



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

DISTRICT OF COLUMBIA

 Plaintiff

vs.

Case Number _____

KELLY MANAGEMENT INC.

 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 one (21) 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 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 seven (7) 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.

Argatonia Weatherington

Clerk of the Court

Name of Plaintiff's Attorney

441 4th Street, NW, Ste 630 South

By _____
 Deputy Clerk

Address

Washington, D.C. 20001

(202) 727-6338

Date _____

Telephone

如需翻译,请打电话 (202) 879-4828

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

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

법역을 원하시면, (202) 879-4828로 전화주세요. የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

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 (202-279-5100) 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.

See reverse side for Spanish translation

Vea al dorso la traducción al español



TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL
Sección de Acciones Civiles
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

DISTRICT OF COLUMBIA

Demandante

contra

Número de Caso: _____

KELLY MANAGEMENT INC.

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 veintiún (21) 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 siete (7) 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.

Argatonia Weatherington
Nombre del abogado del Demandante

SECRETARIO DEL TRIBUNAL

441 4th Street, NW, Ste. 630 South
Dirección
Washington, D.C. 20001

Por: _____
Subsecretario

(202) 727-6338
Teléfono

Fecha _____

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 번역통역서비스 (202) 879-4828 通譯服務專線 (202) 879-4828 የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

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Vea al dorso el original en inglés
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CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

DISTRICT OF COLUMBIA

 Plaintiff

vs.

Case Number _____

CHRISTINE KELLY

 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 one (21) 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 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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Argatonia Weatherington

Clerk of the Court

 Name of Plaintiff's Attorney

441 4th Street, NW, Ste 630 South

By _____
 Deputy Clerk

 Address

Washington, D.C. 20001

(202) 727-6338

Date _____

 Telephone

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DIVISIÓN CIVIL**

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Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov**

DISTRICT OF COLUMBIA

Demandante

contra

Número de Caso: _____

CHRISTINE KELLY

Demandado

CITATORIO

Al susodicho Demandado:

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Argatonia Weatherington

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante

441 4th Street, NW, Ste. 630 South

Por: _____

Dirección

Subsecretario

Washington, D.C. 20001

(202) 727-6338

Fecha _____

Teléfono

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Superior Court of the District of Columbia

CIVIL DIVISION- CIVIL ACTIONS BRANCH

INFORMATION SHEET

DISTRICT OF COLUMBIA _____ Case Number: _____

vs Date: _____

KELLY MANAGEMENT et al. _____ One of the defendants is being sued in their official capacity.

Name: <i>(Please Print)</i> Argatonia Weatherington	Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff
Firm Name: Office of the Attorney General	<input type="checkbox"/> Self (Pro Se)
Telephone No.: (202) 727-6338 Six digit Unified Bar No.: 1021691	<input type="checkbox"/> Other: _____

