



related to the federal claims so as to form a part of the same case of controversy under Article 3 of the United States Constitution.

### **III. PARTIES**

5. Plaintiff, Mekhi Johnson, is an adult individual, who at the time the incident arose, was a minor and was residing at 822 Funston Avenue, Williamsport, Lycoming County, Pennsylvania.

6. Plaintiff, Amber Garrity, is the mother and natural guardian of Plaintiff, Mekhi Johnson, and is a resident of the Commonwealth of Pennsylvania residing at 822 Funston Avenue, Williamsport, Lycoming County, Pennsylvania.

7. Defendant, Williamsport Bureau of Police, is a law enforcement agency operating under authority of Defendant, City of Williamsport, with a principal place of business at 810 Nichols Place, Williamsport, Lycoming County, Pennsylvania.

8. Defendant, Benjamin Hitesman, is a police officer employed by the Defendant, Williamsport Bureau of Police and at all times relevant hereto, was acting under the color of state law. Defendant is being sued in his individual capacity and acting as an agent on behalf of the Defendant, Williamsport Bureau of Police.

9. Defendant, Nathan Hill, is a juvenile probation officer employed by Defendant, Lycoming County and at all times relevant hereto, was acting under the color of state law. Defendant is being sued in his individual capacity, and was acting as an agent on behalf of Lycoming County.

10. Defendant, City of Williamsport, is a municipality of the Commonwealth of Pennsylvania and is responsible for the policies, procedures, and training of the Williamsport Bureau of Police employees.

11. Defendant, Lycoming County Juvenile Probation is an entity responsible for the supervision of juvenile probationers in Lycoming County and is, at all times relevant hereto, is acting on behalf of the Defendant, County of Lycoming.

12. Defendant, County of Lycoming, is a municipal entity responsible for the actions of its employees, including those within the Lycoming County Juvenile Probation Office.

#### **IV. FACTUAL ALLEGATIONS**

13. On July 22, 2024, at approximately 19:45 hours, Officers with the Williamsport Bureau of Police responded to a report of shots fired near 2119 King Street in Williamsport, Lycoming County, Pennsylvania.

14. Upon arrival, a single .380 casing was located lying in Good Alley just behind the Diamond Street Christian Church.

15. Through their investigation, police obtained surveillance video footage from four (4) nearby locations: the southern side of the Diamond Street Church; the southern side of Sanders Mortuary; the front porch of a private residence on Diamond Street; and a garage camera from a private residence on Good Alley facing south toward the shooting location.

16. The Sanders Mortuary video shows two individuals wearing jeans and hooded sweatshirts—one dark and one light—exiting Newberry Park Playground walking east toward the Diamond Street Church.

17. These individuals have the hoods pulled over their heads and are wearing masks concealing their faces.

18. The Diamond Street Church video shows a separate individual walk east through the church parking lot, and then several minutes later, the two individuals seen exiting the park enter the church parking lot also headed east.

19. The video from the private residence on Diamond Street shows the same two individuals walking through the church parking lot toward Good Alley located at the rear of the Church, and then a single gunshot is heard.

20. Following the gunshot, the Diamond Street residence and Sanders Mortuary videos depict the single individual referenced in paragraph 18 supra, run west from the Church parking lot, across Diamond Street, and into Newberry Park.

21. Following the gun shot, the Good Alley Video depicts the two masked individuals in the hooded sweatshirts fleeing North toward West Fourth Street and the camera location.

22. In the Good Alley video, the two individuals are viewed for approximately four (4) seconds, and the individual wearing the cream-colored sweatshirt is observed running with what appears to be an object concealed within the front pocket of the sweatshirt.

23. Notably, because of the hood and mask, only a small portion of the individual's face between the bridge of the nose and their hairline is visible, and only small pieces of hair are observable.

24. Investigating this incident, and based upon a review of the Good Alley footage, Williamsport Police Agent Benjamin Hitesman identifies the individual in the cream-colored sweatshirt as Plaintiff, Mekhi A. Johnson.

25. Based upon his identification solely from the Good Alley video, Agent Hitesman authored and obtained a sealed search warrant for Plaintiffs' residence.

26. The following day, July 23, 2024, Agent Hitesman and officers from the Williamsport Bureau of Police, along with Lycoming County Juvenile Probation Officer Nathan Hill, executed the search of Plaintiffs' home.

