

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO:

**Jesús Cabrera Jaramillo, in his individual
capacity, and in his capacity as the personal
representative of the estate of Alma Rosa
Jaramillo,**)
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)
)
**Jane Doe, in her individual capacity, and in her
capacity as the personal representative of the
estate of Eduardo Estrada, and**)
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)
)
John Doe, in his individual capacity,)
)
)
Plaintiffs,)
)
)
v.)
)
)
**CARLOS MARIO JIMÉNEZ NARANJO, also
known as “Macaco,” “El Agricultor,” “Lorenzo
González Quinchía,” and “Javier Montañez,”**)
)
)
Defendant.)
)

**PLAINTIFFS’ COMPLAINT FOR EXTRAJUDICIAL KILLING; TORTURE;
CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT; WAR
CRIMES; AND CRIMES AGAINST HUMANITY; JURY TRIAL DEMANDED**

Plaintiffs Jesús Cabrera Jaramillo, Jane Doe, and John Doe (collectively “Plaintiffs”),
complain and allege as follows:

INTRODUCTION

1. On June 28, 2001 and July 16, 2001, Eduardo Estrada Gutierrez (“Eduardo Estrada”) and Alma Rosa Jaramillo Lafourie (“Alma Rosa Jaramillo”) (collectively the “Decedents”) were brutally murdered in the Middle Magdalena River region of northwest Colombia (“Middle Magdalena”). They were murdered by paramilitaries belonging to the Bloque Central Bolívar (“BCB”), a division of the United Self-Defense Forces of Colombia (“AUC”), who acted under

the direction and control of Defendant Carlos Mario Jiménez Naranjo (“Macaco” or “Defendant”).¹

2. The events described in this complaint occurred following the invasion of Middle Magdalena by the AUC in 1998 and 1999 when Macaco and his men unleashed a wave of violence to eliminate their opponents and establish control of the lucrative drug trade in the area. Decedents were leaders and members of the Program for Peace and Development (“PDP”), a non-governmental organization whose economic development initiatives provided farmers with alternatives to coca cultivation and the drug trade. To maintain its stronghold of Middle Magdalena, the BCB threatened, kidnapped, tortured, and killed members of the PDP. Alma Rosa Jaramillo and Eduardo Estrada were among those targeted and killed by paramilitary forces under Macaco’s command.

3. This is an action for compensatory and punitive damages for torts in violation of international and domestic law. The Plaintiffs in this action, in their personal capacities and as the personal representatives for the Estates of Eduardo Estrada and Alma Rosa Jaramillo, institute this action against Macaco and seek damages for extrajudicial killing; torture; cruel, inhuman, or degrading treatment or punishment; war crimes; and crimes against humanity.

JURISDICTION AND VENUE

4. This Court has jurisdiction over Plaintiffs’ claims pursuant to 28 U.S.C. § 1331 because the action arises under the Alien Tort Statute, 28 U.S.C. § 1350 and the Torture Victim Protection Act, Pub. L. No. 102-256, 106 Stat. 73.

5. This Court also has jurisdiction pursuant to the Alien Tort Statute, 28 U.S.C. § 1350 because Plaintiffs’ claim is by an alien for a tort committed in violation of the law of nations or a treaty of the United States. Defendant in this action has committed torts in violation of the following treaties of the United States:

- (a) International Covenant on Civil and Political Rights, *adopted* Dec. 19, 1966, S. Exec. Doc. E 95-2 (1978), 999 U.N.T.S. 171 (entered into force Mar. 23, 2976) (ratified by the United States, June 8, 1992);
- (b) Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 75 U.N.T.S. 31 (“Geneva Convention I”), (entered into force Oct. 21, 1950);

¹ The Defendant’s aliases include “Macaco,” “El Agricultor,” “Lorenzo González Quinchía,” and “Javier Montañez.”

- (c) Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 75 U.N.T.S. 85 (“Geneva Convention II”), (entered into force Oct. 21, 1950);
- (d) Convention Relative to the Treatment of Prisoners of War, 75 U.N.T.S. 135 (“Geneva Convention III”), (entered into force Oct. 21, 1950);
- (e) Geneva Convention relative to the Protection of Civilian Persons in Time of War, 75 U.N.T.S. 287 (“Geneva Convention IV”), (entered into force Oct. 21, 1950);
- (f) Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, S. Treaty Doc. No. 100-20 (1988) *reprinted in* 23 I.L.M. 1027 (1984) (entered into force June 26, 1987);

6. Macaco also committed torts in violation of the law of nations, as codified in the following international agreements and declarations:

