

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

SAMANTHA LACOE
Plaintiff,

Versus

CITY OF SISSETON;
JAMES CROYMANS, Individually
and Chief of Police; BRITTANY APPEL
City Police Commission, Individually
and Alderwoman; LEE SOLBERG City
Police Commission, Individually
and Alderman; DELRAY GERMAN
City Police Commission, Individually
and Alderman; Roberts County State's
DYLAN KIRCHMEIER Individually and in
his role as State's Attorney; TERRY JASPERS
Individually and in his capacity as Mayor
TREVOR MISHLER Individually and in his
Capacity Official, JEREME STAUSS
Individually
And in his capacity as Official

Defendants,

**COMPLAINT
DEMAND FOR JURY TRIAL**

CIV: 1:22-CV-1010

I. PRELIMINARY STATEMENT

1. This lawsuit is set to challenge the placement of Samantha LaCoe hereinafter "Plaintiff" a contracted¹ (Exhibit A) employee of the Sisseton Police Department on a *Brady/Giglio*² list by placing in her personnel file such accusations absent a fair hearing or any Constitutionally or Statutorily protected right, specifically the 14th Amendment of the United State Constitution and Article 2 of the South Dakota Constitution. Thus Plaintiff's Due Process rights were violated by the above named Defendants.^{3,4}(Exhibit B)

2. Furthermore, this lawsuit brings actions against the Defendants for constructive discharge by creating such working situations which lead directly to the resignation of the Plaintiff.

3. Additional actions sounding in tort are also alleged which fall under this Courts Pendant Jurisdiction.

4. In addition, the City of Sisseton failed to follow to their own terms and conditions of their employment agreements and municipal codes as to employment

¹ Even if the Plaintiff is found to be an employee "at will" the Sisseton Police Department failed to follow their own policy and procedures as set forth in their municipal code regarding employment issues. See Generally https://library.municode.com/sd/sisseton/codes/municipal_code?nodeId=TTT2ADPE_CH2.24PEPOPR_ART9DIACGRPR_2.24.670DIAC

² A list compiled by police departments and prosecutors regarding officers who violate *Giglio v. United States*, 405 U.S. 150 (1972) and *Brady v. Maryland*, 373 US 83 (1963)

³ Although a novel claim Federal and State Courts have grappled with when the termination of a Law Enforcement Officer is appropriate. It should be noted that in most, if not all cases, some for of arbitration of hearing took place before the case landing in the Courts. See Generally <https://www.aele.org/law/2008FPSEP/2008-9MLJ201.pdf> Unlike in this case no arbitrator or third party has reviewed the alleged *Brady/Giglio* violations of the Plaintiff.

⁴ Attached is an AFFIDAVIT OF RETRACTION

decisions namely providing no due process as set forth in their own codes. Namely that the municipal codes for due process and for complaints regarding employment were not followed, thus denying Plaintiff even her protected interests under the employment code. Plaintiff alleges that Defendants were operating under the cover of law.

ALEGGED BRADY/GIGLIO VIOLATIONS

5. Plaintiff is accused of violating *Brady/Giglio* on four separate occasions without being given the opportunity to explain or defend herself against such allegations. The allegations are as follows;

A. Plaintiff stopped a car where Plaintiff believed the rear tail light to not be operational. Defendant Kirchmeier upon reviewing the dash cam of the stop disagreed with Plaintiff's stop and thus did not bring any prosecution in the case. Plaintiff alleges that there was a problem with the rear tail light and that the stop doesn't raise to the level of a *Brady/Giglio* issue

B. Plaintiff, within the course of her first year, stopped an additional vehicle that had a malfunctioning rear tail light. Once again Defendant State's Attorney Kirchmeier disagreed with the stop after reviewing the dash cam of the Plaintiff and her police report.