TYPE OF CASE: Non-Jury 6 Person Jury 12 Person Jury
 Demand: \$ _____ 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	COLLECTION CASES	
<input type="checkbox"/> 01 Breach of Contract <input type="checkbox"/> 02 Breach of Warranty <input type="checkbox"/> 06 Negotiable Instrument <input type="checkbox"/> 07 Personal Property <input type="checkbox"/> 13 Employment Discrimination <input type="checkbox"/> 15 Special Education Fees	<input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent <input type="checkbox"/> 27 Insurance/Subrogation Over \$25,000 Pltf. Grants Consent <input type="checkbox"/> 07 Insurance/Subrogation Under \$25,000 Pltf. Grants Consent <input type="checkbox"/> 28 Motion to Confirm Arbitration Award (Collection Cases Only)	<input type="checkbox"/> 16 Under \$25,000 Consent Denied <input type="checkbox"/> 18 OVER \$25,000 Consent Denied <input type="checkbox"/> 26 Insurance/Subrogation Over \$25,000 Consent Denied <input type="checkbox"/> 34 Insurance/Subrogation Under \$25,000 Consent Denied
B. PROPERTY TORTS		
<input type="checkbox"/> 01 Automobile <input type="checkbox"/> 03 Destruction of Private Property <input type="checkbox"/> 05 Trespass <input type="checkbox"/> 02 Conversion <input type="checkbox"/> 04 Property Damage <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a)		
C. PERSONAL TORTS		
<input type="checkbox"/> 01 Abuse of Process <input type="checkbox"/> 10 Invasion of Privacy <input type="checkbox"/> 17 Personal Injury- (Not Automobile, Not Malpractice) <input type="checkbox"/> 02 Alienation of Affection <input type="checkbox"/> 11 Libel and Slander <input type="checkbox"/> 18 Wrongful Death (Not Malpractice) <input type="checkbox"/> 03 Assault and Battery <input type="checkbox"/> 12 Malicious Interference <input type="checkbox"/> 19 Wrongful Eviction <input type="checkbox"/> 04 Automobile- Personal Injury <input type="checkbox"/> 13 Malicious Prosecution <input type="checkbox"/> 20 Friendly Suit <input type="checkbox"/> 05 Deceit (Misrepresentation) <input type="checkbox"/> 14 Malpractice Legal <input type="checkbox"/> 21 Asbestos <input type="checkbox"/> 06 False Accusation <input type="checkbox"/> 15 Malpractice Medical (Including Wrongful Death) <input type="checkbox"/> 22 Toxic/Mass Torts <input type="checkbox"/> 07 False Arrest <input type="checkbox"/> 16 Negligence- (Not Automobile, Not Malpractice) <input type="checkbox"/> 23 Tobacco <input type="checkbox"/> 08 Fraud <input type="checkbox"/> 24 Lead Paint		

SEE REVERSE SIDE AND CHECK HERE IF USED

Information Sheet, Continued

C. OTHERS

- | | |
|---|---|
| <input type="checkbox"/> 01 Accounting | <input type="checkbox"/> 17 Merit Personnel Act (OEA) |
| <input type="checkbox"/> 02 Att. Before Judgment | (D.C. Code Title 1, Chapter 6) |
| <input type="checkbox"/> 05 Ejectment | <input type="checkbox"/> 18 Product Liability |
| <input type="checkbox"/> 09 Special Writ/Warrants
(DC Code § 11-941) | <input type="checkbox"/> 24 Application to Confirm, Modify,
Vacate Arbitration Award (DC Code § 16-4401) |
| <input type="checkbox"/> 10 Traffic Adjudication | <input type="checkbox"/> 29 Merit Personnel Act (OHR) |
| <input type="checkbox"/> 11 Writ of Replevin | <input type="checkbox"/> 31 Housing Code Regulations |
| <input type="checkbox"/> 12 Enforce Mechanics Lien | <input type="checkbox"/> 32 Qui Tam |
| <input checked="" type="checkbox"/> 16 Declaratory Judgment | <input type="checkbox"/> 33 Whistleblower |

II.

- | | | |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name | <input type="checkbox"/> 15 Libel of Information | <input type="checkbox"/> 21 Petition for Subpoena
[Rule 28-I (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic | <input type="checkbox"/> 19 Enter Administrative Order as
Judgment [D.C. Code § | <input type="checkbox"/> 22 Release Mechanics Lien |
| <input type="checkbox"/> 08 Foreign Judgment/International | 2-1802.03 (h) or 32-151 9 (a)] | <input type="checkbox"/> 23 Rule 27(a)(1)
(Perpetuate Testimony) |
| <input type="checkbox"/> 13 Correction of Birth Certificate | <input type="checkbox"/> 20 Master Meter (D.C. Code § | <input type="checkbox"/> 24 Petition for Structured Settlement |
| <input type="checkbox"/> 14 Correction of Marriage
Certificate | 42-3301, et seq.) | <input type="checkbox"/> 25 Petition for Liquidation |
| <input type="checkbox"/> 26 Petition for Civil Asset Forfeiture (Vehicle) | | |
| <input type="checkbox"/> 27 Petition for Civil Asset Forfeiture (Currency) | | |
| <input type="checkbox"/> 28 Petition for Civil Asset Forfeiture (Other) | | |