- (a) Universal Declaration on Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810, at 71 (1948);
- (b) The Charter of the International Military Tribunal, Nuremberg, of 8 August 1945, confirmed by G.A. Res. 3, U.N. Doc. A/50 (1946) and G.A. Res. 95, U.N. Doc. A/236 (1946);
- (c) The Rome Statute of the International Criminal Court, United States Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, U.N. Doc. A/CONF.183/9 (1998), reprinted in 37 I.L.M. 999 (1998);
- (d) Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, U.N. Doc. S/25704 at 36, annex (1993) and S/25704/Add.1 (1993), adopted by Security Council on 25 May 1993, U.N. Doc. S/RES/827 (1993);
- (e) Statute of the International Tribunal for Rwanda, adopted by S.C. Res. 955, U.N. SCOR, 49th Sess., 3453d mtg. at 3, U.N. Doc. S/RES/955 (1994), 33 I.L.M. 1598, 1600 (1994);
- (f) Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1125 U.N.T.S. 609 (entered into force Dec. 7, 1978);
- (g) The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, adopted Nov. 26, 1968, 754 U.N.T.S. 73 (entered into force Nov. 11, 1970);
- (h) Principles of International Co-Operation in the Detection, Arrest, Extradition and Punishment of Persons Guilty of War Crimes Against Humanity, G.A. Res. 3074, U.N. GAOR 28th Sess., Supp. No. 30A at 78, U.N. Doc. A/9039/Add.1 (1973);

- (i) Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, G.A. Res. 3452 (XXX), U.N. GAOR, 30th Sess., Supp. No. 34, at 91, U.N. Doc. A/10034 (1975);
- (j) American Convention on Human Rights, O.A.S. Treaty Series No. 36, 1144 U.N.T.S. 123, *entered into force* July 18, 1978, reprinted in Basic Documents Pertaining to Human Rights in the Inter-American System, OEA/Ser.L.V/II.82 doc.6 rev.1 at 25 (1992);
- (k) American Declaration of the Rights and Duties of Man, O.A.S. Res. XXX, adopted by the Ninth International Conference of American States (1948), *reprinted in* Basic Documents Pertaining to Human Rights in the Inter-American System, OEA/Ser.L.V/II.82 doc.6 rev.1 at 17 (1992).

7. Upon information and belief, Defendant is currently in the custody of the United States government facing criminal charges in the United States District Court for the Southern District of Florida and the United States District Court for the District of Columbia.

8. The United States District Court for the Southern District of Florida is a proper venue for this action pursuant to 28 U.S.C. § 1391(b) and (d).

PARTIES

Defendant

9. Upon information and belief, Defendant was born on February 26, 1966 and is a citizen of Colombia who was extradited to the United States on May 7, 2008.

10. Upon information and belief, from at least 1998 until 2005, the Defendant was a leader in the AUC paramilitary organization and commanded as many as seven-thousand armed combatants across a wide range of Colombian territory. In 1998 and 1999, Defendant Macaco led paramilitary sub-units of the AUC to invade and occupy Middle Magdalena. These forces were unified under the title of the “Bloque Central Bolívar” in approximately 2000. Macaco acted as the high commander of the BCB from its inception until it disbanded in 2005, including at the time of the Decedents’ torture and extrajudicial killing. In that capacity, Macaco commanded those responsible for protecting coca cultivation and related narcotic-trafficking businesses and directed widespread and systematic attacks on the civilian population of Middle Magdalena. This included attacks on the leaders of the PDP.

11. At all relevant times, as a leader of the AUC and high commander of the BCB, Macaco possessed and exercised command and control over his paramilitary forces in the BCB in Middle Magdalena.

Plaintiffs

12. Decedent Alma Rosa Jaramillo was a lawyer and sub-regional coordinator for the PDP in Middle Magdalena. Alma Rosa Jaramillo was killed by members of the BCB on or about June 28, 2001. Throughout her life, she was a resident and citizen of Colombia.

13. The beneficiaries of the Estate of Alma Rosa Jaramillo include Jesús Cabrera Jaramillo. Jesús Cabrera Jaramillo is a Colombian citizen and currently resides in the Republic of Colombia. He is Alma Rosa Jaramillo's oldest son and personal representative of her estate. Jesús Cabrera Jaramillo brings this action in his individual capacity and in his capacity as the personal representative of the estate of Alma Rosa Jaramillo for the torture, cruel, inhuman or degrading treatment or punishment and extrajudicial killing of his mother, for war crimes and for crimes against humanity committed by the BCB, or persons or groups acting in concert with the BCB or under its control.

14. Decedent Eduardo Estrada was a founding member of the PDP and a coordinator for the PDP working group in Middle Magdalena. He was killed by members of the BCB on or about July 16, 2001. Throughout Eduardo Estrada's life, he was a resident and citizen of Colombia.

15. The beneficiaries of the Estate of Eduardo Estrada include Jane Doe and John Doe. Jane Doe is a Colombian citizen and currently resides in the Republic of Colombia. She is Eduardo Estrada's relative and personal representative of his estate. Jane Doe brings this action in her individual capacity, and in her capacity as personal representative of the estate of Eduardo Estrada, for the extrajudicial killing of her relative on July 16, 2001, for her own torture and cruel, inhuman or degrading treatment or punishment for being forced to witness Eduardo Estrada's murder, for war crimes and for crimes against humanity committed by the BCB, or persons or groups acting in concert with the BCB or under its control. Plaintiff Jane Doe seeks to proceed under a pseudonym because she fears reprisals against herself or her family members as a result of her participation in this lawsuit.

