

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

DWON DENARTOES ELLIS, JR.,

Plaintiff,

Civil Action File No.:

v.

OFFICER T. MURPHY,
in his individual capacity; and

OFFICER J.A. HENDRICKS,
in his individual capacity; and

SHERIFF THOMAS KEVIN WATERS,
in his official capacity as Sheriff of the
Consolidated City of Jacksonville and Duval County; and

**CONSOLIDATED CITY OF JACKSONVILLE, FLORIDA
and DUVAL COUNTY, FLORIDA,**

Defendants.

COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

COMES NOW Plaintiff, **DWON DENARTOES ELLIS, JR.** (hereinafter “Plaintiff”, by and through undersigned attorneys, and hereby files this Complaint for damages, attorney’s fees, and cost for the deprivation of Plaintiff’s rights secured by the Fourth, First and Fourteenth Amendment to the United States Constitution against Defendants, **OFFICER T. MURPHY (#80683)**, in his individual capacity; and **OFFICER J.A. HENDRICKS (#82151)**, in his individual capacity; **SHERIFF**

THOMAS KEVIN WATERS, in his official capacity as Sheriff of the Consolidated City of Jacksonville and Duval County; and **CONSOLIDATED CITY OF JACKSONVILLE, FLORIDA and DUVAL COUNTY, FLORIDA**. The Plaintiff alleged the following:

INTRODUCTION

This is a federal civil rights action arising from a violent and unconstitutional assault committed by Defendant Officer Murphy (hereinafter referred to as “Defendant Murphy” of the Jacksonville Sheriff’s Office (“JSO”) against Plaintiff while Plaintiff was handcuffed, compliant, and posed no threat.

On February 9, 2024, Plaintiff was traveling home from the gravesite of his son on the anniversary of his child’s death when he was subjected to an unlawful escalation of force during a routine traffic stop. Defendant Officer J.A. Hendricks (hereinafter referred to as “Defendant Hendricks”) initiated the stop for allegedly running a stop sign, which Plaintiff adamantly disputes.

Plaintiff complied with every instruction and every request, including providing his driver’s license, exiting the vehicle, submitting to a search, and submitting to being handcuffed. Plaintiff did not resist, threaten officers, or pose any risk to officer safety. Despite Plaintiff’s full compliance, Defendant Murphy approached and, while Plaintiff was restrained in handcuffs, slapped Plaintiff in the

face three times, then threatened to slap Plaintiff again while cursing and using profanity at Plaintiff.

While Plaintiff remained restrained in handcuffs, Defendant Murphy forcefully gripped and squeezed the back of Plaintiff's neck, and lifted Plaintiff upward by the handcuffs, forcing Plaintiff into an extremely uncomfortable, painful, and unnatural position. The assault was captured on multiple recordings, including Defendant Murphy's own body-worn camera, other BWC and several civilian-recorded video, including a separate vantage point corroborating the third slap and the neck restraint.

Officers attempted to obstruct and interfere with civilian recording by shining flashlights directly into citizens' cameras in an apparent attempt to blind the recording and prevent documentation of unconstitutional conduct. The sworn arrest report alleges resistance, yet makes no mention of any strikes, slaps, threats, profanity, neck restraint, or handcuff manipulation, despite the existence of multiple videos depicting the assault.

This case reflects not an isolated incident, but a culture, policy, and practice within JSO and the Consolidated City of Jacksonville that tolerates excessive force against non-resisting citizens, tolerates concealment of force through false or incomplete reporting, and tolerates interference with civilian recording to suppress transparency and accountability.

The Consolidated City of Jacksonville, Florida and Duval County, Florida, in conjunction with the Jacksonville Sheriff's Office, through its elected Sheriff Thomas Kevin Waters (hereinafter referred to as "Defendant Waters"), enforces a policy that allows its officers to utilize unwarranted and excessive physical force against an individual who poses no immediate threat to the officer or to others, a practice commonly referred to as "distractionary blows."¹ Furthermore, the City of Jacksonville, Florida and JSO, maintains a policy that allows its officers to refrain from reporting instances of force when the physical force applied to an individual did not lead to, or was claimed to have led to, any injury. This policy creates a setting that promotes its officers to engage in illegal or excessive use of force without the fear of encountering any repercussions or consequences, nor the obligation to report such actions. Furthermore, this policy permits an officer to perpetrate a criminal assault on an individual without the obligation to report such an act. Both policies enacted by the City of Jacksonville, Florida and JSO, were instrumental in the infringement of the Plaintiff's constitutional rights.