D. REAL PROPERTY

- | | |
|--|--|
| <input type="checkbox"/> 09 Real Property-Real Estate | <input type="checkbox"/> 08 Quiet Title |
| <input type="checkbox"/> 12 Specific Performance | <input type="checkbox"/> 25 Liens: Tax / Water Consent Granted |
| <input type="checkbox"/> 04 Condemnation (Eminent Domain) | <input type="checkbox"/> 30 Liens: Tax / Water Consent Denied |
| <input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale | <input type="checkbox"/> 31 Tax Lien Bid Off Certificate Consent Granted |
| <input type="checkbox"/> 11 Petition for Civil Asset Forfeiture (RP) | |


Attorney's Signature

8/10/18

Date

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

DISTRICT OF COLUMBIA
441 4th Street, NW
Washington, D.C. 20001

Plaintiff,

v.

Case No.:

KELLY MANAGEMENT
c/o Christine Kelly
8 Hanover Place, NW
Washington, D.C. 20001

and

CHRISTINE KELLY
in her individual capacity
8 Hanover Place, NW
Washington, D.C. 20001

Defendants.

COMPLAINT

The District of Columbia (the “District”), by and through the Office of the Attorney General for the District of Columbia (“OAG”), files this complaint against Kelly Management Inc. and Christine Kelly (the “Defendants”) for violations of the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114 (“Nuisance Act”). The Defendants own, manage, and control 1613 Lincoln Road, NE, Washington, D.C. 20019 (“the Property” or “1613 Lincoln”), a semi-detached rental apartment building that sits on the corner of Quincy Place NE and Lincoln Road NE. The District requests the Court enter an order under the Nuisance Act requiring Defendants to abate the nuisance activity at their property.

PRELIMINARY STATEMENT

1. The District brings this action to address the Defendants' failure over the past three years to abate ongoing drug- and firearm-related activity at the Property and the resulting adverse effects of these activities.

2. A drug- or firearm-related nuisance exists where any real property, in whole or in part, is used or intended to be used to either: (a) facilitate any violation of title 48, chapter 9 of the District of Columbia Municipal Regulations, D.C. Code § 42-3101(5)(A); or (b) unlawfully store or otherwise keep one or more firearms, or manufacture or sell controlled substances or drug paraphernalia, that has an adverse impact on the community, D.C. Code § 42-3101(5)(B).

3. Here, a drug- and firearm-nuisance exists under both D.C. Code § 42-3101(5)(A) & (B). Since September 2017, the Metropolitan Police Department ("MPD") has executed two search warrants at the Property that led to the recovery of over three vials of PCP, 234 grams of marijuana, and 68 zips¹ of crack cocaine. MPD has also conducted three undercover purchases of illegal drugs at the Property, and has made over ten arrests at the Property for offenses including drug- and firearm-related offenses.

4. The District brings this action pursuant to the Nuisance Act seeking "an order permanently enjoining, abating, and preventing the continuance or recurrence of the nuisance." D.C. Code § 42-3110. Specifically, the District seeks to compel Defendants to implement security measures that could curb or eliminate the persistent criminal activity at the Property and to abate illicit drug and firearm nuisance activity at the Property, as well as order Defendants to pay damages for each day the nuisance remained unabated since Defendants were first put on notice of the violations.

¹ "Zips" are small bags used to store drugs in amounts generally for individual purchase.

Jurisdiction

5. The Court has subject matter jurisdiction pursuant to D.C. Code § 11-921 and § 42-3102.

6. The Court has personal jurisdiction pursuant to D.C. Code § 13-423.

Parties

7. Plaintiff the District of Columbia (“District”) is a municipal corporation empowered to sue and be sued, and is the local government for the territory constituting the permanent seat of the federal government. The District is represented in this case by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. The Attorney General is also specifically authorized to enforce the Nuisance Act.