16. John Doe is a Colombian citizen and currently resides in the Republic of Colombia. He is Eduardo Estrada's relative. John Doe brings this action in his individual capacity for the extrajudicial killing of his relative on July 16, 2001, for war crimes and for crimes against humanity committed by the BCB, or persons or groups acting in concert with the BCB or under its control. Plaintiff John Doe seeks to proceed under a pseudonym because he fears reprisals against himself or his family members as a result of his participation in this lawsuit.

STATEMENT OF FACTS

17. Except with respect to Plaintiffs' background and the circumstances of plaintiff Jane Doe's allegations which are alleged on the Plaintiffs' personal knowledge, on information and belief Plaintiffs allege as follows:

General Facts

18. Colombia has been in a state of internal armed conflict for more than 40 years. The internal armed conflict had been fought between guerilla groups, on one side, and the Colombian government on the other. To fight this internal armed conflict against the guerrilla groups located in areas of the country where the Colombian government had only limited or no state presence, the Colombian government introduced and used paramilitary groups.

19. In 1997, the majority of Colombia's paramilitary groups consolidated into the AUC. By 2003 and through the support of the Colombian army, the AUC grew to 13,500 members operating on 49 fronts, in 26 of Colombia's 32 departments and 382 of its 1,098 municipalities. Many of these municipalities were located in Middle Magdalena.

20. From approximately 1997 to 2007, the AUC was responsible for widespread and systematic attacks on civilian populations across Colombia, including Middle Magdalena. This included torture, forced disappearances, extrajudicial killings, and massacres. It included a strategy of selective assassinations and kidnappings against human rights defenders, justice workers, labor and social leaders, journalists and political candidates for election.

21. The AUC's influence reached beyond the Colombian government and military and extended to local government officials. Specifically, the AUC controlled individuals involved in the selection of mayors, judges, directors of public hospitals, and other municipal officials in all areas they occupied. The AUC infiltrated local governments because the AUC's role was to infiltrate and fight guerrillas in areas of the country where the Colombian government had only limited or no state presence. The AUC funded its violent territorial and political expansion through the production, sale, and trafficking of narcotics.

22. The Colombian government knew of, and at times directly participated in, well-publicized and documented human rights abuses, and continued to organize, regulate, arm, conspire and collaborate with the AUC. The Colombian government provided transportation, munitions, and communications to the AUC. Powerful political officials, including top officials in Colombian President Álvaro Uribe Vélez's government, are associated with the AUC. Other politicians had strong links with and received funding from the AUC.

23. The AUC's violent acts and the use of the profits it obtained from drug trafficking to fund its paramilitary activities eventually prompted the United States government to classify the AUC as a "terrorist organization" on September 10, 2001; a "Specially Designated Global Terrorist Organization" in October 2001; and a "Significant Foreign Narcotics Trafficker" and a "Foreign Narcotics Kingpin" in 2003.

24. Plaintiffs and Decedents were civilians and played no active part in the hostilities.

A. *Systematic and Widespread Attacks on the Civilian Population in the Middle Magdalena*

25. Middle Magdalena is, and was at all times described herein, a resource-rich and fertile region with large cattle ranches, palm plantations, oil and gas wells, and goldmines. It is also a very large producer of coca, the primary ingredient for cocaine.

26. In 1998, Macaco led a division of the AUC to invade the strategic region of Middle Magdalena and push out any existing guerilla forces. The Colombian government not only did nothing to prevent but authorized Middle Magdalena's invasion. The AUC units in the region consolidated to establish the BCB, which by the year 2000 became the occupying force and *de-facto* government of all of Middle Magdalena, with the Defendant sitting as its high commander.

27. BCB paramilitary soldiers and political operatives secured control of local farms and municipalities, controlled the selection of mayors, judges and directors of public hospitals, as well as other municipal officials through corruption and, where they deemed necessary, through the widespread and systematic torture, kidnapping, and extrajudicial killing of vulnerable civilians. The BCB also developed a political wing with members occupying positions in local government.

28. Macaco had dominion over Middle Magdalena's resources, including its people, and over the BCB. The BCB tortured and murdered more than 10,000 civilians in Middle Magdalena during Macaco's reign.

B. *PDP's Efforts to Promote Sustainable Development in Middle Magdalena*

29. The PDP is a non-governmental organization seeking to promote democracy, civil rights, and human rights since its founding in 1995. Headquartered in Middle Magdalena, the PDP was founded by the Jesuits to provide opportunities for local indigenous people, and has continuously supported programs creating sustainable and locally based economies as an alternative to coca cultivation. One of its programs included teaching farmers how to plant palm, fruit, and cacao trees as an alternative to coca.

30. The PDP provides alternatives for the peasants obliged by the paramilitaries and other groups to work the coca fields, threatening the BCB's main source of wealth and its political and economic base. The PDP thus became a target of the BCB for this reason, with the BCB murdering 27 PDP leaders between 1997 and 2009.

