No. 19-5454

IN THE

SUPREME COURT OF THE UNITED STATES

Melinda Scott
(Your Name)

PETITIONER

ORIGINAL

Andrew Carlson vs.
Joshua Conner Moon

RESPONDENT(S)

FILED
AUG 01 2019
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals (Fourth Circuit)
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Melinda Scott
(Your Name)

PO Box 1133-2014PMB87
(Address)

Richmond, VA 23218
(City, State, Zip Code)

540-692-2342
(Phone Number)

QUESTION(S) PRESENTED

(1) Are private citizens, who take over functions normally left to the state, by publishing information, on the Internet, about others from (a) courts not of record (b) court documents and (c) state records, "state actors" that violate the Fourth Amendment?

(2) Are private citizens, who publish on the Internet, private information of others, obtained from federal databases and agencies, "state actors" who have violated The Privacy Act?

LIST OF PARTIES

[✓] All parties appear in the caption of the case on the cover page.

[ ] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

Relevant cases from the Fourth Circuit

1. *DeBauche v. Trani 191 F. 3d 499 (1999)*
2. *Haavistola v. Community Fire Co. of Rising Sun 6 F. 3d 211 (1993)*
3. *Phillips v. Pitt County Memorial Hosp. 572 F. 3d 176 (2009)*
4. *Andrews v. Federal Home Loan Bank of Atlanta 998 F. 2d 214 (1993)*
5. *Mentavlos v. Anderson 249 F. 3d 301 (2001)*

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IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[✓] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

JURISDICTION

[☑] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was July 2, 2019.

[ ] No petition for rehearing was timely filed in my case.

[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[ ] For cases from **state courts**:

The date on which the highest state court decided my case was _____. A copy of that decision appears at Appendix _____.

[ ] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. Fourth Amendment, Bill of Rights
2. The Privacy Act of 1974

TABLE OF AUTHORITIES CITED

CASES PAGE NUMBER

Please see attached

STATUTES AND RULES

Please see attached

OTHER

n/a

Table of Authorities

STATEMENT OF THE CASE

This case arose from the internet publication of the Petitioner's private information. Defendants Carlson and Moon published information from state documents which contained information about the Petitioner. The information was published in various ways on the internet. The state documents were from state courts not of record, state court orders and state documents held in the control of other state agencies. The Defendants published information from documents that are normally controlled and distributed by state courts and state agencies. Defendants also published information that they found from a federal government database (the Petitioner's home address).

The Petitioner filed in the lower district court a complaint using the required *pro-se* form. The *pro-se* form does not allow the Plaintiff to cite case law or statutes. The *pro-se* litigant is required to only state the facts of the case and then allow the court to interpret the complaint with regard to the laws. *Pro-se* litigants are then given the chance to brief judges with further case law and details. The lower district court dismissed the case. The Opinion concluded that no Fourth Amendment violation had been committed because the Defendants were not government employees. The lower district court did not parse out the facts presented in the *pro-se* Complaint form when considering whether or not a Fourth Amendment violation had occurred wherein the Defendants would be considered "state actors". The Petitioner was not granted the opportunity to brief the case.

The Petitioner appealed the Fourth Amendment violation to the Fourth Circuit Court of Appeals. In her brief, the Petitioner noted the facts within her complaint that pointed to the Defendants being state actors. The case was dismissed on the basis that they decided the Petitioner's original complaint "contains no indication" that Defendants Carlson or Moon are state actors. The Fourth Circuit has ample case law in which a person's Complaint or Response is ruled upon using direct and indirect language in their pleadings. Both lower courts are treating the Complaint as if the facts alleged by the Petitioner do not appear in the Complaint.

REASONS FOR GRANTING THE PETITION

Reason 1: A pressing American Issue (¶1-6)
Reason 2: This Court should settle this question of federal law (¶4)
Reason 2: Conflict with other Appeals court (¶4)
Reason 3: Deviation from accepted and usual course of judicial proceedings (¶6-7)

The United States is in a state of crisis over the use of the Internet. All around the United States there are every day citizens becoming victimized by Internet harassment, invasion of privacy, online bullying, cyber-stalking, libel and defamation. The Internet has become the "wild west" of human activity. Victims are sustaining injuries of all kinds, committing suicide and facing reputation harm at unprecedented rates because of the lack of sufficient congressional regulation of the publication of private information being published on the Internet. Anyone can publish information online and anyone can be a "journalist" in their own right. The few federal cyber stalking statutes and state internet laws cannot thwart the out of control internet usage that is otherwise regulated in the non-internet public domain.

