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Mo Brooks files for
serving of law

‘unlawful’



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UNITED STATES - AUGUST 4: GOP candidate forum held by the Shelby County Commission, featuring U.S. Rep. Mo Brooks, former Chief Justice of the Alabama Supreme Court, and other candidates. Brooks is speaking during the U.S. Senate hearing, Aug. 4, 2017. The former Chief Justice of the Alabama Supreme Court vacated by Attorney General Jeff Sessions. (Photo By Bill Clark)

speaks during the U.S. Senate hearing, Aug. 4, 2017. The former Chief Justice of the Alabama Supreme Court vacated by Attorney General Jeff Sessions.



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By [Paul Gattis | pgattis@al.com](#)

U.S. Rep. Mo Brooks followed up on a threat he made on Twitter on Sunday, filing a trespassing complaint with police over the serving of a lawsuit at his Huntsville home.



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defendant in a lawsuit relating to the siege of the U.S. Capitol on Jan. 6, served the papers Sunday on Brooks' wife, Martha.

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“Swalwell’s process server entered the Brooks’ home without Martha Brooks’ knowledge and without her consent,” Mills said in an email to [AL.com](#). “Then he refused to leave when Mrs. Brooks demanded it.”

Swalwell’s attorney denied the claim.

In a text message to AL.com, Mills said he had never once identified.

“Martha is the witness, officer and incident reporter,” Mills said.

“Video will hopefully be properly identified.”

Huntsville police on Monday said they were looking for criminal trespass.

have the server arrested.

Martha was interviewed by an attorney.

without warrant once per person.

for criminal trespass.

“Criminal trespass 3rd is a misdemeanor charge,” Huntsville police spokesman Lt. Jesse Sumlin said in an email. “For a warrant to be sworn out in this case, the victim would need to meet with a magistrate and present the facts. It would be left up to a magistrate to decide if a warrant should be issued for the person’s arrest.”

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In an interview Monday on WBHP radio in Huntsville, Martha Brooks described the encounter with the server that she said left her “terrified.” She said the man served the papers inside the Brooks’ garage as she returned home from church around noon Sunday. Martha Brooks contacted police and filed a report.

Martha Brooks said she stood behind his vehicle number. She said upon process server holding encounter.

ave the garage, then prize his car tag e was startled by a e as he videoed their



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“Finally, he put the papers on the floor and he said I am leaving the papers here, you are hereby served Mo Brooks,” Martha Brooks said on WBHP. “And he skee-daddled. I was standing there like ‘What just happened?’ I realized I need to identify this guy. I

Updated today, June 7, 2021, at 9:24 a.m. with comment from Brooks.

Updated today, June 7, 2021, at 11:15 a.m. with description of encounter by Martha Brooks.

Updated today, June 7, 2021, at 11:38 a.m. with Huntsville police confirming the report was filed.

Updated today, June 7, 2021, at 12:21 p.m. with new information throughout.