C. *The Extrajudicial Killing of Eduardo Estrada and the Torture of Jane Doe*

31. At all times relevant herein and until his death on July 16, 2001, Eduardo Estrada lived with his common law wife and their young daughter in Middle Magdalena. He was a founding member of the PDP and the coordinator for the PDP working group of San Pablo. He was also responsible for an initiative to start a community radio station in San Pablo and, with the help of a local university, set up the Political School for peasant farmers. He also owned a restaurant which was well-known as a meeting-place for locals after the Political School meetings.

32. Eduardo Estrada was believed to be a potential candidate to run against the BCB candidate for mayor who eventually won the election on or about October 28, 2000.

33. On the night of July 16, 2001, Eduardo Estrada and Jane Doe were returning from a party close to their home when one of Macaco's subordinates approached them from behind and fired three bullets into the back of Eduardo Estrada's head.

34. Jane Doe briefly lost consciousness after witnessing his shooting. When she returned to consciousness, she witnessed Macaco's subordinate standing over her with a gun, Eduardo Estrada at her side bleeding to death, and then the shooter escaping on foot.

35. Eduardo Estrada was shot approximately 300 meters from the local police station, yet the local police did not assist him. Government soldiers also passed and offered no help.

36. Eduardo Estrada died from the gunshot wounds to his head later that evening.

D. *The Torture and Extrajudicial Killing of Alma Rosa Jaramillo*

37. From approximately 1998 and until her death, Alma Rosa Jaramillo lived with her companion and youngest son in Middle Magdalena where she practiced criminal law and was a sub-regional coordinator for the PDP. Alma Rosa Jaramillo litigated several high-profile human rights cases in Middle Magdalena, including land-rights cases on behalf of communities displaced by BCB paramilitary forces as well as and a corruption case against the chief administrator of the Morales Hospital. She openly opposed the BCB paramilitary forces and had a number of direct confrontations with the BCB and its leaders.

38. In 2000, Alma Rosa Jaramillo was working on the campaign of a mayoral candidate who ran in opposition to a BCB candidate who eventually won the election on or about October 28, 2000. In the months after the election, Alma Rosa Jaramillo discovered that a BCB sympathizer city councilman in Middle Magdalena named Manuel Payares had told Macaco's subordinates that she was a guerrilla collaborator. Alma Rosa Jaramillo confronted Macaco's subordinates to explain that the accusations were false and, in early 2001, she even filed a slander suit against Payares.

39. In or about March 2001, a BCB soldier under the Defendant's direct command threatened Alma Rosa Jaramillo and her companion at their home. Alma Rosa Jaramillo was ordered to leave town under threat of death.

40. On or about June 28, 2001, Macaco's soldiers stopped a public service vehicle that Alma Rosa Jaramillo was riding, and Macaco's soldiers forcibly removed her from the vehicle. She never returned. The soldiers took a list of the passengers' names, threatening them to stay silent about the abduction.

41. On or about July 1, 2001, Alma Rosa Jaramillo's torso was recovered from a river in the El Dique region. Her head, arms and legs have never been found. Her torso displayed signs of torture, including mutilation by electric or power saw, with several deep incisions across her front and back. Alma Rosa Jaramillo was alive while she was being mutilated; she bled to death.

GENERAL ALLEGATIONS

42. At all relevant times described herein, the acts were inflicted by the paramilitary soldiers under the Defendant's command, deliberately and intentionally, in furtherance of the Defendant's orders, under color of law, and with the Colombian government's acquiescence and participation.

43. The Defendant and his subordinates acted in concert with and on behalf of the Colombian government. The Colombian government introduced and used the AUC and BCB to fight its internal armed conflict against the guerrilla groups located in areas of the country where the Colombian government had only limited or no state presence, including Middle Magdalena. The Colombian government permitted the AUC and BCB to act as the *de facto* government in Middle Magdalena. The Colombian government failed to investigate or prosecute Macaco for the torture and extrajudicial killings of Alma Rosa Jaramillo and Eduardo Estrada.

44. From at least 1999 to approximately 2005, Macaco acted as a high commander of the AUC and the commanding officer of the BCB in Middle Magdalena. He possessed and

exercised all aspects of command and control over the AUC, over the BCB and all of the BCB's members, including setting the BCB's policy and managing its day-to-day affairs, such as the appointment, discipline and termination of BCB paramilitaries. Macaco had both the authority and practical ability to exert control over his AUC and BCB subordinates in Middle Magdalena. He had effective control over the direct perpetrators of these abuses.

45. At all relevant times described herein, Macaco knew or reasonably should have known of the pattern and practice of gross human rights abuses perpetrated against the civilian population of Colombia by paramilitary soldiers subordinates under his command, including the abuses committed against Plaintiffs and the Decedents. The individuals who perpetrated these abuses operated under Macaco's direct command and direction. The former head of the BCB's military wing, Julian Bolivar, and the former head of its political wing, Ernesto Paez, have testified acknowledging Macaco's knowledge of and responsibility as the BCB leader for these murders. The abuses were committed as part of the Macaco's overall strategy to gain and maintain control over Middle Magdalena.