Americans argue constantly over whether or not internet regulation is a restriction of the First Amendment but the courts have already shown that regulating the Internet is not restriction of The First Amendment. The First Amendment has never stopped law makers from writing laws to protect people from verbal harassment and the improper dissemination of private information in non-Internet public domains. The First Amendment has never stopped judges from enforcing harassment charges or gag orders for improper speech and the improper distribution of information. The Privacy Act of 1974 was also written with improper distribution of information in mind. There is a difference between interpreting The First Amendment as unbridled "free speech" and advocating for the Fourth Amendment to afford the same protections on the Internet as it already does in the non-Internet public domain. The First Amendment has not historically been interpreted by courts to mean a person can say and do whatever they want. Harassment laws and gag orders already put boundaries around the First Amendment in the non-Internet public domain.

The Fourth Amendment was written in 1791. The Privacy Act was passed in 1974. At those times, the American[1] people did not yet have widespread access to the Internet. Only a few major companies and the mainstream media could publish national and international publications. They were bound by laws to follow ethical standards of journalism. With the rise of the widespread use of the internet, the question still largely remains how the Fourth Amendment and The Privacy Act are to be interpreted by courts to protect citizens from the publication of private documents on the internet. "It would be foolish to contend that the degree of privacy secured to citizens by the Fourth Amendment has been entirely unaffected by the advance of technology" (*Kyllo v United States).*

In accordance with Rule 10 (c) this Court *should* settle this important question of federal law that the Petitioner has raised in her case. The Fourth Circuit Court of Appeals has decided the Petitioner's case in a way that conflicts with relevant decision of this Court. The people of the United States of America need a resolution on the issues brought up in the Petitioner's case. The Supreme Court has been adamant that "the Fourth Amendment must keep pace with the inexorable march of technological progress or its guarantees will wither and perish" (*Kyllo v United States).* The 6th Circuit Court of Appeals has also reinforced The Supreme Court's decision in *Kyllo* by noting that "evolving technology must not be permitted to 'erode the privacy guaranteed by the Fourth Amendment'" (*Kyllo v United States).* In the Petitioner's case the Fourth Circuit Court of Appeals and lower district court has entered a decision in conflict with the 6th Circuit. By ruling on this case The Supreme Court would be deciding an issue that the American people need resolution on.

Without judicial enforcement of an implied right of private action in this type of case, a person is left without a remedy, especially when Federal agents and congress do not protect citizens from Cyberstalking and online bullying. The Privacy Act fails to give private citizens a remedy when injured by the international publication of their private information on the Internet. Cyberstalking statutes fail to give private citizens a remedy when injured by the international publication of their private information on the Internet. The Second Restatement of Torts fails to give private citizens a remedy when injured by

[1] United States of America

the international publication of their private information on the Internet. *The statutory purpose of the Fourth Amendment and The Privacy Act would be fulfilled by ju licial enforcement of punishing people as state actors when they publicly disclose private information from private papers, government databases, court orders and court documents on the Internet.*

In *Blum v Yaretsky* the Court stated: "...our precedents indicate that a state normally can be held responsible for a private decision only when it has exercised coercive power *or* has provided such *significant encouragement, either overt or covert*, that the choice must in law be deemed to be that of the state" (emphasis added). The current laws and lack of remedies are covertly allowing people to be state actors when they publish private information[2] on the Internet with no consequence. The 4th district has recognized this "nexus" argument in *DeBauche v Trani*. In *Blum v Yaretsky*, the Court also stated: "...the required nexus may be present if the private entity has exercised powers that are traditionally the exclusive prerogative of the state". Persons who distribute to the public the contents of private information in government databases, protective orders, and court documents to third parties are taking over actions that are the prerogative of the state. The 4th district has also enforced the "public function" doctrine in *Goldstein v Chestnut Ridge Fire Co.* In their treatment of the Petitioner the Fourth Circuit has also deviated from their own precedents with regard to "state actors".