The Plaintiff brings federal constitutional claims against the Defendants for committing acts under color of law that deprived the Plaintiff of his rights under the Constitution.

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331

and 1343 over Plaintiffs' claims under the U.S. Constitution, which are brought both directly and under 42 U.S.C. § 1983.

2. Venue is proper in this District under 28 U.S.C. § 1391(b)(2). All of the events given rise to this Complaint occurred within this District, specifically in Jacksonville, Duval County Florida.

PARTIES

3. At all times relevant hereto, Plaintiff Dwon Ellis is a citizen of the United States and a resident of Jacksonville, Duval County, Florida, where the incidents described herein also occurred.

4. At all times relevant hereto, Defendant Officer Murphy a citizen of the United States and a resident of the State of Florida and acting under color of state law in his capacity as a sworn law enforcement officer employed by JSO and is sued in his individual capacity.

5. At all times relevant hereto, Defendant Officer J.A. Hendricks was a citizen of the United States and a resident of the State of Florida and acting under color of state law in his capacity as a sworn law enforcement officer employed by JSO and is sued in his individual capacity.

6. At all times material hereto, Defendant Thomas Kevin Waters, Sheriff of the Consolidated City of Jacksonville and Duval County, is an entity, corporate and political, duly organized under the laws of the State of Florida. JSO is the

governmental entity responsible, as a matter of law, for the actions of its officials, agents, and employees, and was responsible for their training, supervision, and conduct. JSO is also responsible for ensuring that its police personnel obey the laws of the State of Florida and ensuring that its rules and regulations are followed and enforced. Defendant Waters is sued in his individual capacity.

7. Defendant, The Consolidated City of Jacksonville, Florida and Duval County, Florida is an entity, corporate and political, duly organized under the laws of the State of Florida. The City of Jacksonville is the governmental entity responsible, as a matter of law, for the actions of its officials, agents, and employees, and was responsible for their training, supervision, and conduct. The City of Jacksonville is also responsible for ensuring that its police personnel obey the laws of the State of Florida and ensuring that its rules and regulations are followed and enforced.

8. At all times material, all law enforcement personnel involved herein were working in the city limits of Jacksonville, Duval County Florida, and were acting as employees and /or agents in the course and scope of their employment and/or agency with the JSO. All acts material hereto occurred in Jacksonville, Duval County, Florida.

QUALIFIED IMMUNITY NOT APPLICABLE

9. The conduct of Defendant Murphy and other involved officers was so egregious and clearly violative of Plaintiff's well-established constitutional rights that no reasonable officer could have believed it to be lawful. At all relevant times, it was clearly established that the use of force against a compliant, restrained, and non-resisting individual violates the Fourth and Fourteenth Amendments. As such, none of the individual Defendants are entitled to qualified immunity for their actions.

FACTUAL ALLEGATIONS

Events that Occurred on February 9, 2025

10. On February 9, 2024, Plaintiff Dwon Ellis was traveling home following a visit to the gravesite of his deceased son, marking the anniversary of his child's death. This was an emotionally significant and somber day for the Plaintiff.

11. At approximately 9:00 PM, Plaintiff was stopped by Defendant Officer J. A. Hendricks of the Jacksonville Sheriff's Office near the intersection of West 45th Street and Avenue B, based on an alleged failure to stop at a stop sign. Plaintiff disputes the allegation and maintains that he operated his vehicle lawfully and safely at all times.

12. Officer Hendricks approached the driver's side window and requested identification. Plaintiff complied fully, providing his license. He was then ordered to

exit the vehicle, which he did without hesitation. Plaintiff further submitted to a physical search and allowed himself to be handcuffed without resistance.