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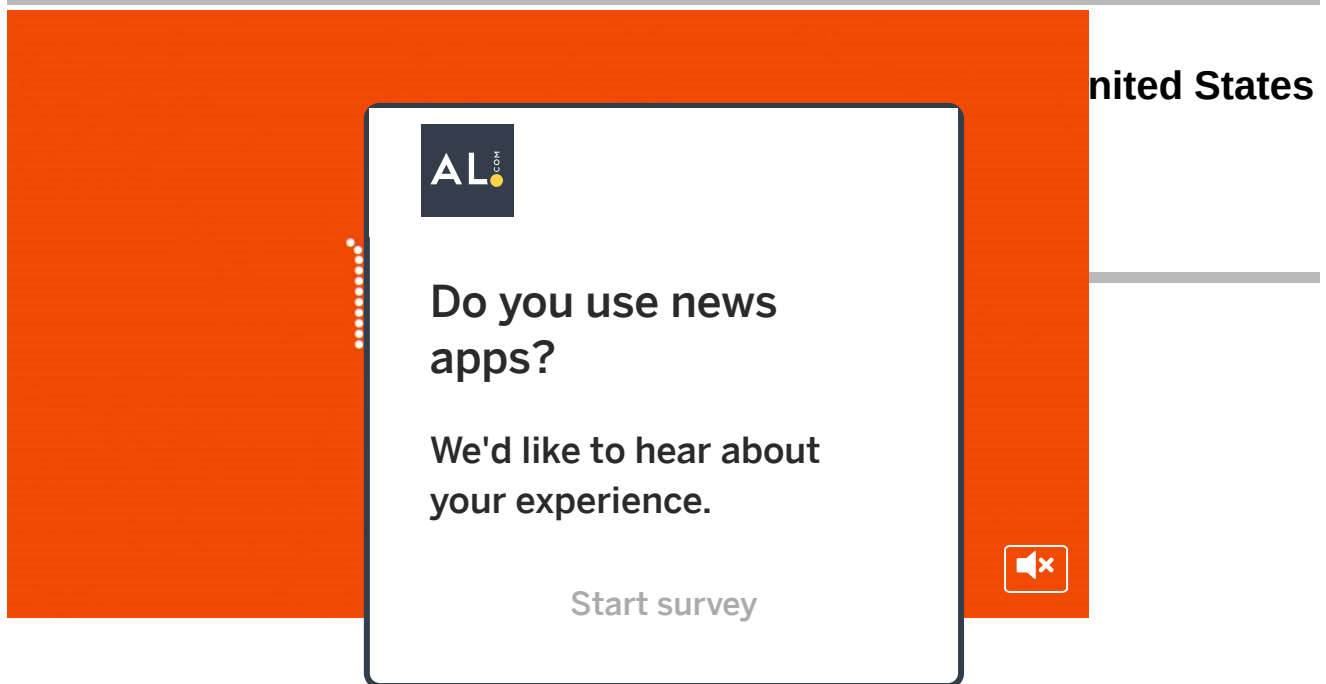
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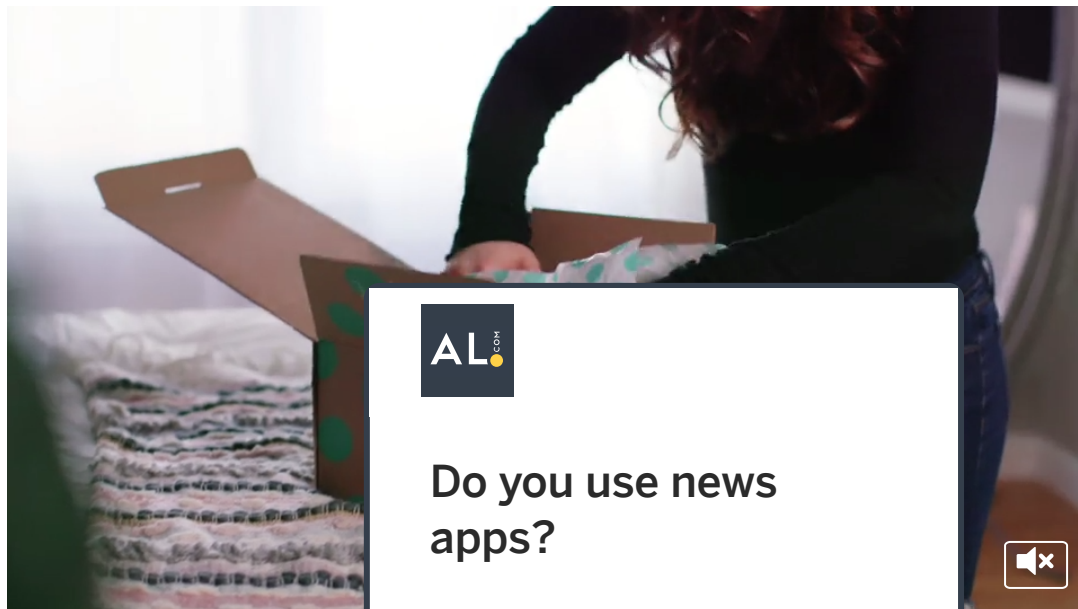
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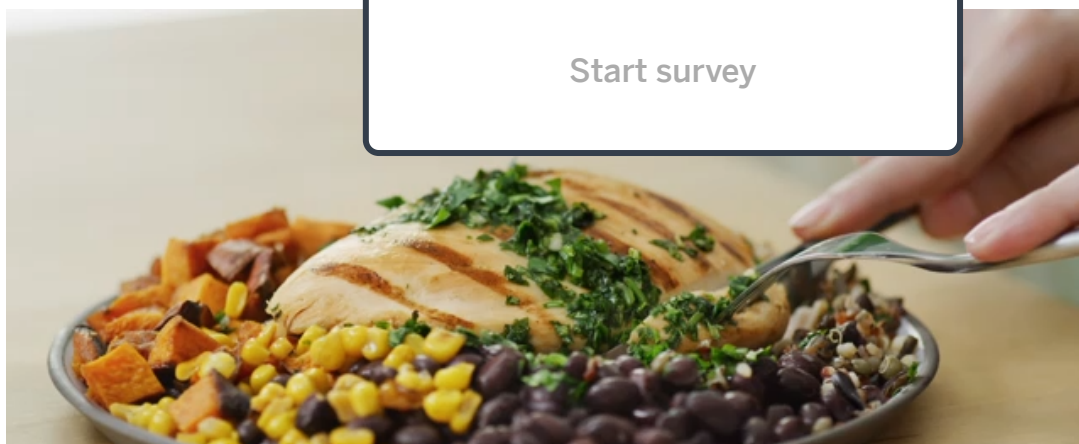
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