Additionally, they have deviated from their practice of construing words stated indirectly in a pleading. In *Scott v Wise Co Dept of Social Serv., et al.*, the Fourth Circuit granted Norton City Dept. of Social Services sovereign immunity because they indirectly stated so. The district court stated: "Though the Defendants do not specifically couch their argument in terms of Eleventh Amendment immunity, Norton DSS asserts that 'it is improperly named as a party'". Since it is a judicial practice to infer the meaning of words, the same standard should be equally applied to the Petitioner. The facts of her case which were stated in her Complaint should be applied when deciding this case which poses a federal question about state actors. Instead, the district court and Appeals court have deviated from the usual course of judicial proceedings by treating the facts raised in her complaint as insufficient to state a case. "A claim has facial plausibility when the

[2] from private papers, court orders, court documents and government databases

plaintiff pleads factual content that allows the court to *draw the reasonable inference* that the defendant is liable for the misconduct alleged" (emphasis added)(*Ashcroft v. Iqbal).*

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: August 1, 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

MELINDA SCOTT,	)	
	)	
Plaintiff,	)	Case No. 2:18CV47
	)	
v.	)	**OPINION**
	)	
ANDREW CARLSON, ET AL.,	)	By: James P. Jones
	)	United States District Judge
	)	
Defendants.	)	

Pro se litigant Melinda Scott has submitted an application to file a civil action without prepaying fees or costs.[1] In her proposed action based on diversity jurisdiction, Scott brings claims of defamation, publication of private information, and violation of the Fourth Amendment against Andrew Carlson, who allegedly created a website containing statements about Scott; Joshua Moon, who operates an internet forum containing statements about Scott; and Sherod DeGrippo, who owns a "wiki" containing statements about Scott.[2] While I will permit the filing of the action without prepayment of fees and costs, I will dismiss it because Scott's allegations fail to state a claim on which relief may be granted, for the reasons discussed below.

[1] This is Scott's eighth pro se case filed in this court within the last two years. All of them have been dismissed.

[2] A wiki is a website that users can collaboratively modify.

I.

Scott's Complaint alleges the following facts:

In December 2016, Scott discovered a website that Andrew Carlson had created containing a list of men with whom she allegedly had sexual relations. In March 2017, Carlson posted a video on YouTube that contained biographical information about Scott and her children, and allegations and questions about the paternity of her children. In that video and in others, Carlson also made statements "falsely attributing sexual acts to [Scott] which are untrue, including a supposed sexual act with a former (unnamed) landlord," and alleging that Scott has been married more than twice. Compl. ¶ (e). Carlson also created an image depicting Scott's head on a nude body. Scott asserts that Carlson obtained the biographical information about her family from a protective order issued by a Virginia state court.

Joshua Moon owns Lolcow LLC, a corporation that runs Kiwi Farms, an internet forum. Scott asserts that Moon published on Kiwi Farms biographical information about her and her family, along with statements that she has had "9 husbands by 29," has a list of husbands, has had sexual relations with a former landlord, is a "gigantic whore" and a "kike," and "changes husbands like she changes panties." Compl. ¶ h (xvii). Scott asserts that Moon obtained information about her from Carlson.

Sherrod DeGrippo owns Encyclopedia Dramatica, a website that its users can collaboratively modify. Scott alleges that DeGrippo published on Encyclopedia Dramatica biographical information about her and her family, along with statements that Scott has had sexual relations with a former landlord, has "four baby daddies," is a "horney jewess," and is "incestuous." Compl. ¶ (k). Scott alleges that DeGrippo obtained information about her from Carlson and Moon.

Scott's Complaint asserts claims of defamation, publication of private information, and violation of the Fourth Amendment against Carlson. It also asserts claims of defamation and violation of the Fourth Amendment against both Moon and DeGrippo. Scott seeks an injunction ordering the removal of the statements described above and monetary damages.

II.

Federal pleading standards require that a complaint contain a "short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2). In evaluating a complaint, the court accepts as true all well-pled facts and construes those facts in the light most favorable to the plaintiff. *Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc.*, 591 F.3d 250, 255 (4th Cir. 2009). However, "[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Ashcroft v. Iqbal*, 556 U.S. 662, 678

(2009). A document filed pro se is to be liberally construed, *Estelle v. Gamble*, 429 U.S. 97, 106 (1976), but the "court is not required to recognize 'obscure or extravagant claims defying the most concerted efforts to unravel them,'" *Weller v. Dep't of Soc. Servs.*, 901 F.2d 387, 391 (4th Cir. 1990) (quoting *Beaudett v. City of Hampton*, 775 F.2d 1274, 1277 (4th Cir. 1985)).