46. As the commander of the AUC and BCB, and because of the AUC and BCB's close association with the Colombian government and status as the *de facto* government of Middle Magdalena, Macaco had a duty under customary international law, multilateral treaties and Colombian law to ensure the protection of civilians, to prevent violations of international and Colombian law by members of the AUC and BCB under his command, and to ensure that all persons under his command were trained in and complied with international and Colombian law, including the prohibitions against extrajudicial killing; torture; cruel, inhuman or degrading treatment or punishment; war crimes; and crimes against humanity.

47. Macaco was under a duty to investigate, prevent and punish violations of international and Colombian law committed by members of the AUC under his command, including members of the BCB. Macaco failed or refused to take all necessary measures to investigate and prevent these abuses described herein, or to punish personnel under his command for committing such abuses.

48. Macaco conspired with officers and soldiers in the AUC and BCB who planned and carried out the extrajudicial killings; torture; cruel, inhuman or degrading treatment or punishment; war crimes; and crimes against humanity. Macaco conspired and acted in concert with one or more members of the AUC and BCB pursuant to a common plan, design, and scheme to use physical violence and intimidation, including torture and murder, against civilians

in Colombia, especially those perceived to be opponents of the AUC and BCB's government of the Middle Magdalena. Macaco knowingly joined and participated in carrying out this common plan, design and scheme.

49. In addition to being personally liable for his own actions, Macaco is jointly and severally liable for the actions of his co-conspirators, all of which were actions undertaken in the pursuit of a common plan, design and scheme to use physical violence and intimidation, including torture, cruel, inhuman, or degrading treatment or punishment and extrajudicial killing against civilians in Colombia, especially those perceived to be opponents of the AUC and BCB's government in the Middle Magdalena.

50. Macaco substantially assisted members of the AUC and BCB, or persons or groups acting in coordination with the AUC and BCB or under its control, who personally committed extrajudicial killings, torture, and cruel, inhuman or degrading treatment or punishment. Macaco knew that his actions would assist the abuses described herein at the time he provided the assistance. Macaco is jointly and severally liable for the actions of those he aided and abetted.

CLAIMS BY THE ESTATE OF ALMA ROSA JARAMILLO &

JESÚS CABRERA JARAMILLO

FIRST CLAIM FOR RELIEF

(Extrajudicial Killing)

51. Plaintiff Jesús Cabrera Jaramillo, in his individual capacity and as a personal representative for the Estate of Alma Rosa Jaramillo, re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 50 as if fully set forth herein.

52. The extrajudicial killing of Alma Rosa Jaramillo was not authorized by any court judgment and was unlawful under the laws of Colombia that existed at that time. The decedent, Alma Rosa Jaramillo, was never charged with, convicted of, or sentenced for any crime.

53. The harms to Alma Rosa Jaramillo described herein were inflicted by and at the instigation of a public official or other person acting in an official capacity.

54. The murder of Alma Rosa Jaramillo constitutes an extrajudicial killing in violation of Article 6 of the International Covenant on Civil and Political Rights, which is a treaty of the United States, and the Torture Victim Protection Act, Pub. L. No. 102-256, 106 Stat. 73 (1992) (codified at 28 U.S.C. § 1350 note). Additionally, the extrajudicial killing of Alma Rosa Jaramillo constitutes a violation of the law of nations, as codified in relevant provisions of the international agreements and declarations listed in paragraph 8 herein. Consequently, the

extrajudicial killing of Alma Rosa Jaramillo is actionable under the Alien Tort Statute, 28 U.S.C. § 1350.

55. Prior to her execution, Alma Rosa Jaramillo was placed in imminent fear for her life; she suffered severe physical abuse and agony prior to her extrajudicial killing. The extrajudicial killing of Alma Rosa Jaramillo inflicted severe mental pain and suffering on plaintiff Jesús Cabrera Jaramillo. As a result of this extrajudicial killing, the Estate of Alma Rosa Jaramillo and Jesús Cabrera Jaramillo have suffered damages in an amount to be determined at trial.

56. Defendant's acts and omissions were deliberate, willful, intentional, wanton, malicious and oppressive, and should be punished by an award of punitive damages in an amount to be determined at trial.

SECOND CLAIM FOR RELIEF

(Torture)

57. Plaintiff Jesús Cabrera Jaramillo, in his individual capacity and as a personal representative for the Estate of Alma Rosa Jaramillo, re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 50 as if fully set forth herein.

58. The Defendant and his co-conspirators specifically intended to inflict severe pain and suffering on Alma Rosa Jaramillo.

59. From some time on June 28, 2001 until the time of her death, Alma Rosa Jaramillo was in the custody and/or physical control of the Defendant and his co-conspirators.

60. The acts described herein were inflicted deliberately and intentionally for one or more of the following purposes: to punish Alma Rosa Jaramillo; to discriminate against Alma Rosa Jaramillo for her presumed political beliefs; and/or to intimidate or coerce Alma Rosa Jaramillo and third parties, including members of the PDP and individuals perceived to be opponents of the AUC/BCB's government of Middle Magdalena.