27. Law enforcement had to physically breach the front door to gain entry into the home, causing structural damage to the property.

28. Plaintiff was located inside, taken into custody, and transported to Williamsport Police Headquarters.

29. During the search, police located a .380 firearm with an altered or obliterated serial number inside a pillowcase in the residence.

30. Despite an extensive search, police did not locate any of the clothing depicted in the surveillance footage.

31. Plaintiff was remanded to the custody of George Junior Republic for pre-adjudicatory detention.

32. On July 25, 2024, a Petition alleging delinquency was filed against the Plaintiff, Mekhi A. Johnson, for Aggravated Assault, Possession of a Firearm by a Minor, and Possession of a Firearm with an Obliterated Manufacturer's Number.

33. On July 26, 2024, a Probable Cause / Detention Hearing was held before the Honorable Ryan C. Gardner, Lycoming County Common Pleas Judge.

34. Williamsport Police Agent Christopher Salisbury and Defendant, Juvenile Probation Officer Nathan Hill, testified during this hearing.

35. Juvenile Probation Officer Hill testified he was familiar with Plaintiff, having previously supervised him for approximately 11 months on juvenile probation for a school fight, and was asked to be present during the search of Plaintiff's residence because of this relationship.

36. During Agent Salisbury's testimony, he identified Plaintiff as the individual wearing the cream-colored hooded sweatshirt approximately fifteen (15) separate times, and stated that it appeared an object consistent with being a firearm was being concealed within the sweatshirts front pocket.

37. Defendant, Juvenile Probation Officer Hill, was present in the Courtroom during Agent Salisbury's testimony and was called to testify following Agent Salisbury's testimony as well.

38. Following testimony, the Commonwealth's attorney, First Assistant District Attorney Martin Wade, argued that continued detention was necessary due in large part to the nature of the incident and the specific felony offenses lodged against Plaintiff.

39. Judge Gardner found probable cause that Plaintiff had committed the alleged delinquent acts, and direct that Plaintiff should remain detained at George Junior Republic pending adjudication proceedings.

40. An evidentiary hearing was scheduled for August 5, 2024, but was continued by defense counsel due to not having received and adequately reviewed all discovery from the Commonwealth.

41. Also At the August 5, 2024 hearing, it was once again directed that Plaintiff remain detained following brief argument by counsel.

42. Defendant, Agent Hitesman, was present during the August 5, 2024, hearing.

43. Once discovery was obtained and reviewed, and pursuant to the undersigned counsel's own conversations with several of the named witnesses and victim, both a Notice of Alibi and Motion for Preservation of Testimony were filed and served.

44. A hearing on the preservation motion was originally scheduled for August 23, 2024.

45. On August 21, 2024, First Assistant District Attorney Martin Wade provided several emails to defense counsel depicting text message conversations between Defendant, Agent Hitesman, and Juvenile Probation Officers, and emails from juvenile probation officers regarding the investigation into Plaintiff.

46. Specifically, the communications showed that between July 24<sup>th</sup> and 25<sup>th</sup>, immediately following Plaintiff's July 23<sup>rd</sup> arrest and detention, juvenile probation

officers informed Defendant, Agent Hitesman, that the individual he identified as Plaintiff was in fact another individual, J.B., who was currently supervised by juvenile probation.

47. The communications also showed that juvenile probation informed Defendant, Agent Hitesman, that they performed a home check of J.B.'s residence and during same they located both the jeans and cream-colored sweatshirt depicted in the surveillance videos.

48. First Assistant District Attorney Wade and Matthew A. Diemer, Esquire, immediately informed Judge Gardner of this information and requested a conference; said conference was held on the afternoon of August 21, 2024.

49. Following that brief conference, without objection of the parties, Judge Gardner ordered Juvenile Probation to immediately take custody of Plaintiff and return him to his mother's home pending a hearing scheduled for the following morning.

50. Plaintiff was held at George Junior Republic for approximately twenty-nine (29) days, and spent his eighteenth (18<sup>th</sup>) birthday therein.

51. Matthew A. Diemer, Esq. made an oral motion to dismiss this matter with prejudice which the Court stated it would entertain during the next day's hearing.

52. A hearing was held on August 22, 2024, before the Honorable Judge Ryan C. Gardner, during which Defendant, Agent Hitesman, Juvenile Probation Officers Nathan Hill and Kaitlin Lunger testified.