8. Defendants own, operate, and control 1613 Lincoln. Defendant Christine Kelly acquired title to the property on February 29, 2001. (*See* Ex. 1, Deed). Defendant Kelly operates the Property through her corporation, Kelly Management, of which she is the sole member.

Facts

A. Notice

9. On February 22, 2018 and April 30, 2018, OAG sent the Defendant a notice letter advising of the drug- and firearm-related activity at the Property pursuant to D.C. Code §42-3103(b). The first notice letter was returned undeliverable, the second was signed for after being sent Certified Mail to Defendant Kelly’s home address. (*See* Ex. 2, Notice Letter and Receipt).

10. Since April 30, 2018, the Defendants have failed to abate the drug- and firearm-related nuisance activity at the Property, while the community surrounding the Property is adversely impacted by the drug dealing and continual threat of gun violence.

B. Search Warrants

11. On or about September 1, 2017, MPD executed a search warrant at the Property. During the execution of that search warrant, officers found and seized three full and one half full vials of liquid Phencyclidine (PCP), 234 grams of marijuana, and two semi-automatic firearms. Officers also arrested four people.

12. On or about March 28, 2018, MPD executed another search warrant at 1613 Lincoln. During the most recent search warrant MPD officers recover 68 zips of crack-cocaine and a Tarus Model 65 .357 revolver with six rounds in the chamber. The street value of the crack-cocaine seized was \$1,360.00.

C. Reputation and Adverse Impact on Community

13. The Property, specifically unit #2, is a fully operational “trap” house known by dealers and users in the neighborhood as the Castle. It has a reputation as a place where drugs can be easily purchased and consumed. *See* D.C. Code § 42-3109.

14. According to neighbor Bryan Hight, the Property has a general reputation as a place where controlled substances and drug paraphernalia can be purchased and used. (*See* Ex. 3, Affidavit of Mr. Bryan Hight).

15. The illegal activity related to controlled substances, drug paraphernalia, and firearms in and around the Property has had an adverse impact upon the surrounding neighborhood in that:

- a. There has been an increased fear of residents, school, and business patrons to walk through or in public areas, including sidewalks and streets in front of 1613 Lincoln, because of the use and sale of controlled substances, the possession of drug paraphernalia, and the resulting violent activity. D.C. Code § 42-3101(1)(B).
- b. There has been an increased volume of vehicular and pedestrian traffic to and from 1613 Lincoln that is related to the presence, use, or display of firearms, or the use or sale of controlled substances. D.C. Code § 42-3101(1)(C).
- c. There has been an increase in the number of police calls to 1613 Lincoln that are related to the presence, use, or display of firearms, or the use or sale of controlled substances, or to violence stemming therefrom. D.C. Code § 42-3101(1)(D).
- d. There have been numerous arrests of persons at or near 1613 Lincoln for criminal conduct relating to possession with the intent to distribute PCP, possession with the intent to distribute Marijuana, possession with the intent to distribute Synthetic Marijuana, and possession of drug paraphernalia. D.C. Code § 42-3101(1)(H).
- e. There have been a substantial number of complaints made to law enforcement and other government offices about alleged illegal activity associated with the presence, use, or display of firearms, or the use or sale of controlled substances or drug paraphernalia in or near 1613 Lincoln. D.C. Code § 42-3101(1)(J).

COUNT I
**(Abatement of a Drug and Firearm Related Nuisance Pursuant to
D.C. Code §§ 42-3101 to -3114)**

16. The District hereby incorporates by reference herein Paragraphs 1 through 15.

17. The Property operated by the Defendants is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that they are real property, used, or intended to be used to:
“(A) facilitate any violation of Chapter 9 of Title 48 ... (B) unlawfully store or otherwise keep

one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

18. The Property has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the drug- and firearm-related nuisance Property is extensive and continuous.

19. Not only has the Defendant failed to abate the nuisance, but has caused it by their continuous inaction despite notice from the District.

