

PRIVATE CRIMINAL COMPLAINT

**Hobson Lyle McKown**, the undersigned affiant, hereby directly accuses, former sheriff Denny Nau, having the business address of, Office of the Centre County Sheriff, 213 East High Street, Bellefonte, Pennsylvania, of the following violations of penal laws of the Commonwealth of Pennsylvania, to the best of the affiant's knowledge, or information and belief:

Offense 1: **16 P.S. § 411**; 18 Pa.C.S. § 6119

Denny Nau, acting or purporting to act as Sheriff of Centre County, (a county of the fourth class,) did neglect or refuse to perform a duty imposed upon him by the provisions of an act of Assembly, a misdemeanor under The County Code, carrying a fine not to exceed \$500; to wit, Denny Nau did purport to revoke during the term of the permit, a Pennsylvania license to carry firearms, issued to one Hobson Lyle McKown, by issuance from the Office of the Sheriff on or about April 14, 2008 of a purported revocation notice, which did fail to state in writing any reason for revocation as stated in subsection (e)(1) (as found under the Uniform Firearms Act, as amended, codified at 18 Pa.C.S. § 6109(e)(1)), and which did lack good cause for revocation, both reason and cause being required under the Uniform Firearms Act, § 6109(i) (such violation being graded as a misdemeanor of the first degree under said Uniform Firearms Act, § 6119);

Offense 2: **18 Pa.C.S. § 5301**

Denny Nau, acting or purporting to act in official capacity as Sheriff of Centre County, or taking advantage of such actual or purported capacity, did, knowing his conduct was illegal, subject another, Hobson Lyle McKown, to dispossession and seizure of personal or property rights and to an impediment to his exercise or enjoyment of a right or privilege, a misdemeanor of the second degree; to wit, Denny Nau, A) having sworn or affirmed that he would support, obey, and defend the constitutions of Pennsylvania and the United States and that he would discharge the duties of his office or employment with fidelity, B) having been subjected to Sheriff training so required by the Pennsylvania Commission on Crime and Delinquency, and C) having been familiar with the Uniform Firearms Act which commands duties of his Office, did from the Office of the Sheriff on or about April 14, 2008 unlawfully purport to revoke the valid and lawfully issued Pennsylvania license to carry firearms of licensee Hobson Lyle McKown during the term of the permit, the Sheriff having failed to issue any notice of revocation under 18 Pa.C.S. §6109(i) which stated both a reason under 18 Pa.C.S. § 6109(e)(1) and good cause for revocation, furthermore dispossessing and seizing from the licensee of the paper form license on or about May 3, 2008 and through this date, and thereby providing the impediment that the licensee might not carry, as right or privilege, whether derived under Pa. Const. art. I, §§ 1 and 21, or under 18 Pa.C.S. § 6109(a), a firearm concealed on or about his person or in any vehicle, thus appearing to subject the licensee to arrest should he do so, and such dispossession, seizure, and impediment actually having subjected licensee to arrest for a violation of Firearms Not To Be Carried Without License, 18 Pa.C.S. § 6106, on or about September 2, 2008;

the affiant thusly stating that the acts of the defendant, Denny Nau, were against the peace and dignity of the Commonwealth of Pennsylvania.

*Hobson Lyle McKown 09/25/2016*

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Injury or Loss:

The victim Hobson Lyle McKown suffered loss of over \$10,000 in lawyers fees and court costs, a conviction following false arrest and malicious prosecution for firearms not to be carried without license with fines and costs exceeding \$1,600, theft of more or less 18 firearms, \$6,405, and other property under a purported bail condition which was issued because of purported nonlicensure status.

Evidence of Probable Cause:

The Centre County District Attorney's Office provided discovery to this victim under a case, docket CP-14-CR-1569-2008, showing copies of the validly and lawfully issued Pennsylvania license to carry firearms, the purported revocation notice, and the purported revocation notice/report to the Pennsylvania State Police, thus the evidence is already in the DA's office.

The defendant has not been fingerprinted. No criminal laboratory services are requested.

The complainant/victim requests issuance of a summons, unless and until such time as the district attorney or his agent or designee attaches an affidavit of probable cause, or this affiant does the same.

I acknowledge that the facts set forth in the complaint are true and correct to this affiant's personal knowledge, or information and belief, and that any false statements therein are made subject to the penalties of the Crimes Code, 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

So signed, Hobson Lyle McKown 09/25/2016

The District Attorney or his agent/designee has approved this complaint.

Signed: \_\_\_\_\_

The District Attorney or his agent/designee has disapproved this complaint, with the foregoing reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_

(Please transmit approved complaint forthwith to the applicable magisterial district judge; if disapproved, please return the complaint to PO Box 798, State College, Pa. 16804.)