53. Defendant, Agent Hitesman, testified, in relevant part, as follows:

a. He was part of the investigation into the July 22, 2024, shooting incident;

- b. He was the law enforcement officer who identified Plaintiff as the individual in the cream-colored sweatshirt, and said identification was made following his viewing of the Good Alley surveillance footage;
- c. He identified plaintiff based upon what he believed were visible dreads coming out of the front of the individual's hood in the approximately four (4) second clip;
- d. He authored the affidavit of probable cause and search warrant application based upon that identification;
- e. That he did not include in his warrant application the following information: that he was the law enforcement officer who made the identification; the specific video from which the identification was made; a description of that video from which the identification was made; what specific characteristics or articulable facts were the basis supporting the identification; or his familiarity – or lack thereof – with plaintiff supporting the reliability and basis of the identification.

53. Defendant, Agent Hitesman, further testified in relevant part, that:

- f. On July 24, 2024, just one day following the execution of the search warrant and Plaintiff being taken into custody and remanded to juvenile detention, juvenile probation officers informed him that the individual he identified as plaintiff was actually another individual currently supervised by juvenile probation, and that he should focus his investigation on that person, J.B.;

g. Additionally, on July 25, 2024, juvenile probation officers informed him that they conducted a home visit at J.B.'s residence, upon entry J.B. was wearing the jeans depicted in the surveillance video, and the cream-colored sweatshirt was located in his bedroom.

54. Defendant, Agent Hitesman, testified that he "didn't think anything of it really" when he received this information from juvenile probation.

55. Agent Hitesman then stated that he never informed the district attorney or defense counsel of this information, never completed any narrative or supplemental report documenting this information and never took any further steps to investigate this information including directing juvenile probation to secure the clothing, obtain a search warrant of J.B.'s residence, or take J.B. into custody.

56. When questioned, Defendant, Agent Hitesman, indicated he did not intentionally fail to act upon this new information.

57. Defendant, Agent Hitesman, further testified that a search warrant was finally executed at J.B.'s home on August 19, 2024, and the cream-colored sweatshirt was located and seized.

58. However, despite the results of the search, J.B. was still never taken into custody.

59. Defendant, Agent Hitesman, confirmed that defense counsel was never informed of the search or its findings.

60. Juvenile Probation Officer Kaitlin Lunger testified at the August 22, 2024, hearing in relevant part as follows:

- h. On July 24, 2024, Agent Hitesman texted to her several still photos of the two individuals from the Sanders Mortuary video asking if she was able to identify either of the individuals depicted;
- i. Agent Hitesman did not provide any indication that he knew the identity of either of those individuals or that he was seeking confirmation of his identification thereof;
- j. Based on the images provided, she and two other juvenile probation officers—Defendant Hill and Juvenile Probation Officer Delgado—were able to positively identify both individuals depicted.
- k. None of the three juvenile probation officers believed or even suspected Plaintiff was either of the shown individuals.
- l. That she informed Defendant, Agent Hitesman, the individual in the cream-colored sweatshirt was J.B., and that he should focus his investigation on J.B.
- m. That Agent Hitesman responded only with an exclamation mark reaction.

Officer Lunger further testified that on July 25<sup>th</sup>, 2024, she and Defendant, Juvenile Probation Officer Nathan Hill, performed a home visit at J.B.'s residence, and upon entry J.B. was located wearing the same jeans depicted in the surveillance video, and the sweatshirt from the video was located in his bedroom.

61. She testified that this information was immediately relayed to Agent Hitesman, and that he took no further action, and she found Agent Hitesman's response—or lack thereof—to the aforementioned information to be odd.

62. Despite the findings during the July 25, 2024, home visit, J.B. was never detained and the clothing was never seized.

63. Defendant, Juvenile Probation Officer Nathan Hill, testified during the August 22, 2024, hearing in relevant part that:

- n. On July 24, 2024, he viewed the surveillance footage from the shooting incident and had an idea who the individual in the cream-colored sweatshirt was, suspecting it was J.B., but that he was not entirely sure;
- o. the images were then shown to Officer Delgado who immediately confirmed the individual as J.B. based upon working with J.B. in the past through supervision;
- p. based on that identification, he and JPO Lunger went to J.B.'s home on July 25<sup>th</sup>, 2024, and therein located the clothing depicted in the video footage;
- q. That JPO Lunger immediately informed Agent Hitesman of this information while they were still at J.B.'s residence;
- r. That Defendant, Agent Hitesman, never directed JPO to secure the clothing, obtain a search warrant for J.B.'s home, or take J.B. into custody;
- s. That he found Agent Hitesman's response, or lack thereof, to be odd.