Relief Requested

Wherefore, the District respectfully requests declaratory and injunctive relief and damages against the Defendant, as follows:

1. That the Court declare the Property operated by Defendants to be a drug- and firearm-related Nuisance Property pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

2. That the Court enjoin Defendants from creating and/or maintaining, or assisting in the creation or maintenance of, a drug-, firearm-, or prostitution-related nuisance property;

3. That the Court require Defendants to immediately abate all illegal nuisances at the Property;

4. That the Court order Defendants to install and maintain an appropriate security camera system, in consultation with MPD, to more fully capture the interior common areas and exterior of the Property free from visual obstruction;

5. That the Court order Defendants to secure locks to any and all entrances and exits in the interior and exterior of the Property;

6. That the Court order Defendants to install and maintain high-powered wattage lighting at the Property;

7. That the Court order Defendants to install and enforce additional “No Trespassing” and “No Loitering” signs;

8. That the Court order Defendants to permit the District of Columbia Department of Consumer and Regulatory Affairs (“DCRA”) to inspect the Property;

9. That the Court order Defendants to abate all housing code violations that exist at the Property;

10. That the Court order Defendants to remove all external graffiti from the Property;

11. That the Court order Defendants to enforce barring notices;

12. That the Court order Defendants to a) submit to the District copies of all served barring notices currently in the possession of Defendants, and prospectively, all served barring notices within one (1) week of issuance; and b) provide a copy of each such notice to the District by delivering a copy to Althea Geletka, Paralegal Specialist, Office of the Attorney General, 441 4th Street, NW, Suite 1060 North, Washington, D.C. 20001;

13. That the Court award damages in the amount of \$150 for each day that the drug- and firearm-related nuisance remains unabated, since April 30, 2018, the date the District sent a notice letter advising Defendants that the Property were a drug and firearm-related nuisance, pursuant to D.C. Code § 42-3111, and that said damages be payable to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Fund for the District of Columbia;

14. That the Court award attorney fees; and

15. Any other relief that the Court deems appropriate.

Dated: August 10, 2018

KARL A. RACINE
Attorney General for the District of Columbia

ROBYN R. BENDER
Deputy Attorney General, Public Advocacy Division

/s/ Jimmy R. Rock

JIMMY R. ROCK (Bar #493521)
Assistant Deputy Attorney General
Public Advocacy Division

/s/ Jane H. Lewis

JANE H. LEWIS (Bar # 198130)
Chief, Housing and Community Justice Section

/s/ Argatonia D. Weatherington

ARGATONIA D. WEATHERINGTON (Bar #1021691)
Assistant Attorney General
441 4th Street, N.W. Suite 630 South
Washington, D.C. 20001
(202) 727-6338 (phone)
(202) 730-1806 (e-fax)
Email: Argatonia.Weatherington@dc.gov

Attorneys for the District of Columbia

283

THIS DEED

Title Insurance: Lawyer's Title Insurance Corp.

Square 3520 Lot 31
Tax Account No./Parcel I.D. No.

MADE this 28th day of February, 2001, by and between

GWENDOLYN M. PRICE and WILLIAM H. PRICE, husband and wife, as tenants by the entirety, as life tenants, and the remainder to VINCENT H. PRICE and NEKESHA L. PRICE, as tenants in common, by virtue of that certain Personal Representatives Deed dated November 5, 1999 and recorded December 14, 1999 as Instrument Number 9900104847, and GEORGE H. WINDSOR and DONNA F. ROBERTS as Co-Personal Representatives of the Estate of Leola B. Piper, and PAULINE BLACKWELL, GWENDOLYN PRICE AND WILLIAM H. PRICE as persons taking under the residuary clause of the will and codicils thereto of Leola B. Piper, party(ies) of the First part, and

CHRISTINE KELLY, unmarried, Party(ies) of the second part:

WITNESSETH, that in consideration of \$ 10.00, receipt of which is hereby acknowledged, and which the party(ies) of the first part certify under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said party(ies) of the first part do(es) grant and convey unto the parties of the second part in fee simple as **SOLE OWNER**, all that property situate in **WASHINGTON, D.C.**, described more particularly as:

SEE ATTACHED SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF

which has the address of: 1613 Lincoln Road, N.E.
Washington, D.C. 20002

SUBJECT to covenants, easements and restrictions of record.