C. Plaintiff, on a routine business check that was authorized by the business, shook the door handle to ensure it was secure and discovered it was unlocked and that underage drinking was occurring in the establishment. Defendant Keirchmeier

disagreed with the statement that Plaintiff knocked on the door instead of shook the handle as was recorded on Plaintiff's body camera.

D. Finally, Plaintiff made a clerical error where she named the wrong Defendant in her report while not actually making any arrests.

II. PARTIES

PLAINTIFFS

5. Plaintiff, a former contracted law enforcement officer with Sisseton, South Dakota Police Department began her tenure in January, 2021 with the City of Sisseton Police Department.

6. Plaintiff entered into an employment contract with the City of Sisseton for the period of three years in January, 2021 and was lead to believe that her employment term was for three years per contract and was not an "at will" employee.⁵

7. Plaintiff a 22 year old female with a four year degree in law enforcement relied upon the good faith of the City of Sisseton's Police Department promises and the offering of a contract to Plaintiff including training and additional benefits.

DEFENDANTS

CITY OF SISSETON

⁵ As mentioned previously, if Plaintiff is not a contracted employee then Defendants still did not follow appropriate procedure for "at will" employees.

8. The City of Sisseton is an incorporated municipality under and in accordance with South Dakota Codified Law and entered into the contract with Plaintiff.

MAYOR TERRY JASPERS

9. Terry Jaspers is the duly elected Mayor for the City of Sisseton.
10. As Mayor Defendant Jaspers has final administrative say over what occurs within the City Departments per Municipal Code.

STATE'S ATTORNEY DYLAN KIRCHMEIER

9. Defendant Kirchmeier was and is the State's Attorney for Roberts County and was the one who originally identified Plaintiff as having *Brady/Giglio* issues in Plaintiff's police reports.
10. Defendant Kirchmeier, absent any rule or regulation, determined that the Plaintiff violated *Brady/Giglio* and placed plaintiff on one year probation and required her to submit all of Plaintiff's body and dash cam footage along with all police reports to him. Defendant Kirchmeier was acting in his administrative function while determining the Plaintiff's alleged violations.
11. Defendant Kirchmeier and his determination in conjunction with the additional Defendants lead to the forced resignation of Plaintiff.
12. Defendant Kirchmeier was also part and parcel of a civil conspiracy to deprive Plaintiff of due process.

CHIEF JAMES CROYMANS

13. Defendant Croymans is the Chief of Police for the City of Sisseton Police Department. Croymans was and at all times in charge of the Police Department during Plaintiff's employment.

14. Croymans was the main actor in determining that Plaintiff violated *Brady/Giglio* and made the records for Plaintiff's personnel file and unilaterally added them to Plaintiff's personnel file to insure that Plaintiff "would never be a police officer again."

15. Croymans is, for all essential purposes, the Human Resources Directory for the Police Department and so determines what information is released to other Police Departments.

16. Croymans, as well, was the one to receive complaints of sex discrimination and referred to Corporal Trevor Mishler comment that if the Plaintiff "sucked dick like she sucked the fun out of the room she would be further ahead." This was dismissed as a "misunderstanding".

17. Croymans, as well, was part of the civil conspiracy to deprive Plaintiff of her constitutional rights and statutory rights.

ALDERWOMAN & POLICE COMMISSION MEMBER

18. Brittney Appel, Alderwoman and City of Sisseton Police Commissioner acted in her individual and personal capacity accepting the resignation under duress of the Plaintiff and was thus complicit in a civil conspiracy to deprive the Plaintiff of her Civil Rights under the 14th Amendment of the United States Constitution and the South

Dakota Constitution Section 2. Thus, denying the Plaintiff of her Constitutionally protected civil rights and her rights as they sound in contract and tort in South Dakota.