As to Scott's allegation of publication of private information against Carlson, she fails to state a claim on which relief may be granted because New York law contains no such cause of action.[3] "New York State does not recognize the common-law tort of invasion of privacy except to the extent it comes within Civil Rights Law §§ 50 and 51," which "create a cause of action in favor of any person whose name, portrait, or picture is used for advertising purposes or for trade without the plaintiff's consent." *Farrow v. Allstate Ins. Co.*, 862 N.Y.S.2d 92, 93 (N.Y. App. Div. 2008). Scott has not alleged any facts that would support a cause of action under Civil Rights Law §§ 50 and 51, and thus she fails to state a New York invasion of privacy claim.

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[3] In this diversity action, Virginia's choice-of-law rules govern. *See Klaxon Co. v. Stentor Elec. Mfg. Co.*, 313 U.S. 487, 496 (1941). In tort actions, Virginia applies the law of the place of the wrong, *McMillan v. McMillan*, 253 S.E.2d 662, 663 (Va. 1979), which is the place of publication in defamation actions, *see Wiest v. E-Fense, Inc.*, 356 F. Supp. 2d 604, 608 (E.D. Va. 2005) (applying Virginia law after determining that the statements at issue were published on a website controlled from a location in Virginia). Here, Scott alleges that Carlson, a New York resident, published the statements at issue on a website that he created and on YouTube. Accordingly, New York law applies to Scott's claims against Carlson.

As to Scott's allegations of Fourth Amendment violations against all defendants, she fails to state a claim on which relief may be granted because she has not alleged any governmental intrusion on her privacy. "[T]he Fourth Amendment cannot be translated into a general constitutional 'right to privacy.' That Amendment protects individual privacy against certain kinds of governmental intrusion . . . ." *Katz v. United States*, 389 U.S. 347, 350 (1967). Scott's Complaint alleges Fourth Amendment violations solely against private individuals, and thus she fails to state a constitutional invasion of privacy claim.

Scott's allegations of defamation against all defendants also fail to state claims on which relief may be granted. Her allegations against Moon and DeGrippo fail because the federal Communications Decency Act bars actions "under 'any State or local law that is inconsistent' with the terms of § 230," which establishes a "general rule that providers of interactive computer services are liable only for speech that is properly attributable to them."[4] *Nemet Chevrolet, Ltd*, 591 F.3d at 254 (quoting 47 U.S.C. § 230(e)(3)). They are not liable for enabling the unlawful content of others to be posted online. *Id.*

Scott's allegations of defamation against Moon and DeGrippo do not contain facts sufficient to attribute the statements on their interactive websites to them.

[4] The statute defines an "[i]nteractive computer service" as "any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server." 47 U.S.C. § 230(f)(2).

Although the Complaint asserts that Moon and DeGrippo published the statements, this merely recites an element of the cause of action without further factual support. Thus, although some of the statements may otherwise be defamatory, the Complaint lacks facts sufficient to treat Moon and DeGrippo as the statements' publishers.

Scott's allegation of defamation against Carlson also fails to state a claim. In New York, defamation is "the injury to one's reputation either by written expression, which is libel, or by oral expression, which is slander." *Idema v. Wagner*, 120 F. Supp. 2d 361, 365 (S.D.N.Y. 2000). "The elements are a false statement, published without privilege or authorization to a third party, constituting fault as judged by, at a minimum, a negligence standard, and, it must either cause special harm or constitute defamation per se." *Dillon v. City of N.Y.*, 704 N.Y.S.2d 1, 5 (N.Y. App. Div. 1999). Special harm is harm that causes "the loss of something having economic or pecuniary value" and that stems directly from the harm to reputation. *Matherson v. Marchello*, 473 N.Y.S.2d 998, 1000 (N.Y. App. Div. 1984) (internal quotation marks and citation omitted). A plaintiff suing in slander must plead special harm unless the statement falls into one of four categories of per se defamation: (1) statements that the plaintiff committed a crime; (2) statements that tend to injure the plaintiff in his or her trade, business, or profession; (3) statements that the plaintiff has contracted a loathsome disease; or

(4) statements that impute unchastity to a woman. *Id.* at 1001. In contrast, a plaintiff suing in libel must plead special harm unless the statement "tends to expose the plaintiff to public contempt, ridicule, aversion or disgrace, or induce an evil opinion of him in the minds of right-thinking persons, and to deprive him of their friendly intercourse in society." *Id.* at 1001–02 (quoting *Rinaldi v. Holt, Rinehart & Winston*, 366 N.E.2d 1299, 1305 (N.Y. 1977)). Claims alleging libel and slander must be brought within one year of the statement's publication. *See Lancaster v. Town of East Hampton*, 864 N.Y.S.2d 537, 538 (N.Y. App. Div. 2008).