64. Defendant, Officer Hill, further testified that he was present in Court during the July 26, 2024, probable cause / detention hearing when Agent Salisbury testified before the Court, and:

- t. That he heard Agent Salisbury identify the individual in the video footage as Plaintiff, and knew that this information was not true; and

u. That he did not correct this false information with the Court, the District Attorney, or any other person or agency.

65. At the conclusion of the August 22, 2024, hearing, Judge Gardner determined that the Commonwealth would be unable to overcome the obvious misidentification of Plaintiff as the shooting suspect and issued an Order dismissing the Aggravated Assault charge with prejudice.

66. Judge Gardner reserved ruling on the other motions to dismiss/suppress based upon the search warrant, and provided both sides time to submit caselaw and brief their respective arguments.

67. First Assistant Wade once again contacted defense counsel and informed him that he interviewed Williamsport Police Agent Nakita Bonnell about the circumstances of the investigation, and based upon Agent Bonnell's responses, a deposition on record should be scheduled.

68. A deposition of Agent Bonnell was held before the Honorable Judge Ryan C. Gardner on August 28, 2024.

69. During that deposition, Agent Bonnell testified that she had been part of the investigation involving Plaintiff and the July 22, 2024, shooting incident, as well as other contemporaneous juvenile shooting investigations.

70. Agent Bonnell testified that on or about August 16, 2024, she was made aware that Juvenile Probation informed Agent Hitesman they had identified a different individual, namely J.B., as the suspected shooter in the July 22, 2024,

incident, and that a home visit was conducted on July 25, 2024, during which the clothing from the surveillance footage was located.

71. Receiving this information, Agent Bonnell stated she contacted Agent Hitesman asking that he fill her in on what he knew of the investigation.

72. Agent Bonnell also informed Agent Hitesman that she would be applying for a search warrant of J.B.'s home, to which Agent Hitesman replied "that's going to hurt my case[,]" referring to the prosecution against Plaintiff.

73. Due to Agent Hitesman's response, Agent Bonnell immediately contacted Williamsport Police Captain Joshua Bell and First Assistant District Attorney Martin Wade.

74. The August 19, 2024, search warrant for J.B.'s residence wherein evidence related to the July 22, 2024, shooting was located resulted therefrom.

75. By Order and Opinion dated September 24, 2024, Judge Ryan Gardner determined that:

v. it was "indisputable that Hitesman failed to disclose to either the Commonwealth or defense counsel that he obtained independently corroborated information that he misidentified [Plaintiff] following his drafting and execution of the search warrant and prior to both the 72-hour detention hearing and the first scheduled evidentiary hearing[,]"

w. that a ripple effect of Agent Hitesman's actions is that a "very dark cloud may be cast not only over the professionalism of other members of the Williamsport Bureau of Police" and that the sense of justice may be compromised;

x. that another ripple effect is that Agent Hitesman's actions "will likely result in his credibility forever being called into question[;]"

y. that Agent Hitesman omitted from his search warrant application highly relevant information within his knowledge that the issuing authority would wish to know because it would have significantly called into question the application's probable cause.

76. Judge Gardner granted counsel's Motion to Suppress evidence.

77. By Order filed on September 25, 2024, the Commonwealth withdrew all remaining charges against Plaintiff.

#### **V. CLAIMS FOR RELIEF**

78. Plaintiffs incorporate by reference paragraphs 1 through 77 as through fully set forth herein at length on each claim for relief.

**COUNT I: VIOLATION OF THE FOURTH AND FOURTEENTH AMENDMENTS (42 U.S.C. § 1983) (Fourth Amendment – Unlawful Seizure and Fourteenth Amendment – Due Process) (Against Defendant Hitesman)**

79. Defendants falsely arrested and maliciously prosecuted Plaintiff Mekhi Johnson without probable cause, violating his rights under the Fourth and Fourteenth Amendments.