ALDERMAN & POLICE COMMISSION MEMBER

19. Lee Solberg, Alderman and City of Sisseton Police Commissioner acted in his individual and personal capacity accepting the resignation under duress of the Plaintiff and was thus complicit in a civil conspiracy to deprive the Plaintiff of her Civil Rights under the 14th Amendment of the United States Constitution and the South Dakota Constitution Section 2. Thus, denying the Plaintiff of her Constitutionally protected civil rights and her rights as they sound in contract and tort in South Dakota.

ALDERMAN & POLICE COMMISSION MEMBER

20. DeLray German, Alderman and City of Sisseton Police Commissioner acted in his individual and personal capacity accepting the resignation under duress of the Plaintiff and was thus complicit in a civil conspiracy to deprive the Plaintiff of her Civil Rights under 14th Amendment of the United States Constitution and the South Dakota Constitution Section 2. Thus, denying the Plaintiff her constitutionally protected civil rights and her rights as they sound in contract and tort in South Dakota.

DEPUTY TREVOR MISHLER

21 Trevor Mishler was for a period of time Plaintiff's Field Training Officer. He is also also one of the main Officers behind the civil conspiracy for the constructive

discharge of Plaintiff. Defendant was also responsible for many of the sexual comments made during Plaintiff's period of contracted employment.

SGT. JEREME STAUSS

22. Jereme Stauss was for a period of time Plaintiff's Field Training Officer and failed to appropriately teach Plaintiff's the policy and procedures and is also part of the civil conspiracy.

JURISDICTION & VENUE

22. This Court has subject matter jurisdiction over Plaintiff's claims because this action seeks a remedy under 42 U.S.C. Section 1983 and pursuant to 28 U.S.C. Sections 2201 and 2202, this Court has jurisdiction to declare the rights of the parties and to grant further relief deemed necessary and proper. Rule 65 of the Federal Rules of Civil Procedure authorizes injunctive relief. The Court has authority to award costs and attorney's fees under 42 U.S.C. section 1988. Venue is proper in this action pursuant to 28 U.S.C. section 1391. Pendant jurisdiction is appropriate under 28 U.S.C. section 1367. Furthermore, jurisdiction is appropriate under 28 U.S.C. Section 1332(a)(1) as Plaintiff is a resident of Minnesota and Defendants of South Dakota and damages in excess of \$75,000 will be requested.

COUNT I.

**VIOLATION OF THE 14TH AMENDMENT OF THE UNITED STATES
CONSTITUTION AND THE SOUTH DAKOTA CONSTITUTION SECTION 2
"DENIAL OF A LIBERTY AND PROPERTY INTEREST" ABSENT DUE PROCESS
PROCEDURAL & SUBSTANTIVE**

23. Plaintiff alleges Paragraphs 1- 21.

24. Plaintiff alleges that until January of 2022 that Plaintiff was not informed of being placed on a *Brady/Giglio* list and was not aware of such a threat until January, 2022

25. Plaintiff alleges that she was called in to the office of the Defendant State's Attorney in August of 2021 and that the State's Attorney was going to dismiss the charges brought because he did not see on the Plaintiff's dash cam that a rear light was not functioning.

26. Plaintiff alleges that in an email from the State's Attorney on or about December 2, 2021 that the State's Attorney mentioned that in reviewing Plaintiff's dash cam that he disagreed with a stop Plaintiff made because of an inoperable taillight and was not going to prosecute the case.

27. Plaintiff alleges that she did speak with the State's Attorney on January 17, 2022 about one sentence in Plaintiff's police report that did not match Plaintiff's body camera. Plaintiff was informed that Plaintiff would be put on one year probation and that the defendant State's Attorney would want to view Plaintiff's body and dash cam for any stops or arrests.

28. On January 17, 2022 at the same meeting Plaintiff was informed that a *Brady/Giglio* letter would be going out to the local defense attorneys regarding *Brady/Giglio* issues. This was the first time the Plaintiff heard of any *Brady/Giglio* violations much less

the placement on such a list. She signed a letter under duress agreeing to the *Brady/Giglio* listing.