61. The harms to Alma Rosa Jaramillo described herein were inflicted by and at the instigation of a public official or other person acting in an official capacity.

62. The acts committed against Alma Rosa Jaramillo described herein constitute torture in violation of Article 7 of the International Covenant on Civil and Political Rights and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which are treaties of the United States, and the Torture Victim Protection Act, Pub. L. No. 102-256, 106 Stat. 73 (1992) (codified at 28 U.S.C. § 1350 note). Additionally, the torture of Alma Rosa Jaramillo constitutes a violation of the law of nations, as codified in relevant provisions of

the international agreements and declarations listed in paragraph 8 herein. Consequently, the torture of Alma Rosa Jaramillo is actionable under the Alien Tort Statute, 28 U.S.C. § 1350.

63. The acts described herein placed Alma Rosa Jaramillo in imminent fear for her life and caused her to suffer severe physical and mental pain and suffering. As a result of this torture, the Estate of Alma Rosa Jaramillo has suffered damages in an amount to be determined at trial.

64. Defendant's acts and omissions were deliberate, willful, intentional, wanton, malicious and oppressive, and should be punished by an award of punitive damages in an amount to be determined at trial.

THIRD CLAIM FOR RELIEF

(Cruel, Inhuman or Degrading Treatment or Punishment)

65. Plaintiff Jesús Cabrera Jaramillo, in his individual capacity and as a personal representative for the Estate of Alma Rosa Jaramillo, re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 50 as if fully set forth herein.

66. The acts described herein – including, but not limited to, the act of dismembering Alma Rosa Jaramillo while she was still alive – constituted cruel, inhuman or degrading treatment or punishment of Alma Rosa Jaramillo.

67. The acts described herein – including, but not limited to, the act of forcibly disappearing Alma Rosa Jaramillo and concealing the location of her corpse from her family members – constituted cruel, inhuman or degrading treatment or punishment of the family of Alma Rosa Jaramillo.

68. The harms to Alma Rosa Jaramillo described herein were inflicted by and at the instigation of a public official or other person acting in an official capacity.

69. The acts against Alma Rosa Jaramillo described herein constitute cruel, inhuman or degrading treatment or punishment in violation of Article 7 of the International Covenant on Civil and Political Rights and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which are treaties of the United States. Additionally, the cruel, inhuman, or degrading treatment or punishment of Alma Rosa Jaramillo constitutes a violation of the law of nations, as codified in relevant provisions of the international agreements and declarations listed in paragraph 8 herein. Consequently, the cruel, inhuman or degrading treatment or punishment of Alma Rosa Jaramillo is actionable under the Alien Tort Statute, 28 U.S.C. § 1350.

70. The acts described herein caused Alma Rosa Jaramillo severe mental and physical pain and suffering. The acts also caused Jesús Cabrera Jaramillo severe mental pain and suffering. As a result of this cruel, inhuman or degrading treatment or punishment described above, the Estate of Alma Rosa Jaramillo and Jesús Cabrera Jaramillo have suffered damages in an amount to be determined at trial.

71. Defendant's acts and omissions were deliberate, willful, intentional, wanton, malicious and oppressive, and should be punished by an award of punitive damages in an amount to be determined at trial.

CLAIMS BY THE ESTATE OF EDUARDO ESTRADA, JOHN DOE & JANE DOE

FOURTH CLAIM FOR RELIEF

(Extrajudicial Killing)

72. Plaintiff John Doe, in his personal capacity and plaintiff Jane Doe, in her personal capacity and as a personal representative for the Estate of Eduardo Estrada, re-allege and incorporate by reference the allegations set forth in paragraphs 1 through 50 as if fully set forth herein.

73. The extrajudicial killing of Eduardo Estrada was not authorized by any court judgment and was unlawful under the laws of Colombia that existed at that time. The decedent, Eduardo Estrada, was never charged with, convicted of, or sentenced for any crime.

74. The harms to Eduardo Estrada described herein were inflicted by and at the instigation of a public official or other person acting in an official capacity.

75. The murder of Eduardo Estrada constitutes an extrajudicial killing in violation of Article 6 of the International Covenant on Civil and Political Rights, which is a treaty of the United States, and the Torture Victim Protection Act, Pub. L. No. 102-256, 106 Stat. 73 (1992) (codified at 28 U.S.C. § 1350 note). Additionally, the extrajudicial killing of Eduardo Estrada constitutes a violation of the law of nations, as codified in relevant provisions of the international agreements and declarations listed in paragraph 8 herein. Consequently, the extrajudicial killing of Eduardo Estrada is actionable under the Alien Tort Statute, 28 U.S.C. § 1350.

76. Prior to his execution, Eduardo Estrada was placed in imminent fear for his life. The extrajudicial killing of Eduardo Estrada also inflicted severe mental pain and suffering on plaintiffs John Doe and Jane Doe. As a result of this extrajudicial killing, the Estate of Eduardo Estrada, John Doe and Jane Doe have suffered damages in an amount to be determined at trial.

