

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

JULIO A. TREJO

Case No.:

Plaintiff,

v.

CITY OF HOMESTEAD, FLORIDA,
a Florida Municipal Corporation, and PEDRO
PEREZ, an individual

Defendant.

_____ /

COMPLAINT

Plaintiff JULIO A. TREJO (“TREJO”) through undersigned counsel files this complaint against the CITY OF HOMESTEAD, FLORIDA (“CITY”) and Police Officer PEDRO PEREZ (“PEREZ”) in his individual capacity and states as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction as the action for damages are in excess of One Million Dollars (\$1,000,000.00), exclusive of interest, costs, fees, and injunctive relief.

PARTIES

2. Plaintiff JULIO A. TREJO (“TREJO”) is a resident of Miami-Dade County, Florida, is over the age of eighteen (18), and is otherwise sui juris.
3. Defendant CITY OF HOMESTEAD, FLORIDA (“CITY”) is a municipality in the State of Florida.

4. Defendant PEDRO PEREZ (“PEREZ”) is employed as a police officer with the City of Homestead Police Department, is over the age of eighteen (18), and is otherwise sui juris.
5. Venue is proper in Miami-Dade County because the actions leading to this cause of action took place in Miami-Dade County.
6. All conditions precedent have been satisfied, waived or would be futile.

FACTS

7. On July 14, 2023, Plaintiff, JULIO A. TREJO (“TREJO”) was falsely arrested by the City of Homestead Police Department, specifically by Police Officer PEDRO PEREZ.
8. The arrest of TREJO was made without probable cause and in violation of his constitutional rights, including but not limited to his rights under the Fourth and Fourteenth Amendments to the United States Constitution, and the corresponding rights under the Florida Constitution.
9. The arrest was caused by a conflict of interest involving Detective Pedro Perez, who had a personal and intimate relationship with TREJO’S former partner and mother of his children, Ms. Lian Sierra.
10. This personal relationship created a bias, which affected Detective Perez’s judgment and led to the wrongful arrest of TREJO.
11. There were text conversations between Detective Perez and Ms. Sierra, which occurred between June 27th, 2023, and July 10th, 2023, where he utilized his city issued cell phone.
12. Among other exchanges Plaintiff TREJO’S ex-girlfriend texted Homestead Police Officer Perez on July 5th, 2023 “*Can you do it Friday morning that he misses his hearing and the Judge will grant the restraining Order*”.
13. Officer Perez then responded by stating “*So you want me to get him before Friday*”.

14. Between June, 2023 and July, 2023 immediately prior to Plaintiff TREJO's July 16th, 2023 false arrest, Officer Perez exchanged 476 messages with TREJO's ex-girlfriend while pursuing a sexual relationship, which included the following: "*I think next time, ain't even gonna mention the kiss and just kiss you,*" Perez wrote. "*Thoughts? Blink once for yes and twice for no.*"
15. Officer Perez also texted acknowledging that they had "kissed" and arranged to meet her and drive somewhere so they could not be "tailed."
16. The false arrest of Plaintiff TREJO was orchestrated by the City of Homestead Police Department, Officer Perez and Plaintiff TREJO's then partner and the mother of his children.
17. Officer Perez and Ms. Sierra specifically arranged to arrest the Plaintiff so he would miss a family court hearing and lose custody of his children.
18. Officer Perez's actions, including the lack of probable cause for arrest, were unreasonable and in violation of TREJO'S constitutional rights, including the right to be free from unreasonable searches and seizures.
19. Not long thereafter, TREJO was falsely arrested for Aggravated Stalking by Perez.
20. Perez was acting on behalf of the Homestead Police Department and made the false arrest in furtherance of his romantic relationship with TREJO's girlfriend and the mother of his child.
21. TREJO'S criminal charges were eventually nolle prossed.
22. As a result of this false arrest, TREJO has suffered significant emotional distress, reputational harm, and financial damages, including lost wages, attorney's fees, and costs associated with defending against the unlawful arrest.

COUNT I
ABUSE OF PROCESS
(ALL DEFENDANTS)

23. Plaintiff adopts and re-alleges paragraphs 1 through 22 above as if fully set forth herein.
24. Defendants made illegal and perverted use of the process.
25. Defendants acted illegally in violation of Florida Law, and outside the scope of their roles to improperly and frivolously have the Court prosecute TREJO.
26. Defendants had an improper, ulterior motive for said abuse of process.
27. The improper abuse of process was designed to and did inflict harm upon the Plaintiff and was unjustified and unreasonable.
28. The abuse of process includes, but it not limited to, institution of the frivolous filing of false criminal charges against the Plaintiff.
29. Defendant's unlawful acts specifically involved the misuse of the public right to access to the Courts and was initiated to gain unfair legal advantages over the Plaintiff.

WHEREFORE, Plaintiff **JULIO TREJO** demands damages against the Defendants and any other relief the Court deems just and proper including an award of attorneys' fees and costs.

COUNT II
MALICIOUS PROSECUTION
(ALL DEFENDANTS)

30. Plaintiff adopts and re-alleges paragraphs 1 through 22 above as if fully set forth herein.
31. The original frivolous charges brought by the Defendants were dismissed in favor of the Plaintiff.
32. Defendants willingly, knowingly, and maliciously provided false information for the purpose of initiating the charges against the Plaintiff.

33. Defendants did not have probable cause or reasonable grounds to support the frivolous charges.

34. Defendants initiated, and then continued, the frivolous charges with an improper purpose.

35. Specifically, Defendants intended the frivolous charges to pressure the Plaintiff into allowing Detective Perez and Ms. Sierra to continue with their secret relationship.

36. Defendant's unlawful acts specifically involved the misuse of the public right to access to the Courts and was initiated to gain unfair legal advantages over the Plaintiff.

37. As a direct and proximate result, Plaintiff has been damaged by acts of Defendants.

WHEREFORE, Plaintiff **JULIO TREJO** demands damages against the Defendants and any other relief the Court deems just and proper including an award of attorneys' fees and costs.

COUNT III
FALSE ARREST
(ALL DEFENDANTS)

38. Plaintiff adopts and re-alleges paragraphs 1 through 22 above as if fully set forth herein.

39. The Plaintiff was detained and deprived of his liberty

40. The detention was without consent.

41. The detention was unlawful.

WHEREFORE, Plaintiff **JULIO TREJO** demands damages against the Defendants and any other relief the Court deems just and proper including an award of attorneys' fees and costs.

DEMAND FOR JURY TRIAL

Plaintiff **JULIO TREJO** hereby demands a trial by jury of all issues so triable as a matter of law.

Dated this 3rd day of March, 2025.

Respectfully submitted,

MICHAEL A. PIZZI, JR, P.A.

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By: /s/ Michael A. Pizzi, Jr.

MICHAEL A. PIZZI, JR, ESQ.