29. Plaintiff alleges that none of the conduct allegedly to have been committed rose to the level of being placed on a *Brady/Giglio* list and no actions were in violation of anyone's constitutional rights or resulted in a prosecution.

30. In January of 2022 Plaintiff was a contracted employee with the Sisseton Police Department with an additional two years to full fill on the contract.

31. In January 2022 Plaintiff was called into the Chief of Police's Office and asked to resign because of these alleged *Brady/Giglio* violations. Plaintiff was not offered another position or the opportunity to go to another agency contrary to Defendant's assertions.

32. Plaintiff was given no meaningful opportunity to rebut or defended herself against being placed on a *Brady/Giglio* list. Neither was the Plaintiff offered any training regarding *Brady/Giglio* matters after only being an officer for less than a year.

33. Plaintiff alleges that she has a property interest in her contract and in her career as a law enforcement officer and the placement of the Plaintiff on such a list has hurt her property interests absent due process of law. Indeed, the placement of such information in Plaintiff's personnel file by the Chief of Police for Sisseton has resulted in the loss of at least three job offerings and is the death knell to her career in law enforcement.

34. Plaintiff alleges that as she has a property interest in her contract and law enforcement career that at least procedural due process attaches to her placement on the

Brady/Giglio list which did not happen. Plaintiff also alleges substantive due process attaches as well.

35. At least 18 jurisdictions have developed procedural due process protections for law enforcement officers for being placed on the *Brady/Giglio* lists in order to protect their due process rights.⁶

36. There is no single one defining standard that defines when and what a *Brady/Giglio* violation occurs leaving it up to the sole discretion of law enforcement and prosecutors to make the determination.

37. Law Enforcement Officers are allowed the protection of due process when being placed on a *Brady/Giglio* list as it is a contract and career destroying matter.⁷

COUNT II

REPUTATIONAL HARM STIGMA-PLUS

38. Plaintiff alleges paragraphs 1 through 36.

39. Plaintiff alleges reputational harm being placed on a *Brady/Giglio* list absent due process of law.

⁶ For instance Maricopa County, Arizona.

⁷ Plaintiff was not an "at will" employee as it is the practice of the Sisseton Police Department to make new officers sign a three year contract so they do not leave or they have to face paying back to the city any monies spent on their training. This provision is not in their municipal code or policy and procedures.

40. Plaintiff alleges that placement on a *Brady/Giglio* list causes a harm to a Law Enforcement Officer's career as it causes the stigma that the Law Enforcement Officer is no longer a credible witness and is the end of a persons law enforcement career.

41. Furthermore, that it causes harm to a Law Enforcement Officers liberty and property interests such in the instant case it caused the forfeiture of a contractual interest in employment and additional employment opportunities.

42. Furthermore, Plaintiff has a Bachelor's Degree in Law Enforcement and that Plaintiff planned on a lengthy career in law enforcement wherein she had a property and liberty interest in.

43. The stigma of being placed on a *Brady/Giglio* list has caused her direct harm. First, in Plaintiff's contractual agreement with the city of Sisseton Police Department wherein she had a property interest as it was for a specific term of time and conditions.

44. Furthermore, placement on the list has caused the loss of liberty to seek out employment and to follow career goals.

45. Placement upon a *Brady/Giglio* list constitutes a violation of even basic due process as it directly impacts Plaintiff's former employment and any future employment she might have by denying, summarily, her ability to have a career in Law Enforcement.

46. Plaintiff now faces reputational harm do the the stigma of being placed on a *Brady/Giglio* list absent due process which has resulted in the loss of employment and employment opportunities.

COUNT III

CONSTRUCTIVE DISCHARGE

47. Plaintiff alleges Paragraph 1-45.

48. Plaintiff alleges that since the beginning of her contractual work for the City of Sisseton Police Department that a pattern and practice of harassment, failure to train and failure to respond to request for training have fallen, at best on deaf ears and at worse dismissed out right.

