

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOSEPH KIRCHNER,
Plaintiff,
v.
MIKE JOHNSON et al.,
Defendants.

Case No. 1:25-cv-02735-ACR
DECLARATION OF JOSEPH KIRCHNER

I, **Joseph Kirchner**, declare under penalty of perjury under the laws of the United States of America, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am the Plaintiff in *Kirchner v. Johnson et al.*, No. 1:25-cv-02735-ACR (D.D.C.), proceeding pro se. I make this declaration on personal knowledge.
2. The Clerk issued summonses on February 19, 2026. *See* ECF No. 22.
3. I prepared the service packages for every defendant. To serve the United States, I first engaged a licensed commercial process server, Arden Process Services, LLC, which I retained on February 18, 2026; the next day, February 19, 2026, I provided it a service package for each federal defendant, prepared in conformity with the U.S. Attorney's Office's published email-service guidance (Exhibit 10) — the summons, the then-operative Second Amended Complaint, the accompanying memoranda, and a notice of availability, combined into a single PDF with the summons first, each package approximately 9.5 megabytes and so well within the twenty-megabyte limit the guidance sets for single-PDF service. As its proofs of service reflect (Exhibit 6), Arden served the U.S. Attorney's Office by transmitting those packages to the Office's designated electronic-service address — USADC.ServiceCivil@usdoj.gov, and no other — under a subject line stating the case caption and docket number, on March 3, 2026; the transmitting emails are reproduced at Exhibit 7.

4. The summons and complaint still had to be served on every defendant by certified mail. To have Arden carry out that service as well, at the discounted rate it had agreed to, would have required roughly a week's further delay; and when illness then prevented me from getting the materials to Arden and threatened to delay matters further still, I was unwilling — having this Court's February 12, 2026 Minute Order in view — to let service drift. I therefore arranged for the certified-mail deposits to be made promptly, with the United States Postal Service, by three adults, each over the age of eighteen and none a party to this action — **Elijah Steeber**, my mother **Cynthia Kirchner**, and **Shevaun Church** — whose separate declarations (Exhibits 1, 2, and 3) itemize the mailings each performed: Mr. Steeber deposited the first round on February 26, 2026; Cynthia Kirchner deposited the mailing to Defendant Trump on March 9, 2026, return receipt requested; and Ms. Church deposited a complete round to every defendant on March 10, 2026, return receipt requested. (My mother is not a party to this action; Rule 4(c)(2) requires only that the server be a non-party adult.)

5. I tracked every mailing through USPS certified-mail tracking and maintained a contemporaneous log. The tracking records, return receipts, and proofs are filed at ECF Nos. 27–37, 39-2, and 50-1. Per those records, the United States Attorney's Office (Civil Process Clerk), the Attorney General of the United States, Defendant Bondi at the Department of Justice, Defendant Carr at the Federal Communications Commission, Defendant Johnson at the United States Capitol, the House Office of General Counsel, and every corporate defendant accepted delivery — more than twenty deliveries across the two rounds.

6. Among the certified mailings addressed to Defendant Trump at the White House, 1600 Pennsylvania Avenue NW, the return receipt for the March 10, 2026 mailing was returned to me

bearing the Executive Office of the President's "Received" stamp, dated April 22, 2026, with no signature in the recipient box; it is filed at ECF No. 50-1.

7. Having satisfied myself that service of the summons and complaint had been effected, I continued, at my own expense, to keep the non-appearing defendants apprised of the operative pleading and the case's progress. On May 4, 2026, I personally deposited with the United States Postal Service, by certified mail, return receipt requested, copies of the Third Amended Complaint (ECF No. 51) addressed to every defendant that had not appeared — including the federal defendants — and to the Attorney General and the Civil Process Clerk of the United States Attorney's Office. And I mailed each of my subsequent filings (ECF Nos. 55, 57, and 62) to those same recipients within days of filing it. These were my own acts — service of subsequent papers, separate from and in addition to the Rule 4 service of the summons and complaint performed by the non-party servers (Exhibits 1, 2, and 3).

8. The service campaign described above was conducted entirely at my personal expense. To effect service of process — the certified-mail rounds described in paragraphs 4 through 6 — I spent, through March 10, 2026, no less than \$766.84 on certified-mail postage and return-receipt fees and no less than \$510.99 on printing and reproduction of the summonses, complaint, and accompanying papers. To keep the non-appearing defendants apprised of the operative pleading and to serve my subsequent filings upon them — the mailings described in paragraph 7 — I spent, through the spring of 2026, no less than an additional \$308.00 in postage and \$167.72 in printing. These amounts total no less than \$1,753.55; they are stated as documented floors for this action only and are supported by retained USPS and print-vendor receipts.

