

UNITED STATES DISTRICT COURT  
OF THE DISTRICT OF COLUMBIA

Case No. \_\_\_\_\_

**KELLY MILLER**  
C/o NLCHP  
2000 M Street NW, Suite 210  
Washington, DC 20036,

Petitioner

vs

**FACEBOOK, INC**  
1 Hacker Way  
Menlo Park, CA 94025,

Case: 1:20-cv-01777 Jury Demand  
Assigned To : Unassigned  
Assign. Date : 6/26/2020  
Description: TRO/PI (D-Deck)

*Serve on:*  
**CORPORATION SERVICE CO.,**  
*Registered Agent*  
1090 Vermont Ave. N.W. Suite 430  
Washington, DC 20005  
(202) 408-3121  
[sop@cscglobal.com](mailto:sop@cscglobal.com)

Respondent

**RECEIVED**

JUN 26 2020

Clerk, U.S. District and  
Bankruptcy Courts

**COMPLAINT**

Comes the Petitioner, Kelly Miller, *In Pro Se* and *In Forma Pauperis* bringing forth  
"Complaint" to this honorable United States District Court of the District of Columbia upon the  
Respondent, Facebook Inc, for willful targeted violations of the Privacy Act<sup>1</sup> upon the  
Petitioner, Kelly Miller.

Petitioner notices the court to create a Facebook account all the information required  
by the Respondent, Facebook Inc is a name, email or phone number and a date of birth. None  
of these are validated with any means of identification as a result of **NO IDENTIFICAION IS  
REQUIRED TO CREATE A FACEBOOK INC ACCOUNT** a large majority of Facebook accounts are

<sup>1</sup> United States Department of Justice -142. Judicial Remedies and Penalties for Violating the Privacy Act

created with nicknames and or false names and information for the purpose of hiding the users real identity providing them autonomy. As No identification is required to create a Facebook Inc account then HOW can Facebook Inc demand and threaten Petitioner to provide government identification? Petitioner has maintained this same said Facebook account since 2013 with the same information used to create the profile. At the time the profile was created Facebook Inc stated email or text would be sent for verification of account. This has been a standard accountability since the beginning of Facebook Inc for all users YET NO such method was provided to Petitioner for account verification.

#### **FACTS OF CASE AS WELL AS JURISDICTION**

The Privacy Act specifically provides civil remedies, 5 U.S.C. Sec 552a(g), including damages, and criminal penalties, 5 U.S. C. Sec 552a(i), for violations of the Act.

The civil action provisions are premised on agency violations of the Act or agency regulations promulgated thereunder.

An individual claiming such a violation by the agency may bring the civil action in a federal district court. If the individual substantially prevails, the court may assess reasonable attorney fees and other litigation costs against the agency (Facebook Inc). In addition, the court may direct the agency (Facebook Inc) to grant the plaintiff access to his/her records, and when appropriate direct the agency to amend or correct its records subject to the Act.

Actual damages may be awarded to the plaintiff for intentional or willful refusal by the agency to comply with the Act.

A civil action may be filed in the U.S. District Court in the district where the requester resides or has his/her principal place of business; in which the agency records are located; or in the District of Columbia.<sup>2</sup>

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<sup>2</sup> Jurisdiction of Privacy Act violations of individual preceding in federal civil action per guidelines of the United States Department of Justice

**JURISDICTION BY RELATION TO VIOLATION OF PREVIOUS US DISTRICT COURT ORDER**

This Petitioner, Kelly Miller notices the court of the recent United States of America v Facebook Inc, civil action No. 19-2184(TJK) filed on 24<sup>th</sup> day of July 2019 in this same court and settled by parties with amical Order filed on the 23<sup>rd</sup> day of April 2020.

Further placing this litigation in this honorable US District court of the District of Columbia is this courts Order itself as judge Timothy J Kelly specifically states within the Order page 16 section IV Conclusion Second sentence "The court ends by nothing that under the Stipulated Order it retains jurisdiction over this matter, including to enforce its terms."

In addition to Respondents obligation to Petitioner, Kelly Miller a Facebook client since 2013 the US District court of the District of Columbia Order states on page 11 paragraph two second sentence "Under the amended administrative order, Facebook will have to consider privacy at every stage of its operations and provide substantially more transparency and accountability for its executives' privacy-related decisions."

Same said Order page 1 paragraph one last sentence "Among other things, the order would require Facebook to pay a \$5 billion civil money penalty- by far the largest penalty ever won by the United Sates on behalf of the FTC – and impose injunctive relief in the form of an amended administrative order to be entered by the FCTC that would require Facebook to take a variety of additional measures to protect its users' personal information. This Petitioner, cites Facebook not only failed to protect her personal information but placed Petitioner in a harassing and terrorizing situation threatening Petitioner to provide her personal government identification for a social media account including threatening to delete all Petitioners personal property within the profile of images, videos, post, contacts, documents, etc.

Same said Order set forth immediate action to occur by the respondent regarding any future illegal methods of retrieval and usage of client personal identifications and information either by same self-respondent or by third party recipients by and through purchasing of client's information.

Respondent Facebook Inc, a mere 38 days after making a second agreement with the

courts regarding their blatant violations of 15:0045 Federal Trade Commission Act and Privacy Act, contacted this Petitioner, Kelly Miller and “demanded” petitioner immediately release her private government identification for alleged verification of account.

Petitioner was further threatened not only would Petitioner not have access to Petitioners Facebook profile, but the Respondent additionally threatened Petitioners Facebook account would be completely “deleted” IF Respondent failed to receive Petitioners government identification within 28 days (June 26<sup>th</sup>, 2020) from that date the 29<sup>th</sup> day of May 2020. In addition, Petitioners account was immediately locked, and Petitioner has not had access to the account, nor can other users even find Petitioners account profile on the Facebook application.