49. Plaintiff alleges that during Plaintiff's first week at work January 2021 she was given a duty vest that was too large for her body thus causing hindrance to her ability to carry out her duties as a Law Enforcement Officer.

50. At the same time Plaintiff was provided a duty weapon too large for her hands as a female and was informed by the Chief of Police that if she wanted another weapon she would have to buy it herself.

51. During the months of January, February, March and April of 2021 her Field Training Officer was Sgt. Jereme Stauss of the Sisseton Police Department informed her during field training and after to always call for help if it was needed. This was subsequently changed to where Plaintiff was informed not to call for help.

52. During the period of time of being trained by Sgt. Stauss Plaintiff was subject to his complaining about his personal life instead of training. The primary focus was Sgt. Stauss complaining about his marriage and about how his wife cheated on him. Sgt. Stauss wife would also follow them while in a Police vehicle texting him during a time when Plaintiff should be being trained.

53. Sgt. Stauss asked Plaintiff what Plaintiff was registered as to which he meant "Democrat or Republican?"

54. Sgt. Stauss constant texting message and discussion of his personal life did not allow the Plaintiff to receive the training the Plaintiff needed to be successful at her job as a contracted Law Enforcement Officer.

55. Sgt Stauss failed to provide training on report writing, policies and procedures because of his issues with his personal life.

56. On April 21, 2021 Plaintiff was interested in helping as a cheer coach for the local High School. During such occasion Plaintiff was approached by several teenage girls and told about fellow Law Enforcement Officer Jon Sheehan and how he had inappropriately been in contact with High School girls via social media. Plaintiff informed this situation to the Chief of Police and Plaintiff was labeled a "snitch" for doing so.

57 During April of 2021 Plaintiff was allowed to patrol on her own which was when Plaintiff was informed about statistic based policing and that if I did not make enough arrests I would be place on the low end the list and not eligible for a challenge coin.

58. During April Plaintiff was also informed Plaintiff was paying too much attention to certifying in CPR and EMR even though Plaintiff was also preparing for Plaintiff's reciprocity license to be a Peace Officer in South Dakota.

60. During a July 29, 2021 Law Enforcement appreciation event none of Plaintiff's coworkers would talk to Plaintiff and Plaintiff was ostracized by fellow law enforcement. After the event Plaintiff was later pulled into Defendant Chief Croymans' office and Plaintiff was told she was "weak and I alienate myself from people." Furthermore, "no one wants to speak with me or work with and people see through me." Chief Croymans also said in this conversation that Plaintiff needs to think "long and hard if this career is for me." This was the first extremely overt act and statement that made Plaintiff believe they were trying to constructively discharge or remove Plaintiff.

61. In October of 2021 Defendant Croymans informed Plaintiff that he did not believe she would pass her Emergency Vehicle Operation Course and firearms training.

62. Plaintiff was informed to utilize Sgt. Stauss as a firearms instructor, however, Sgt. Stauss was never made available to Plaintiff. Plaintiff contacted Croymans in an attempt

to get additional training but was informed Plaintiff had to go through Sgt. Stauss and that it was Plaintiff's problem.

63. During this period of time Plaintiff had to find other instructors on how to handle the duty weapon and firearms training. At this time Plaintiff was informed that her duty weapon was too large of a size for Plaintiff's hand. The Sisseton Police Department did not provide with an appropriate size of gun for a female.

64. On January 10, 2022 Croymans informed that Plaintiff would not be a police Officer after January 24, 2022 but stated no reason as to why.

65. On January 17th, 2022 Croymans called Plaintiff into his office and informed of an alleged *Brady* violation. Croymans indicated that the State's Attorney Dylan Kirchmeier informed Croymans that Plaintiff's body cam did not match Plaintiff's report as she "shook" the door but did not knock as was in Plaintiff's report.