13. Despite any questions about the legitimacy of the stop, Plaintiff made no threats, engaged in no resistance, and posed no immediate or perceived threat to officer safety. His conduct remained calm, respectful, and cooperative throughout his interaction with Officer Hendricks.

14. Defendant Officer Murphy approached the scene aggressively. Plaintiff was already detained and standing calmly. Without engaging in any investigation or issuing any verbal warning, Murphy escalated the situation.

15. Officer Murphy violently grabbed and yanked Mr. Ellis's arms behind his back in an abrupt and painful motion. Mr. Ellis, visibly confused, asked, "Why am I being handcuffed?" In response to this verbal inquiry, and without provocation or legal justification, Officer Murphy slapped Mr. Ellis across the face with an open hand while he was restrained. Mr. Ellis immediately exclaimed, "Why did you slap me?" and stated, "He just slapped me in the face!"

16. Officer Murphy then delivered a second slap to Mr. Ellis's face. Plaintiff remained handcuffed and compliant. Shortly afterward, Officer Murphy struck Plaintiff for a third time. All three slaps occurred while Plaintiff was

restrained, nonviolent, and not resisting. After the third slap, Officer Murphy shouted, “*I’ll slap you again, motherfucker.*”¹ further escalating the aggression.

17. Immediately after, Officer Murphy continued yelling at Mr. Ellis, stating, “*You wanna keep fucking talking?*” His tone was hostile, and the threat was direct. Officer Murphy continued to berate Plaintiff, using profanity and humiliating language.

18. Officer Murphy aggressively gripped the back of Plaintiff’s neck and physically forced his head downward. Plaintiff remained passive and asked repeatedly, “What did I do?”

19. Officer Murphy lifted Mr. Ellis by the handcuffs, contorting his upper body backward and upward in a painful and medically dangerous position. Plaintiff cried out in pain, stating, “You hurting me, man.”

20. Throughout this entire encounter, Plaintiff did not resist arrest, did not attempt to flee, and did not make any physical contact with any officer. His conduct remained non-threatening and compliant at all times.

21. Officer Murphy’s actions were not supported by any law enforcement necessity and served no legitimate governmental interest. Rather, they were

¹ The quoted language is reproduced verbatim as captured on body-worn camera footage. It is material to the nature and tone of Officer Murphy’s conduct and is not intended to offend the Court or parties.

punitive, retaliatory, and intended to degrade and punish Plaintiff without justification.

22. The assault and all relevant conduct were captured on Officer Murphy's body-worn camera, which clearly depicts Plaintiff's compliance and the excessive, gratuitous nature of the force used.

23. A civilian bystander also recorded portions of the encounter on video. JSO officers are observed shining flashlights directly into the civilian's camera in an apparent attempt to obstruct the recording.

24. The arrest report subsequently prepared by JSO personnel falsely claimed that Plaintiff was noncompliant and resistant. It omitted all mention of the slaps, threats, or physical force used by Officer Murphy.

25. These omissions were deliberate and consistent with a broader pattern and practice within the Jacksonville Sheriff's Office of concealing officer misconduct, falsifying reports, and discouraging external scrutiny of unlawful use of force.

26. At least three other JSO officers were present at the scene and within direct view of Officer Murphy's actions, including the repeated slaps and lifting of Plaintiff by the handcuffs. Despite witnessing the unlawful use of force, none of the officers intervened, questioned Murphy's conduct, offered aid to Plaintiff, or reported the misconduct in any subsequent documentation. These officers possessed

both the opportunity and the requisite training, authority, and ability to prevent the unlawful use of force but chose not to act. Their collective inaction reflects a deliberate indifference to Plaintiff's rights and is emblematic of an entrenched culture within JSO that tolerates and enables excessive force without accountability.

27. The failure to intervene was consistent with an established policy or custom within the Jacksonville Sheriff's Office that tolerates or encourages the use of unwarranted and excessive force against individuals who are restrained, seated, or otherwise non-threatening. This includes the use of physical strikes euphemistically referred to as "distractionary blows."