77. Defendant's acts and omissions were deliberate, willful, intentional, wanton, malicious and oppressive, and should be punished by an award of punitive damages in an amount to be determined at trial.

CLAIMS BY JANE DOE
FIFTH CLAIM FOR RELIEF

(Torture)

78. Plaintiff Jane Doe re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 50 as if fully set forth herein.

79. Macaco's subordinates specifically intended to inflict severe pain and suffering on Jane Doe.

80. The acts described herein were inflicted deliberately and intentionally for one or more of the following purposes: to punish, intimidate or coerce Jane Doe; to discriminate against Jane Doe for her presumed political beliefs or those of her relative; and/or to intimidate or coerce third parties, including members of the PDP and individuals perceived to be opponents of the AUC/BCB's government of Middle Magdalena.

81. The harms to Jane Doe described herein were inflicted by and at the instigation of a public official or other person acting in an official capacity.

82. The acts against Jane Doe described herein constitute torture in violation of Article 7 of the International Covenant on Civil and Political Rights and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which are treaties of the United States, and the Torture Victim Protection Act, Pub. L. No. 102-256, 106 Stat. 73 (1992) (codified at 28 U.S.C. § 1350 note). Additionally, the torture of Jane Doe constitutes a violation of the law of nations, as codified in relevant provisions of the international agreements and declarations listed in paragraph 8 herein. Consequently, the torture of Jane Doe is actionable under the Alien Tort Statute, 28 U.S.C. § 1350.

83. The acts described herein placed Jane Doe in imminent fear for her life and caused her to suffer severe physical and mental pain and suffering. As a result of this torture, plaintiff Jane Doe has suffered damages in an amount to be determined at trial.

84. Defendant's acts and omissions were deliberate, willful, intentional, wanton, malicious and oppressive, and should be punished by an award of punitive damages in an amount to be determined at trial.

SIXTH CLAIM FOR RELIEF

(Cruel, Inhuman or Degrading Treatment or Punishment)

85. Plaintiff Jane Doe re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 50 as if fully set forth herein.

86. The acts described herein – including, but not limited to, the killing of Eduardo Estrada in front of Jane Doe – constituted cruel, inhuman, or degrading treatment or punishment of Jane Doe.

87. The harms to Jane Doe described herein were inflicted by and at the instigation of a public official or other person acting in an official capacity.

88. The acts against Jane Doe described herein constitute cruel, inhuman or degrading treatment or punishment in violation of Article 7 of the International Covenant on Civil and Political Rights and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which are treaties of the United States. Additionally, the cruel, inhuman, or degrading treatment or punishment of Jane Doe constitutes a violation of the law of nations, as codified in relevant provisions of the international agreements and declarations listed in paragraph 8 herein. Consequently, the cruel, inhuman or degrading treatment or punishment of Jane Doe is actionable under the Alien Tort Statute, 28 U.S.C. § 1350.

89. The acts described herein caused Jane Doe severe mental and physical pain and suffering. As a result of this cruel, inhuman or degrading treatment or punishment, plaintiff John Doe has suffered damages in an amount to be determined at trial.

90. Defendant's acts and omissions were deliberate, willful, intentional, wanton, malicious and oppressive, and should be punished by an award of punitive damages in an amount to be determined at trial.

CLAIMS BY ALL PLAINTIFFS

SEVENTH CLAIM FOR RELIEF

(War Crimes)

91. Plaintiffs re-allege and incorporate by reference the allegations set forth in paragraphs 1 through 90 as if fully set forth herein.

92. The acts of extrajudicial killing, torture, and cruel, inhuman, or degrading treatment or punishment alleged herein constitute war crimes. These acts were committed in the course of an armed conflict not of an international character between the Colombian government and armed paramilitaries, on one side, and guerilla groups on the other.

93. The war crimes alleged herein are actionable because they were carried out in violation of Common Article 3 of Geneva Conventions I-IV, which are treaties of the United States. Additionally, the war crimes alleged herein constitute a violation of the law of nations, as codified in relevant provisions of the international agreements and declarations listed in paragraph 8 herein. Consequently, the war crimes alleged herein are actionable under the Alien Tort Statute, 28 U.S.C. § 1350.

94. As a result of Defendant's acts and omissions, Plaintiffs and Decedents have suffered damages in an amount to be determined at trial.

95. Macaco's acts or omissions were deliberate, willful, intentional, wanton, malicious and oppressive, and should be punished by an award of punitive damages in an amount to be determined at trial.

EIGHTH CLAIM FOR RELIEF

(Crimes Against Humanity)

96. Plaintiffs re-allege and incorporate by reference the allegations set forth in paragraphs 1 through 90 as if fully set forth herein.

97. The acts of extrajudicial killings, torture, and cruel, inhuman or degrading treatment or punishment alleged herein constitute crimes against humanity. These acts were committed in a systematic manner and on a large scale; they were instigated and/or directed by the AUC and BCB against a civilian population with the support of the Colombian government.

