999360)
Klaproth Law PLLC
406 5th Street NW
Suite 350
Washington, DC 20001
Telephone: 202-618-2344
Email: Bklaproth@klaprothlaw.com
Attorney for Plaintiff

**IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

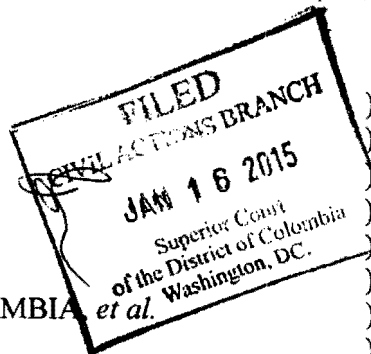
GREGORY SMITH

Plaintiff,

v.

DISTRICT OF COLUMBIA

Defendants.



) Civ. No.: 14 CA 007278 B
) Judge: Hon. Judge Maurice Ross
) Next Event: Initial Scheduling Conference
) February 13, 2015
)
)
)
)
)

**PROOF OF SERVICE FOR
DISTRICT OF COLUMBIA – MAYOR’S OFFICE**

I, Brendan Klaproth, hereby declare under penalty of perjury:

1. On January 5, 2015, I served a copy of the (1) summons, (2) complaint, and (3) the initial order setting the case for an Initial Scheduling Conference, on the District of Columbia by personally serving the designated official from the Office of the Mayor, Majorie Thomas, at approximately 3:20pm.

I declare and affirm under penalty of perjury that the foregoing is true and correct.

Dated: January 15, 2015

Respectfully submitted,

Brendan Klaproth (D.C. Bar No. 999360)
Klaproth Law PLLC
406 5th Street NW
Suite 350
Washington, DC 20001
Telephone: 202-618-2344
Email: Bklaproth@klaprothlaw.com
Attorney for Plaintiff

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION

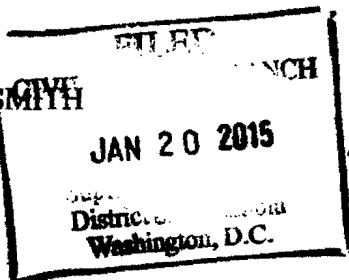
GREGORY SMITH

Plaintiff,

v.

DISTRICT OF COLUMBIA, *et al.*

Defendants.



)
)
)
) Civ. No.: 14 CA 007278 B
) Judge: Hon. Judge Maurice Ross
) Next Event: Initial Scheduling Conference
) February 13, 2015
)
)
)

PROOF OF SERVICE FOR
DISTRICT OF COLUMBIA – DEPARTMENT OF CORRECTIONS

I, DAVID AKULIAN, hereby declare under penalty of perjury:

1. On January 20, 2015, I served a copy of the (1) summons, (2) complaint, and (3) the initial order setting the case for an Initial Scheduling Conference, on the District of Columbia Department of Corrections by personally serving Assistant General Counsel Meghan Murphy at approximately 9:45a.m.

I declare and affirm under penalty of perjury that the foregoing is true and correct.

Dated: January 20, 2015

Respectfully submitted,


David Akulian #1005750
Law Office of David Akulian
406 5th Street NW
Suite 201
Washington, DC 20001
Telephone: 888-847-9859
Email: info@NotGuiltyInDC.com
Attorney for Plaintiff

Filed
D.C. Superior Court
01/22/2015 10:07AM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

GREGORY SMITH,	)	
	)	
Plaintiff,	)	Civil Action No. 2014 CA 7278 B
	)	Judge Ross
v.	)	Calendar #6
	)	
DISTRICT OF COLUMBIA, et al.,	)	
	)	
Defendants.	)	

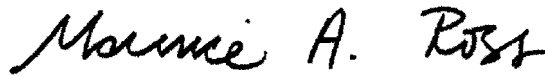
ORDER

In consideration of Plaintiff's Motion to Extend the Time to Serve, it is this 21st day of January 2015, hereby:

ORDERED that Plaintiff's Motion is **GRANTED**; and it is

FURTHER ORDERED that Plaintiff shall have until March 23, 2015, to effectuate service on all Defendants and file proof of the same with the Clerk of the Court; and it is

FURTHER ORDERED, that the Initial Scheduling Conference previously set for February 13, 2015, is hereby VACATED and re-set for Friday, April 24, 2015 at 9:00 a.m. in Courtroom 100.



Judge Maurice A. Ross

Copies to:

Brandan Klaproth, Esquire
Klaproth Law PLLC
406 5th Street, NW
Suite 350
Washington, DC 20001

Filed
D.C. Superior Court
01/23/2015 16:27PM
Clerk of the Court

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

_____	)	
GREGORY SMITH,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 2014 CA 007278 B
v.	)	Judge: Maurice Ross
	)	Next Event: Initial Conference
DISTRICT OF COLUMBIA, <i>et al.</i> ,	)	Date: February 13, 2015 at 9:00 a.m,
	)	
Defendants.	)	
_____	)	

PRAECIPE TO ENTER APPEARANCE

The Clerk of the Court will please enter the appearance of Assistant Attorneys General Michael K. Addo and Alicia M. Cullen as counsel for Defendant the District of Columbia in the above-captioned action.

Date: January 23, 2015

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

GEORGE C. VALENTINE
Deputy Attorney General, Civil Litigation Division

/s/ Kimberly M. Johnson
KIMBERLY M. JOHNSON
Chief, General Litigation Section I

/s/ Michael K. Addo
MICHAEL K. ADDO [1008971]
Assistant Attorney General
441 Fourth Street, N.W., Sixth Floor South
Washington, D.C. 20001
Phone: (202) 724-6539
Email: michael.addo@dc.gov

/s/ Alicia M. Cullen
ALICIA M. CULLEN [1015227]

Assistant Attorney General
441 Fourth Street, N.W., Sixth Floor South
Washington, D.C. 20001
Phone: (202) 741-0760
Fax: (202) 715-7721
E-mail: alicia.cullen@dc.gov

Counsel for Defendant the District of Columbia

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2015, a true copy of the foregoing document was served via the Court's electronic filing system to:

Brendan Klaproth
Klaproth Law PLLC
406 5th Street NW
Suite 350
Washington, DC 20001
Counsel for Plaintiff

/s/ Alicia M. Cullen
ALICIA M. CULLEN
Assistant Attorney General