28. In addition to physical abuse, JSO officers frequently invoke the phrase "stop resisting" during use-of-force incidents, even when civilians are visibly restrained or fully compliant. This phrase is used pretextually to justify excessive force and manipulate the narrative for post-incident documentation and legal defense. Although no resistance was shown by Plaintiff at any time, the use of force against him followed the same cultural pattern within JSO of pairing unlawful physical aggression with false verbal claims of noncompliance to conceal misconduct and shift blame onto victims.

29. The Consolidated City of Jacksonville, Florida and Duval County, Florida, in conjunction with Defendant Sheriff T. K. Waters, enforces a policy or custom that allows its officers to refrain from reporting use-of-force incidents when

no injury is documented or claimed. This policy creates a culture where officers may use physical violence against civilians with impunity, knowing that they are unlikely to face disciplinary consequences.

30. These policies enable officers to commit acts of excessive force and assault without reporting them, reviewing them, or triggering oversight mechanisms. The existence and enforcement of these policies and customs were direct causes of the constitutional violations suffered by Plaintiff.

DAMAGES AND INJURIES

31. The Plaintiff's injuries include but are not limited to loss of constitutional and federal rights, physical injuries, impairments and disfigurement, great pain and emotional distress, and/or aggravation of pre-existing conditions, and ongoing special damages medically/psychologically related treatment caused by the unconstitutional and moving forces concerted conduct of all these Defendants.

32. Plaintiff suffers with continued emotional distress, humiliation, and psychological trauma with significant PTSD type symptoms, including sadness, anxiety, stress, anger, depression, frustration, sleeplessness, nightmares, fear during police encounters, and flashbacks from his assault. Plaintiff's injuries were compounded by the fact that the assault occurred on the anniversary of his child's death.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

42 U.S.C. § 1983 - Excessive Force in violation of the Fourth Amendment
(Against Defendant Murphy in his individual capacity)

33. Plaintiff realleges and incorporates herein by reference each and every allegation contained in paragraphs 1 through 32 of this Complaint. 42 U.S.C. § 1983 provides that:

Every person, who under color of any statute, ordinance, regulation, custom or usage of any state or territory or the District of Columbia subjects or causes to be subjected any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the constitution and law shall be liable to the party injured in an action at law, suit in equity, or other appropriate proceeding for redress.....

34. At all relevant times, Plaintiff had a clearly established constitutional right under the Fourth Amendment, as incorporated against the states by the Fourteenth Amendment, to be free from the use of excessive force by law enforcement officers acting under color of law.

35. Defendant Officer Murphy used objectively unreasonable and excessive force against Plaintiff, who was unarmed, restrained in handcuffs, compliant, and posed no immediate threat to any officer or civilian.

36. Defendant Murphy's excessive force included, but was not limited to, violently grabbing Plaintiff's arms, striking Plaintiff in the face multiple times with open-hand slaps, seizing Plaintiff by the neck, lifting Plaintiff by the handcuffs into

a painful and dangerous position, and threatening further violence while using profanity and demeaning language.

37. Defendant Murphy's actions were gratuitous, punitive, and wholly unrelated to any legitimate law enforcement objective. Plaintiff was not resisting arrest, attempting to flee, or acting aggressively at any time during the encounter.

38. Defendant Murphy's conduct was objectively unreasonable under the totality of the circumstances and violated clearly established constitutional standards governing the use of force on restrained and compliant individuals.

39. As a direct and proximate result of Defendant Murphy's unconstitutional conduct, Plaintiff suffered physical injury, pain and suffering, emotional distress, humiliation, psychological trauma, and other damages.

40. Defendant Murphy acted intentionally, willfully, maliciously, and with reckless disregard for Plaintiff's federally protected rights, thereby entitling Plaintiff to an award of punitive damages.

41. On information and belief, the Plaintiff suffered lost future earnings not yet fully ascertained sequelae in amounts to be ascertained in trial. The Plaintiff is further entitled to attorneys' fees and costs pursuant to 42 U.S.C. §1988, pre-judgment interest and costs as allowable by federal law. There may also be special damages for lien interests.