98. The crimes against humanity alleged herein are actionable under 28 U.S.C. § 1350 because they were carried out in violation of the law of nations, as codified in relevant provisions of the international agreements and declarations listed in paragraph 7 herein, including, but not limited to:

- (a) The Charter of the International Military Tribunal, Nuremberg, of 8 August 1945, confirmed by G.A. Res. 3, U.N. Doc. A/50 (1946) and G.A. Res. 95, U.N. Doc. A/236 (1946);
- (b) The Rome Statute of the International Criminal Court, United States Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, U.N. Doc. A/CONF.183/9 (1998), reprinted in 37 I.L.M. 999 (1998);
- (c) Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, U.N. Doc. S/25704 at 36, annex (1993) and S/25704/Add.1 (1993), adopted by Security Council on 25 May 1993, U.N. Doc. S/RES/827 (1993);

- (d) Statute of the International Tribunal for Rwanda, adopted by S.C. Res. 955, U.N. SCOR, 49th Sess., 3453d mtg. at 3, U.N. Doc. S/RES/955 (1994), 33 I.L.M. 1598, 1600 (1994)
- (e) The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, adopted Nov. 26, 1968, 754 U.N.T.S. 73 (entered into force Nov. 11, 1970);
- (f) Principles of International Co-Operation in the Detection, Arrest, Extradition and Punishment of Persons Guilty of War Crimes Against Humanity, G.A. Res. 3074, U.N. GAOR 28th Sess., Supp. No. 30A at 78, U.N. Doc. A/9039/Add.1 (1973).

99. As a result of Defendant's acts and omissions, Plaintiffs and Decedents have suffered damages in an amount to be determined at trial.

100. Macaco's acts or omissions were deliberate, willful, intentional, wanton, malicious and oppressive, and should be punished by an award of punitive damages in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment against Defendant as follows:

- (a) For compensatory damages according to proof;
- (b) For punitive and exemplary damages according to proof;
- (c) For reasonable attorneys' fees and costs of suit, according to proof; and
- (d) For such other and further relief as the court may deem just and proper.

A jury trial is demanded on all issues.

Dated: June 14, 2010

By: /s/ Julie C. Ferguson

Julie C. Ferguson, Florida State Bar #93858
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Email: kroberts@cja.org

Attorneys for Plaintiffs

JS 44 (Rev. 2/08)

CIVIL COVER SHEET

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

I. (a) PLAINTIFFS

Jesús Cabrera Jaramillo, Jane Doe, and John Doe

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

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

Julie C. Ferguson, JULIE C. FERGUSON PA
200 South Biscayne Blvd., Suite 3150, Miami, Fl 33131
Telephone: (305) 358-0155

DEFENDANTS

Carlos Mario Jiménez Naranjo

County of Residence of First Listed Defendant Miami-Dade
(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

(d) Check County Where Action Arose: MIAMI-DADE MONROE BROWARD PALM BEACH MARTIN ST. LUCIE INDIAN RIVER OKEECHOBEE HIGHLANDS

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

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

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

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

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	PROPERTY RIGHTS	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 650 Airline Regs.	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 660 Occupational Safety/Health	SOCIAL SECURITY	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	LABOR	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 865 RSI (405(g))	<input checked="" type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	<input type="checkbox"/> 740 Railway Labor Act	FEDERAL TAX SUITS	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	IMMIGRATION		<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 462 Naturalization Application		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities Employment	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities Other	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 440 Other Civil Rights			
		PRISONER PETITIONS		
		<input type="checkbox"/> 510 Motions to Vacate Sentence		
		Habeas Corpus:		
		<input type="checkbox"/> 530 General		
		<input type="checkbox"/> 535 Death Penalty		
		<input type="checkbox"/> 540 Mandamus & Other		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding 2 Removed from State Court 3 Re-filed- (see VI below) 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7

VI. RELATED/RE-FILED CASE(S).

(See instructions second page):

a) Re-filed Case YES NO b) Related Cases YES NO
JUDGE _____ DOCKET NUMBER _____

VII. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. §§ 1331, 1350. COMPLAINT FOR EXTRAJUDICIAL KILLING; TORTURE; CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: WAR CRIMES: CRIMES AGAINST HUMANITY
LENGTH OF TRIAL via 5 days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT:

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

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

SIGNATURE OF ATTORNEY OF RECORD

DATE

FOR OFFICE USE ONLY

AMOUNT _____

RECEIPT # _____

IFP _____

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

Jesús Cabrera Jaramillo, Jane Doe and John Doe

Plaintiff

v.

Carlos Mario Jiménez Naranjo

Defendant

)
)
)
)
)
)
)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Carlos Mario Jiménez Naranjo, Register #48916-018
FCI Miami
Federal Correctional Institution
P.O. Box 779800
Miami, FL 33177

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Julie C. Ferguson
Julie C. Ferguson, P.A.
200 South Biscayne Blvd, Suite 3150
Miami, FL 33131
Tel: (305) 358-0155
Fax: (305) 358 0133

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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

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

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

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

I returned the summons unexecuted because _____; or

Other *(specify):* _____.

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

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: