

Hobson McKown
PO BOX 798
State College, PA 16804-0798

October 28, 2016

Office of the District Attorney of Centre County
ATTN: Stacy Parks Miller, Esq.
102 South Allegheny Street
Room 404
Bellefonte, PA 16823-1986

Dear Centre County District Attorney Stacy Parks Miller:

I executed a private criminal complaint on September 25, 2016, charging former sheriff Denny Nau with two misdemeanor offenses. I submitted the complaint on the same day, via first class mail, with the expectation that your office would receive the complaint by September 28.

I have received no acknowledgment, approval, or disapproval of the complaint as of October 28. Although the core evidence of this offense has been held by the office of the District Attorney since 2008, and although my testimony is entirely unnecessary to prove the offenses, I am required to know the status of your pre-approval complaint inquiry so that I may determine whether unreasonable delay has occurred in the approval/disapproval of the complaint, per Pa.R.Crim.P., Rule 506.

If your office claims not to have received the original submission, I submit that criminal complaint now via certified mail. Otherwise, enclosed is the true and correct copy of the original submission of the complaint. If the complaint is deficient in content per Rule 506 or other law, let me know and I can correct it. If you need an affidavit of probable cause so as to comply with some policy or to seek an arrest warrant, have one of your county detectives look at all of the documentary evidence and swear one out; otherwise, I can do so, if you will provide for me to be put forth before a magisterial district judge as to swear or affirm. If you have lost copies of Denny Nau's purported letter of revocation and contemporaneous report to the Pennsylvania State Police, it is attached to a motion in limine filed with the prothonotary by your office under docket CP-14-CR-1569-2008. The limitations on time for an offense committed while in office is no more than 8+2 years, (see 42 Pa.C.S. § 5552(a), (c)(2) and Com. v. O'Kicki, 597 A.2d 152, 164-165, 408 Pa.Super. 518, 542-543 (1991),) and Nau only left office recently. Whether you need a pointer to relevant law, or available evidence, it can be done, if only you would ask me. If you believe that prosecuting victimless possessory offenses takes precedent over prosecuting crime which has provable victims and which weighs on the administration of justice (remembering that, crime is contagious and government is the omnipresent teacher,) please let me know promptly so that I may invoke provisions in the County Code, such as 16 P.S. §§ 411, 1405, and 1409, as appropriate.

Sincerely,



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