42. Any reasonable law enforcement officer would have known that slapping a fully restrained, non-resisting individual in the face multiple times, lifting that individual by handcuffs, and threatening further violence constitutes excessive force in violation of clearly established law.

43. Because Defendant Murphy's conduct violated clearly established constitutional rights of which a reasonable officer would have known, Defendant Murphy is not entitled to qualified immunity.

WHEREFORE, Plaintiff, DWON DENARTOES ELLIS, JR., respectfully requests that this Court enter judgment in his favor and against Defendant Officer T. Murphy, in his individual capacity, and:

1. Declare that Defendant Murphy's use of force violated Plaintiff's clearly established rights under the Fourth and Fourteenth Amendments to the United States Constitution;
2. Award Plaintiff compensatory damages for the physical injuries, emotional distress, pain, suffering, and psychological trauma caused by Defendant's unlawful conduct;
3. Award punitive damages against Defendant Murphy for his malicious, reckless, and unjustified use of force;
4. Award Plaintiff reasonable attorney's fees and costs pursuant to 42 U.S.C. § 1988;

5. Trial by jury as to all issues so triable, and such other and further relief as this Honorable Court may deem just and appropriate.

SECOND CLAIM FOR RELIEF

42 U.S.C. § 1983 – Failure to Intervene violating the Fourth and Fourteenth Amendment (Against Defendant J. A. Hendricks and Unidentified JSO Officers in their individual capacities)

44. Plaintiff realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

45. It is clearly established under the Fourth and Fourteenth Amendments to the United States Constitution that law enforcement officers have an affirmative duty to intervene when a fellow officer uses excessive force in their presence, and they have the opportunity and means to prevent or curtail such conduct.

Defendant Officer J. A. Hendricks, along with multiple unidentified officers of the Jacksonville Sheriff's Office were present at the scene when Defendant Officer Murphy used objectively unreasonable and excessive force against Plaintiff, a fully restrained, compliant, and non-threatening civilian.

46. These officers observed Defendant Murphy violently slapping the Plaintiff in the face three separate times, physically lifting him by his handcuffs into a painful and medically dangerous position, forcibly grip the back of his neck, and threaten additional violence while using profanity and verbal intimidation.

Despite witnessing the entire course of unlawful conduct, and having ample time, opportunity, training, and authority to intervene or prevent the continuation of that force, Defendants Hendricks and the unidentified officers stood by without taking any action to stop or mitigate the assault.

47. These Defendants also failed to report the incident, correct the arrest narrative, or assist Plaintiff in any way. Their collective inaction demonstrates deliberate indifference to Plaintiff's constitutional rights and reflects an entrenched culture of non-intervention and silence within the Jacksonville Sheriff's Office. The duty to intervene in such circumstances was clearly established at the time of the incident, and any reasonable officer in the position of these Defendants would have understood their obligation to prevent or report such unlawful conduct.

48. Defendants Hendricks and the unidentified officers are not entitled to qualified immunity, as the right to be free from excessive force and the corresponding duty of bystander officers to intervene were well-settled in law. The acts and omissions of these officers intentionally deprived Plaintiff of his constitutional rights and directly caused his physical, emotional, and legal injuries. These Defendants had ample opportunity and authority to intervene but failed to do so, despite witnessing the unlawful conduct unfold in their presence.

49. As a direct and proximate result of Defendants' failure to intervene, Plaintiff suffered violations of his constitutional rights, physical pain, psychological

trauma, emotional distress, and other compensable injuries for which Defendants are jointly and severally liable under 42 U.S.C. § 1983.

WHEREFORE, Plaintiff, DWON DENARTOES ELLIS, JR., respectfully requests that this Court enter judgment in his favor and against Defendant Officer J. A. Hendricks and the unidentified Jacksonville Sheriff's Office officers, in their individual capacities, and:

1. Declare that the conduct of Defendants violated Plaintiff's clearly established constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution;
2. Award Plaintiff compensatory damages for the physical, emotional, and psychological injuries suffered as a result of Defendants' failure to intervene;
3. Award Plaintiff punitive damages against the individual Defendants for their willful, wanton, and reckless disregard of Plaintiff's constitutional rights;
4. Award reasonable attorney's fees and litigation costs pursuant to 42 U.S.C. § 1988;
5. Trial by jury as to all issues so triable, and such other and further relief as this Honorable Court may deem just and appropriate.