To have and to Hold said land and premises herein described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every right, title, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only, benefit and behoof forever of said party(ies) of the second part in fee simple.

Being the same property described in Instrument No./Liber/ folio 9900104847, among the said Land Records.

PREPARED BY
LAW OFFICES
SHREVE, SCHUDEL, DEVOL,
SAUNDERS & JACKSON, PLLC
7101 WISCONSIN AVENUE
SUITE 112
BETHESDA, MARYLAND 20814
(301) 854-0800
FAX (301) 854-8598

EXHIBIT
1

Legal Description

Lot 31 in Block 3, now known as Square 3520, in a subdivision made by Horace J. Gray and others, of part of a tract of land now known as "West Eckington", as per plat recorded in Liber County 7 at folio 148 in the Office of the Surveyor for the District of Columbia,

Case Number: D01-11192

And the said party(ies) of the first part covenants that it will warrant specially the property hereby conveyed and that it will execute such further assurances of said land as may be requisite or necessary.

In Testimony Whereof, the said party(ies) of the first part has set its hand(s) and seal(s) the year and day first above written.

Gwendolyn M. Price (Seal)
GWENDOLYN M. PRICE
Life Tenant and Residuary Legatee

William H. Price (Seal)
WILLIAM H. PRICE
Life Tenant and Residuary Legatee

Vincent H. Price by William H. Price (Seal)
VINCENT H. PRICE

Nekesha L. Price by William H. Price (Seal)
NEKESHA L. PRICE

George H. Windsor (Seal)
GEORGE H. WINDSOR,
Co-Personal Representative

Donna F. Roberts (Seal)
DONNA F. ROBERTS
Co-Personal Representative

Pauline Blackwell (Seal)
PAULINE BLACKWELL
Residuary Legatee

State of Oregon

County of Clackamas

I hereby certify that on this 28th day of February, 2001, before me, the undersigned subscriber, did personally appear Donna F. Roberts known to me or satisfactorily proved to be the person(s) whose name(s) are set forth in the within deed, bearing date of FEBRUARY 28, 2001 and did further acknowledge that they executed the foregoing deed for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL.



[Signature]
Notary Public

PREPARED BY
LAW OFFICES
SHREYES, SCHUBEL, DEVOL,
FOUNDERS & JACKSON, PLLC
7101 WISCONSIN AVENUE
SUITE 112
BETHESDA, MARYLAND 20814
(301) 654-9900
FAX (301) 654-8598

State of Maryland

County of Baltimore

I hereby certify that on this 28th day of February, 2001,
before me, the undersigned subscriber, did personally appear Pauline Blackwell
Pauline Blackwell known to me or satisfactorily proved to be the
person(s) whose name(s) are set forth in the within deed, and did further acknowledge
that they executed the foregoing deed for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL.

Joseph Labrecque
Notary Public
my comm exp 9/1/2001

PREPARED BY
LAW OFFICES
SHREVE, SCHUELE, DEVOL,
SAUNDERS & JACKSON, PLLC

7101 WISCONSIN AVENUE
SUITE 112
BETHESDA, MARYLAND 20814

(301) 654-9800
FAX (301) 654-6598

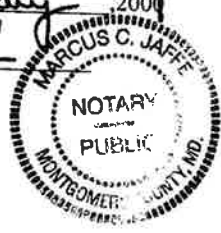
STATE OF MARYLAND
COUNTY OF MONTGOMERY

I, Marcus C. Jaffe, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that William H. Price, Gwendolyn M. Price, William H. Price as Attorney-In-Fact for Vincent H. Price and William H. Price as Attorney-In-Fact for Nekesha L. Price, parties to a certain Deed, bearing date on the 28th day of February, 2001, and hereto annexed, personally appeared before me, in my jurisdiction aforesaid, the said William H. Price, Gwendolyn M. Price, William H. Price as Attorney-In-Fact for Vincent H. Price and William H. Price as Attorney-In-Fact for Nekesha L. Price, being personally well known to me as the person(s) who executed said document, and then and there acknowledged the same to be their act and deed for the purposes therein contained.