66. It was at this time that Plaintiff became aware of *Brady* issues and was informed that she, Plaintiff was going to be put on a *Brady/Giglio* list and a year of probation and that the *Brady/Giglio* issue would stay in Roberts County.

67. On January 19th, 2022 Plaintiff was informed by Croymans that the Police Commission had lost confidence in Plaintiff and that Plaintiff had to resign and sign a *Brady/Giglio* acknowledgment letter against Plaintiff's will. Croymans further informed Plaintiff that there had been an emergency meeting of the police commission as well.

68 During her tenure as a Law Enforcement Officer Plaintiff was frequently told by Croymans that Plaintiff had no "command presence" and that people will "take advantage of me because of my stature."

69. The actions of Croymans, the Police Commission and the State's Attorney lead to a constructive discharge of the Plaintiff as her work environment had been poisoned and the Defendants acted in concrete to create a situation where Plaintiff had to resign.

COUNT IV

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

70 Plaintiff alleges Paragraph 1-67.

71.. Defendants actions in adding Plaintiff to a *Brady/Giglio* list absent any due process were negligent.

72. As such, Plaintiff has suffered emotional distress which has manifested itself in sever depression and anxiety based upon the actions of the Defendants.

73. Plaintiff has lost job opportunities and has suffered economic harm from the negligent acts of the Defendants.

COUNT V

CIVIL CONSPIRACY

74. Plaintiff alleges Paragraphs 1-71.

75. That the Defendants acted together in a knowing manner to commit a violation of the Plaintiff's 14th Amendment rights to due process and arbitrarily placing her on a *Brady/Giglio* list.

76. That Defendants did knowingly and in agreement willfully acted in concert so as to provide no meaningful training to Plaintiff.

77. That Defendants knew they were going to force Plaintiff to resign on or before January 24th, 2022.

78. That Defendants did act in a knowingly and agreed to manner that would cause Negligent Infliction of Emotional Distress.

79. That such knowledge and cooperation amount to a civil conspiracy to incur and harm the Plaintiff.

COUNT VI

INTENTIONAL INFLICTION OF EMOTIONAL STRESS

80. Plaintiff alleges paragraphs 1-79

81. Defendant did cause, with intent, severe emotional distress by placing her on a *Brady/Giglio* list. And by Defendant Croymans telling Plaintiff (1) She will never be a police officer again. That on January 10, 2022 he told her that Plaintiff will not be a cop after January 24, 2022 this was before the *Brady/Giglio* issue arose

RELIEF REQUESTED

Wherefore, the Plaintiff requests the following relief;

- A. An order enjoining the Defendants from dispersing any information regarding the Plaintiff being placed on a *Brady/Giglio* list.
- B. An order requiring the expungement of the Plaintiff from the *Brady/Giglio* list.
- C. Damages to be determined at trial with testimony from an expert witness but in excess of \$75,000.00
- D. To retroactively contact past background inspectors informing them of the determination to remove her from the *Brady/Giglio* list.
- E.. Reasonable attorney fees.
- F. For whatever relief the Court decides is just and necessary.

/S/ Robert J. Doody Esq.
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Sisseton SD, 57262
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Email: robert@doodylawoffice.com

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS**DEFENDANTS**

(b) County of Residence of First Listed Plaintiff Anoka, Minnesota
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Roberts, South Dakota
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)
Robert J. Doody PO Box 307 Sisseton SD, 57262 (605) 698-3060

Attorneys (If Known)
Lisa Marso

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | ☒ 1 | ☐ 1 | Incorporated or Principal Place of Business in This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business in Another State | ☐ 5 | ☒ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice	PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS Habeas Corpus: ☐ 463 Alias Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 USC Section 1983 & 28 U.S.C. Section 1332(a)(1)

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
75,000 Plus

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
July 5, 2022
 SIGNATURE OF ATTORNEY OF RECORD
/s/ Robert J. Doody

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____