THIRD CLAIM FOR RELIEF

42 U.S.C. § 1983 – Fabrication of Evidence and False Reporting
(Against Defendant Officer Against Defendants Officer T. Murphy, Officer J. A. Hendricks, and Unidentified Officers, in their Individual Capacities)

50. Plaintiff realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

51. At all relevant times, Defendants Murphy, Hendricks, and other unidentified officers were acting under color of state law and in their official capacities as sworn law enforcement officers employed by the Jacksonville Sheriff's Office.

52. Defendants intentionally and knowingly fabricated or omitted critical facts in their sworn arrest reports and official documentation relating to the Plaintiff's detention, use of force, and the circumstances of his arrest.

53. Specifically, Defendants falsely claimed that Plaintiff was noncompliant or resistant, when in fact Plaintiff was fully compliant, handcuffed, and non-threatening at all times.

54. Defendants also deliberately omitted any mention of the three open-hand slaps, the violent neck hold, the lifting of Plaintiff by his handcuffs, the use of profanity and threats, and the attempted obstruction of civilian video documentation, all of which were captured on body-worn camera and civilian video.

55. These omissions and fabrications were not clerical or incidental, but material and intentional efforts to create a false narrative that concealed unlawful conduct and justified unconstitutional force.

56. As a result of Defendants' fabrication and false reporting, Plaintiff was subjected to ongoing legal jeopardy, reputational harm, and the risk of further incarceration or prosecution based on falsified documentation.

57. The fabrication of official records by law enforcement officers constitutes a violation of Plaintiff's substantive and procedural due process rights under the Fourteenth Amendment to the United States Constitution.

58. At all relevant times, the right to be free from the falsification of evidence and the knowing concealment of material facts in law enforcement reports was clearly established.

59. Defendants Murphy, Hendricks, and the unidentified officers acted intentionally and with reckless disregard for Plaintiff's constitutional rights and are not entitled to qualified immunity.

60. As a direct and proximate result of the fabrication of evidence and false reporting by these Defendants, Plaintiff suffered significant constitutional injury, including emotional distress, legal exposure, reputational harm, and denial of due process under color of law.

WHEREFORE, Plaintiff, DWON DENARTOES ELLIS, JR., respectfully requests that this Court enter judgment in his favor and against Defendants Officer T. Murphy, Officer J. A. Hendricks, and the unidentified officers, in their individual capacities, and:

1. Declare that Defendants' fabrication of evidence and false reporting violated Plaintiff's constitutional rights under the Fourteenth Amendment to the United States Constitution;
2. Award Plaintiff compensatory damages for the injuries sustained as a result of the fabricated narrative, false statements, and omissions;
3. Award punitive damages against the individual Defendants for their intentional, malicious, and unconstitutional conduct;
4. Award reasonable attorney's fees and costs pursuant to 42 U.S.C. § 1988;
5. Trial by jury as to all issues so triable, and such other and further relief as this Honorable Court may deem just and appropriate.

FOURTH CLAIM FOR RELIEF

42 U.S.C. § 1983 – Municipal Liability Under Monell

(Against Defendant Thomas Kevin Waters in his Official Capacity as Sheriff of the Consolidated City of Jacksonville and Duval County, and the Consolidated City of Jacksonville and Duval County, Florida)

61. Plaintiff realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.

62. Defendants Sheriff Thomas Kevin Waters, in his official capacity, and the Consolidated City of Jacksonville and Duval County, Florida (collectively, “the Municipal Defendants”), are responsible for establishing, enforcing, and maintaining policies, practices, customs, and procedures governing the conduct, training, supervision, and discipline of officers within the Jacksonville Sheriff’s Office (JSO).