GIVEN under my hand and official seal, this 28th day of February, 2001

Marcus C. Jaffe
NOTARY PUBLIC

MARCUS C. JAFFE
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 4, 2003



My Commission expires: _____

STATE OF MARYLAND
COUNTY OF MONTGOMERY

I, Marcus C. Jaffe, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that George H. Windsor, Personal Representative for the Estate of Leola B. Piper, parties to a certain Deed, bearing date on the 28th day of February, 2001, and hereto annexed, personally appeared before me, in my jurisdiction aforesaid, the said George H. Windsor, Personal Representative for the Estate of Leola B. Piper, being personally well known to me as the person(s) who executed said document, and then and there acknowledged the same to be their act and deed for the purposes therein contained.

GIVEN under my hand and official seal, this 28th day of February, 2001

Marcus C. Jaffe
NOTARY PUBLIC

MARCUS C. JAFFE
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 4, 2003



My Commission expires: _____

Doc# 2001027783

Book: -

Pages:

Filed & Recorded

03/22/2001 10:51:45 AM

HENRY RILEY

RECORDER OF DEEDS

WASHINGTON D.C. RECORDER OF DEEDS

RECORDING FEE 1.600.00

RECORDING TAX 1.600.00

TOTAL 3.200.00

RECORDING TAX 1.600.00

TOTAL 3.200.00

9

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



ATTORNEY GENERAL
KARL A. RACINE

Public Advocacy Division

April 30, 2018

Christine Kelly
8 Hanover Place NW
Washington, D.C. 20001-1253

Re: Notice of Unlawful Activity at 1613 Lincoln Road, N.E. Apt. 2

Dear Ms. Christine Kelly:

The Office of the Attorney General has received information that you are the owner of apartment building located at 1613 Lincoln Road, N.E. Apt. 2, Washington, DC 20002. I am contacting you at this time to seek an immediate meeting with you regarding illegal activity that has been occurring at your property.

On September 1, 2017, officers of the Metropolitan Police Department (MPD) executed a search warrant at your apartment building and recovered PCP, crack cocaine, marijuana, ammunition, and gun lubricant. As a result, MPD arrested six people inside of the apartment at the time of the search. Those arrests led the U.S. Attorney's Office to file *United States v. Michael David Gather*, 2017 CF2 015111, which is currently pending before the court.

Based on the items seized at your property, as well as community complaints MPD has received about your property, we are investigating it as a drug and firearm nuisance pursuant to D.C. Code §§ 42-3101 to -3114 (2016). Under this law, OAG may take action against a property owner who does not maintain their property in a manner that causes, creates, or maintains a nuisance related to the unlawful storage of drugs or firearms. This letter is notice to you under D.C. Code § 42-3103(b) that your property may constitute such a nuisance.

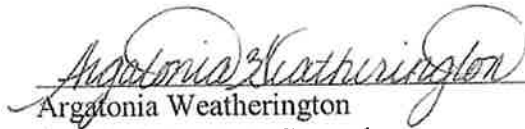
The law places the responsibility on you to ensure that your property is not used in a manner that is detrimental to the welfare of the surrounding area. We invite you to meet with members of our Office regarding the activity at your property and what steps you can take to correct it.

Please contact Assistant Attorney General Argatonia Weatherington within fourteen days of receipt of this letter. I can be reached at (202) 727-6338 or at the email address listed below. I have included a copy of the Search Warrant Return for your convenience. I thank you in advance for your prompt attention and response to my request.