9. Before arranging any service mailing, I investigated whether personal service on the federal defendants was available. Well before the summonses issued, I telephoned local

commercial process-serving firms in the Washington, D.C. area and asked whether they could personally serve a summons and complaint on the federal defendants at their offices. Three advised that personal service on these government defendants is not available — that a process server is turned away at the door on that stated business — and that service on government defendants in the District is made by certified mail; several others would not say whether or how they could personally serve a sitting federal officer. I relied on that professional advice, together with my own research, in arranging service through a non-party adult by certified mail.

10. On June 12, 2026, I again confirmed the point with a professional firm. I telephoned Same Day Process Service, a process-serving firm in Washington, D.C., and asked whether process servers are admitted to federal buildings, including the Department of Justice, for the business purpose of serving legal process on officials. I was told that they are not — that both the Department of Justice and the Office of the Attorney General refuse process servers entry upon attempt and that certified mail is their employed method.

11. I also contacted the following institutions directly and asked, in substance, whether the building admits members of the public or commercial process servers whose business purpose is serving legal process on an official, and, if not, what channel is prescribed:

(a) **The United States Capitol / Office of the Speaker of the House (H-232).** On June 15, 2026 I telephoned the Office of the Clerk of the House, which transferred me to the House Sergeant at Arms. A Sergeant at Arms representative, Porsche Fernandez, told me that while the House office buildings have public entrances during business hours, the Capitol does not, and that she did not know how I could enter without a Capitol employee escorting me. She transferred me to the Sergeant at Arms' security and law-enforcement team, where a representative explained that access to the Capitol requires sponsorship by a Member's office,

coordinated with that office — which, she observed, would defeat the purpose of serving that office; she offered her belief that certified mail is the route but said she could not officially confirm it. A supervisor then confirmed that the Capitol is restricted to official congressional business; that a member of the public or a commercial process server is not admitted to the Capitol unless sponsored by a congressional office for such business; and that the Sergeant at Arms maintains no process for serving legal process on officials, recommending instead that one contact the Member's office directly. The Speaker's office, H-232, is within the Capitol.

(b) **The White House.** On June 16, 2026, at 3:38 p.m., I telephoned the White House Office switchboard at (202) 456-1414 and asked the policy for completing in-person service of process. The representative, who did not give a name, asked whether I was a contractor gathering information; I explained that I am a pro se plaintiff in a civil action before this Court attempting individual-capacity service on the President, that I intend to retain a commercial process server, and that I was only gathering policy information. The representative stated that I would need an attorney for this, asked again whether I was a contractor, and stated that I would need to submit a written request through the White House contact portal; when I asked to whom it should be addressed, the representative said she did not know, then said I could address it to the White House Counsel. No in-person service channel was identified.

(c) **The U.S. Department of Homeland Security.** I telephoned the Department's contact center, where a representative stated that the Department's headquarters is accessible to the general public but that she could not answer the service-of-process question and would refer it to the Department's Office of the General Counsel, which she said handles such matters; she transferred me, and I left a voicemail. On June 16, 2026, Cameron Emmons of the Department of Homeland Security Office of the General Counsel returned that voicemail, explaining that she

could speak only for the Department. She stated that the Department has no policy in place for in-person service of process and that it routes such attempts to certified mail. (The Department of Homeland Security is not a defendant; I include this only as it bears on the general practice of federal agencies regarding in-person service of process.)

The telephone calls described in this declaration are reflected in my telephone records, which I will provide upon the Court's request.

12. Based on the foregoing, the only route to personal delivery upon these defendants that has not been attempted is gaining entry to a secured federal building by misstating one's business purpose at the security checkpoint. I understand that entering federal property by false pretenses is a federal offense, 18 U.S.C. § 1036, and that false statements to federal officers are separately prohibited, 18 U.S.C. § 1001. I will not do that, and I will not ask any process server to do it. No method of service the law permits remains untried except those this Court can order.

13. I do not proceed in forma pauperis. If the Court orders service by the United States Marshals Service under Rule 4(c)(3), I undertake to pay the Marshals' fees under 28 U.S.C. § 1921 and 28 C.F.R. § 0.114.

Executed on June 18, 2026, at Saint Louis Park, MN.

X [Signature]

JOSEPH KIRCHNER

Pro Se Plaintiff

STATE OF MINNESOTA, COUNTY OF hennepin, ss.

Subscribed and sworn to before me this 18 day of June, 2026, by Joseph Kirchner.

X Joshua D Bergeron

Notary Public, State of Minnesota

My commission expires: 01-31-30

(Notary Seal)