63. At all relevant times, the Municipal Defendants enforced or maintained a longstanding policy, practice, or custom that directly caused the constitutional violations suffered by Plaintiff, including but not limited to:

- a. Tolerating, authorizing, or failing to discipline excessive use of force, including against restrained, compliant, or otherwise non-threatening individuals;
- b. Permitting the use of “distractionary blows”, gratuitous, punitive strikes inflicted on restrained individuals under the pretense of control tactics, despite posing no immediate threat;
- c. Maintaining an official or de facto policy of omitting use-of-force incidents from arrest reports where the physical force did not result in documented injury, thereby enabling force to go unreported, unreviewed, and unpunished;

- d. Encouraging officers to fabricate allegations of resistance (e.g., by yelling “stop resisting” despite visible compliance) to justify unlawful uses of force and manipulate arrest narratives;
- e. Failing to discipline or retrain officers who falsify reports or omit critical facts, including omissions of violence and threats captured on body-worn cameras;
- f. Interfering with civilian efforts to record police activity, including the use of flashlights to obstruct video evidence of misconduct;
- g. Failing to adequately train officers on lawful uses of force, constitutional restraints, reporting obligations, and intervention responsibilities.

64. These policies and customs are not isolated or aberrational but are entrenched within the Jacksonville Sheriff’s Office and ratified by final policymakers, including Sheriff Waters, who exercises final authority over discipline, oversight, and internal accountability.

65. According to public data released by JSO, between 2022 and 2024, JSO initiated 424 investigations into allegations of excessive force. However, only 3 were sustained, reflecting a systemic failure to hold officers accountable and reinforcing a culture of impunity. This data supports Plaintiff’s allegation that excessive force is tolerated and rarely disciplined within the agency.

66. The acts and omissions of Officers Murphy, Hendricks, and the unidentified officers were consistent with the policies and customs described herein and were the moving force behind the violations of Plaintiff's rights under the Fourth and Fourteenth Amendments.

67. The policymakers' failure to revise, correct, or abandon these practices, despite actual or constructive notice constitutes deliberate indifference to the known and obvious consequences of such policies, including the foreseeable risk of harm to civilians like Plaintiff.

68. The Municipal Defendants acted in an objectively unreasonable manner by enforcing or permitting these policies and customs to continue unchecked, directly causing the constitutional injuries suffered by Plaintiff.

69. As a direct and proximate result of these unconstitutional policies, practices, and failures, Plaintiff suffered physical pain, psychological trauma, reputational harm, and the denial of his civil rights under the Constitution.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, DWON DENARTOES ELLIS, JR., respectfully requests that this Honorable Court enter judgment in his favor and against all Defendants, and grant the following relief:

- a. compensatory and consequential damages, including damages for emotional distress, humiliation, loss of enjoyment of life, and other pain and suffering on all claims allowed by law in an amount in excess of \$100,000.00
- b. economic losses on all claims allowed by law;
- c. special damages in an amount to be determined at trial;
- d. punitive damages on all claims allowed by law against individual Defendants and in an amount in excess of \$100,000.00
- e. attorneys' fees and the costs associated with this action under 42 U.S.C. § 1988, including expert witness fees, on all claims allowed by law;
- f. pre- and post-judgment interest at the lawful rate; and, any further relief that this court deems just and proper, and any other appropriate relief a law and equity.
- g. Trial by jury as to all issues so triable;
- h. Such further relief as this Court deems just, proper, and appropriate under the law and in equity.

JURY DEMAND

Plaintiff, DWON DENARTOES ELLIS JR. demands trial by jury on all issues so triable.

Respectfully submitted,

ROLLE & KELLY PLLC.
1054 Kings Avenue, Suite 1
Jacksonville, Florida 32205
Telephone : 904-766-7339
Facsimile : 904-551-2936

/s/ Stephen B. Kelly Jr.
Stephen B. Kelly Jr. Esquire
Florida Bar No, 99493
StephenKelly.Law@gmail.com

/s/ Wade M. Rolle
Wade M. Rolle, Esquire
Florida Bar No. 881198
WadeRolleLaw@gmail.com
COUNSELS FOR PLAINTIFF