Sincerely,

KARL A. RACINE
Attorney General

By:



Argatonia Weatherington
Assistant Attorney General
Housing and Community Justice
Office of the Attorney General for the District of Columbia
Phone: 202-727-6338
Email: Argatonia.Weatherington@dc.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Christine Kelly
 8 Hanover Place NW
 Washington, D.C. - 20001-1253



9590 9402 1610 6053 1714 58

2. Article Number (Transfer from service label)

7018 0040 0001 1318 7304

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? Yes
- If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

**BRYAN HIGHT
AFFIDAVIT**


I, Bryan Hight, having been put under oath, hereby state the following:

1. I am over the age of 18 and competent to give testimony under oath.
2. I work from home and am in the hospitality business. Sometimes I have off-site projects, but most of the time I am home.
3. Currently, I reside at 6 Quincy Place, N.E., Washington, D.C., 20018-2803 and have lived here for the approximately fourteen years. I live across the street from 1613 Lincoln Road, N.E., Washington, DC 20018-2803 ("1613 Lincoln Road" or the "Property"). It is less than 150 feet from my front door to the front door of 1613 Lincoln Road. Through my window, I can see nearly everything that happens on the Quincy Place side of the Property.
4. Since about 2008 or 2009, the Property has been a problem. My wife and I moved into our house in 2004, at first people would just sit out on the front steps of the Property and it was not a problem. It was the same three or four men every day and they were a neighborhood fixture. They would not bother anyone, and they were very social. However, during either 2008 or 2009 those men left or were displaced, and they were replaced by a new element. The number of people hanging out increased. Some of those people would walk around in a stupor, kind of like the Walking Dead. They would sway and lean on the side walk, but never fall. While others would be very aggressive. They would yell, scream, tear their clothes off. Some of them would walk into traffic yelling and screaming at the cars. When that happened, I would call 9-11 to get that person some help.
5. In recent years, things became worse. In 2016, people began living in the garage of 1613 Lincoln RD. The people living in the garage were getting high and the people hanging out front were selling the drugs. People were always on the side walk. Because of the problem with the people in the garage, I began to write emails and call different district government agencies. I wrote MPD, DCRA, the D.C. Council, OTR, and OAG to help address the problem with the garage. Finally, after over a year of the people living in the garage and getting high, the District finally boarded it up. Because the garage has been boarded up that has taken care of one problem, but another problem remains – the people dealing and congregating at the front doors of 1613 Lincoln Rd.
6. The same people that hang out front of the 1613 Lincoln move around the community. Dealers from the Property often shoot and kill people in the neighborhood. Between 1613 Lincoln Rd and the 1700 Blk of Lincoln you can get anything that you want.
7. I use to walk my dog in the park. I don't do that anymore. Too much activity, too many suspicious people walking around. I won't go to the park or walk past the property. I change my patterns of where I walk and how I walk because of the activity at 1613 Lincoln Rd. I tell my wife not to walk past the Property or walk on that side of the street.
8. I have noticed an increase in both vehicular and foot traffic in the neighborhood because of the Property. Cars would park on the corner and block the cross walk. Drug deals would happen to and from the parked cars. I would call parking enforcement to move the cars when I saw them outside. That went


on for two years. One time, I saw a school bus pull up on our street, the bus driver got out, walked up to one of the men standing in front of 1613 Lincoln Rd. They did a hand-to-hand, then the bus driver got back in the bus and drove away. I was so shocked that I took down the bus number and called DCPS to tell them what I saw so they could do something about that bus driver. DCPS told me that there was nothing that they could do because they would need a license plate, not a bus number to find out who the driver was.

9. Because of the problems at 1613 Lincoln Rd, my next-door neighbor has had trouble renting his house. He is even closer to the front door of that property than I am. The people up the block rent out their houses in a matter of days, it took him over 6 months to get a renter.

10. At this point, the owner of 1613 Lincoln Rd needs to take better care of her property and address the issue. It is not right that I am afraid to walk around my own neighborhood.


Bryan Hight

Bryan Hight personally appeared this 9th day of August 2018 and made oath before me that the facts set forth in the above statement are true.


Argatonia Weatherington
Assistant Attorney General
Oath Administered pursuant to D.C. Code § 1-301.88