Federal pleading standards require that a plaintiff specifically allege each act of defamation. *English Boiler & Tube, Inc. v. W.C. Rouse & Son, Inc.*, No. 97-2397, 1999 WL 89125, at *3 (4th Cir. Feb. 23, 1999) (unpublished) (citing the requirement that "in order to plead defamation, a plaintiff should allege specific defamatory comments [including] the time, place, content, speaker, and listener of the alleged defamatory matter." *Caudle v. Thomason*, 942 F. Supp. 635, 638 (D.D.C. 1996) (internal quotation marks and citation omitted)).

First, the December 2016 list of men with whom Scott allegedly had sexual relations and the March 2017 video containing statements questioning the paternity of Scott's children occurred more than a year prior to the commencement of this action, and thus the claims arising from them are barred by the statute of

limitations. In addition, the image depicting Scott's head on another body does not rise to the level of reputational harm required to show libel per se, and Scott does not plead special harm. Likewise, the statement that Scott has been married more than twice does not fall into one of four categories showing slander per se. Remaining is Scott's allegation that "within [the March 2017] video, and other videos" Carlson made statements "falsely attributing sexual acts to [Scott] which are untrue, including a supposed sexual act with a former (unnamed) landlord." Compl. ¶ (e). This claim fails to satisfy the federal pleading requirement that Scott specifically allege each act of defamation and the time that each act occurred.

III.

For the foregoing reasons, I will allow the filing of the action without prepayment of fees and costs, but I will dismiss the Complaint. A separate Order will be entered forthwith.[5]

DATED: December 11, 2018

/s/ James P. Jones
United States District Judge

[5] In addition, there is a question in this case as to whether the court has personal jurisdiction over the out-of-state defendants. *See Young v. New Haven Advocate*, 315 F.3d 256, 263 (4th Cir. 2002) (requiring for personal jurisdiction over out-of-state internet publisher the showing of an intent to target and focus on in-state readers).

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-1011

MELINDA SCOTT,

Plaintiff - Appellant,

v.

ANDREW CARLSON; JOSHUA CONNER MOON,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of Virginia, at Big Stone Gap. James P. Jones, District Judge. (2:18-cv-00047-JPJ-PMS)

Submitted: April 22, 2019 Decided: July 2, 2019

Before NIEMEYER, RICHARDSON, and QUATTLEBAUM, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Melinda L. Scott, Appellant Pro Se. Andrew Carlson, Appellee Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Melinda Scott seeks to appeal the district court's order dismissing her civil complaint without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) (2012). Under the Federal Rules of Appellate Procedure, an appellant's brief must raise all the issues she wishes this court to review. Fed. R. App. P. 28. The failure to raise an issue results in its abandonment on appeal. *See Hensley on behalf of N. Carolina v. Price*, 876 F.3d 573, 580 (4th Cir. 2017) (citing *Edwards v. City of Goldsboro*, 178 F.3d 231, 241 n.6 (4th Cir. 1999). Accordingly, we will review only the issues that Scott appellant has identified in her brief.

Scott challenges only the district court's "ruling that she has not stated a constitutional invasion of privacy claim based on the alleged violation of her Fourth Amendment rights by Defendant Carlson and Defendant Moon." Appellant's Brief 7. As the district court noted, Scott's complaint contains no indication that either Defendant Carlson or Defendant Moon could be considered a state actor capable of violating her Fourth Amendment rights.

For the reasons explained by the district court, we affirm. We deny Scott's motion to waive PACER fees and Appellee Andrew Carlson's motion to suspend the Federal Rules of Appellate Procedure. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

No. _____

_____

IN THE

SUPREME COURT OF THE UNITED STATES

_____

Melinda Scott — PETITIONER
(Your Name)

VS.

Andrew Carlson
Joshua Conner Moon — RESPONDENT(S)

PROOF OF SERVICE

I, Melinda Scott, do swear or declare that on this date, August 1, 2019, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Andrew Carlson - 150 Willow Creek Avenue, Schenectady, NY 12304
Joshua Conner Moon - 3750 Don Janeal Rd., Pensacola, FL 3252

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

Executed on August 1, 2019

(Signature)