This is the second time that Respondent, Facebook, Inc., has unlawfully withheld access to Petitioners Facebook account the first time was in 2013 when Petitioner was forced to recreate a new account and lose all access to contacts and personal information including images, videos, documents, posts etc.

#### **TRIAL BY JURY**

Petitioner, Kelly Miller requests this case be held before a Jury for accountability purposes as previous amical orders have no bearing on the Respondent, Facebook Inc., willful demeaning of the justice system and use of their affluent position.

#### **RELIEF**

As this Privacy Act violation by Respondent, Facebook Inc, is obviously willful and in the face of an already imposed US District Court of the District of Columbia agreed upon Order for previous violations to numerous clients this Petitioner believe the Respondent appears to be experiencing a “god syndrome” and must be held accountable to a degree they are not as pleased with the results and they feel this punishment more so than their previous agreed upon Orders. A simple buy out would allow for the Respondent to continue to disrespect this court and the clients of these United States who utilize their Facebook Inc agency.

**For these reasons Petitioner demands the 5 below listed items:**

1. Petitioner, Kelly Miller demands a **voting seat on the board of Facebook Inc** in addition to a high percentage of Facebook Inc., providing Petitioner with a “voting” stance within Facebook Inc., to oversee Privacy Act violations of client personal information ceases to occur in the future.

2. In terms of monetary relief Petitioner, Kelly Miller demands a monetary sum total of **\$750 million dollars** for pain and suffering.

3. Petitioner, Kelly Miller demands an immediate **Preliminary Injunction** be in place to Prevent Respondent, Facebook, Inc., from deleting Petitioner, Kelly Millers Facebook profiles and all images, videos, documents, contacts etc. thereby associated with accounts.

4. Petitioner, Kelly Miller demands her original Facebook, Inc., **unlawfully withheld with the same unlawful tactic of threat to withhold without government identification in 2013 as well as the recent Facebook profile withheld on the 29<sup>th</sup> day of May 2020 and all their contents are immediately made accessible by Petitioner and the public with no future threat of deletion or “Facebook jail” tactics.**

5. In addition, Petitioner, Kelly Miller, reminds the court of the severity of the violation committed against the Petitioner and the law surrounding both the civil and criminal remedies request this court to duly impose **ADDITIONAL “TREBEL DAMAGES” to the Petitioners initial demand of \$750.00 million dollars** listed in above paragraph in this “*Complaint*” as well as on attached “*Civil Cover Sheet*”.

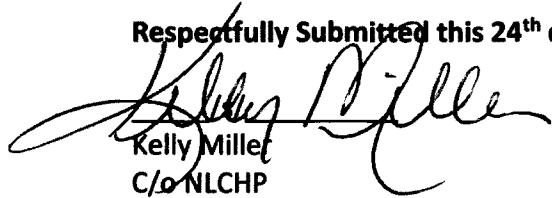
#### **CONCLUSION**

**WHEREAS**, Petitioner, Kelly Miller has provided detailed Privacy Act violations occurring on the 29<sup>th</sup> day of May 2020 upon the Petitioner, as well as Respondent, Facebook Inc., willful violations of the US District Court of the District of Columbia court Order Respondent, Facebook Inc., agreed to maintain to this court on the 23<sup>rd</sup> day of April 2020

**THEREBY** Petitioner, Kelly Miller requests this court process Petitioners, *Complaint* and Immediately impose a “**Preliminary Injunction**” to save Petitioner, Kelly Miller Facebook

**Profile from being deleted before this court can hear said case (Preliminary Injunction attached hereto for the purpose of immediate action preventing Respondent from deleting Petitioners account) upon the Respondent, Facebook, Inc., to prevent any loss of Petitioners profile, images, videos, documents, post, messages, contacts or other attributes within the Petitioner, Kelly Millers Facebook profile.**

**Respectfully Submitted this 24<sup>th</sup> day of June 2020.**



Kelly Miller  
C/o NLCHP

**Attn: Kelly Miller**

2000 M Street, NW Suite 210

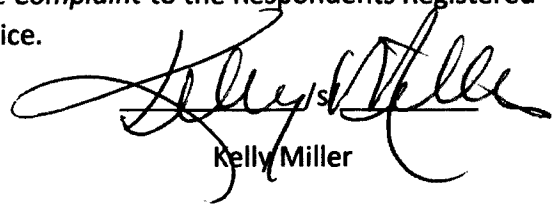
Washington, DC 20036

(606) 200-0632

[Equaljustice4kellymiller@yahoo.com](mailto:Equaljustice4kellymiller@yahoo.com)

**Certificate of Service:**

I **Kelly Miller** do swear a copy of the above *Complaint* to the Respondents Registered Agent this **24<sup>th</sup> day of June 2020** via 3<sup>rd</sup> party service.



Kelly Miller

**FACEBOOK, INC Registered Agent: CORPORATION SERVICE CO.,**

1090 Vermont Ave. N.W. Suite 430

Washington, DC 20005

(202) 408-3121

[sop@cscglobal.com](mailto:sop@cscglobal.com)

**COVID-19 Clerks Office Operations Information**

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\* New cases requiring emergency action such as TRO/PI

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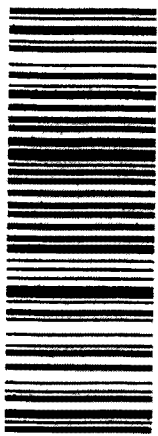
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\* All civil filing

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20001

U.S. POSTAGE PAID  
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20038  
JUN 24-20  
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Attn: Court Clerk  
United States District Court for District of Columbia  
333 Constitution Ave. NW  
Washington, DC 20001