**COUNT II: VIOLATION OF DUE PROCESS (42 U.S.C. § 1983) (Fourteenth Amendment – Due Process) (Against Defendants Hitesman and Hill)**

80. Defendants failed to disclose exculpatory evidence in violation of Plaintiff Mekhi Johnson's due process rights under *Brady v. Maryland*.

COUNT III: MUNICIPAL LIABILITY (Monell Claim, 42 U.S.C. § 1983) (Fourth and Fourteenth Amendments – Unlawful Policies and Failure to Train)  
((Against Defendant City of Williamsport and County of Lycoming, pursuant to Monell v. Department of Social Services, 436 U.S. 658 (1978)))

81. Defendants maintained policies or customs that led to Plaintiffs' constitutional violations, including failure to train officers on proper identification procedures and handling exculpatory evidence.

COUNT IV: FALSE IMPRISONMENT (Fourth Amendment – Unlawful Detention) (Against Defendants Hitesman)

82. Defendants wrongfully detained Plaintiff Mekhi Johnson without legal justification, causing him harm.

COUNT V: MALICIOUS PROSECUTION (Fourth and Fourteenth Amendments – Wrongful Legal Proceedings) (Against Defendant Hitesman)

83. Defendant initiated legal proceedings against Plaintiff Mekhi Johnson without probable cause and with malice.

COUNT VI: UNLAWFUL SEARCH (Fourth Amendment – Illegal Search and Seizure) (Plaintiff, Amber Garrity v. Hitesman and Hill)

84. Defendants conducted an illegal search of Plaintiff Amber Garrity's home without probable cause, violating her Fourth Amendment rights.

COUNT VII: CONSPIRACY TO VIOLATE CIVIL RIGHTS (42 U.S.C. § 1983)  
(Fourth and Fourteenth Amendments – Coordinated Deprivation of Rights)  
(Against All Defendants)

85. Defendants conspired to violate Plaintiffs' constitutional rights by coordinating and executing unlawful arrests and searches.

COUNT VIII: FAILURE TO INTERVENE (42 U.S.C. § 1983) (Fourth and Fourteenth Amendments – Duty to Prevent Constitutional Violations)  
(Against Defendants Hitesman and Hill)

86. Defendants Hitesman and Hill had a duty to intervene to prevent the unlawful arrest and search but failed to do so, thereby violating Plaintiffs' constitutional rights.

COUNT IX: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS  
(Fourteenth Amendment – Substantive Due Process)  
(Against Defendants Hitesman, Williamsport Police, Officer Hill, Lycoming County Juvenile Probation, and Lycoming County)

87. Defendants engaged in extreme and outrageous conduct that caused Plaintiffs severe emotional distress.

COUNT X: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS  
(Fourteenth Amendment – Substantive Due Process)  
(Against All Defendants)

88. Defendants acted negligently in a manner that foreseeably caused Plaintiffs emotional distress.

COUNT XI: TRESPASS (Fourth Amendment – Unlawful Entry)  
(Against All Defendants)

89. Defendants unlawfully entered Plaintiff Amber Garrity's property without consent or legal justification.

WHEREFORE, Plaintiffs request judgment in their favor and against Defendants for actual damages; punitive damages; attorney's fees; costs; interest and any further relief that this Honorable Court deems just and appropriate under the circumstances.

Respectfully submitted,

CAMPANA, HOFFA & MORRONE, P.C.

By:  \_\_\_\_\_

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By:  \_\_\_\_\_

Matthew A. Diemer  
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Attorney for Plaintiffs

### CIVIL COVER SHEET

JS 44 (Rev. 03/24)

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**

MEKHI JOHNSON and AMBER GARRITY

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

(c) Attorneys (Firm Name, Address, and Telephone Number) 570-326-2401  
Robert A. Hoffa  
Matthew A. Diemer > Campana, Hoffa + Morrone  
602 Pine St.  
Williamsport, PA 17701

**DEFENDANTS**

WILLIAMSPORT BUREAU OF POLICE, et. al.

County of Residence of First Listed Defendant LYCOMING  
(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

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

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 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                   | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2            | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 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
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>INTELLECTUAL PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	

**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 U.S.C. § 1983  
CIVIL RIGHTS VIOLATIONS

**VII. REQUESTED IN COMPLAINT:**

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

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_