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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 SAMANTHA ARREDONDO,
11 individually and as Successor in Interest to
12 Samuel Arredondo, deceased,

13 Plaintiff,

14 v.

15 COUNTY OF SAN BERNARDINO, a
16 municipal entity, and DOES 1 through 10,
17 inclusive,

18 Defendants.

CASE NO.:

**COMPLAINT FOR DAMAGES AND
DEMAND FOR JURY TRIAL**

1. **Violations of Civil Rights (42 U.S.C. § 1983) (Based on Unreasonable Use of Deadly Force)**
2. **Violations of Civil Rights (42 U.S.C. § 1983) (Based on Substantive Due Process Violations)**
3. **Violations of Civil Rights (Cal. Civ. Code § 52.1)**
4. **Wrongful Death (Based on Battery)**
5. **Wrongful Death (Based on Negligence)**

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1 **JURISDICTION AND VENUE**

2 1. Jurisdiction is vested in this court under 28 U.S.C. § 1343(3)-(4) for
3 violations of the 1871 Civil Rights Enforcement Act, as amended, including 42 U.S.C.
4 § 1983 and 28 U.S.C. § 1331.

5 2. Venue is proper in the Central District of California under 28 U.S.C.
6 § 1391(a)-(b).

7 **PARTIES**

8 3. Plaintiff SAMANTHA ARREDONDO is, and at all relevant times
9 mentioned herein was, a resident of the County of San Bernardino and State of
10 California. Plaintiff SAMANTHA ARREDONDO is the surviving biological mother of
11 decedent SAMUEL ARREDONDO, who lost his life on Sunday January 11, 2023 in the
12 deputy involved shooting that forms the basis of the instant civil action.

13 4. Defendant COUNTY OF SAN BERNARDINO (“COUNTY”) is and at all
14 relevant times mentioned herein was, a municipal entity or political subdivision of the
15 United States, organized and existing under the laws of the State of California.

16 5. Plaintiff is informed and believes, and there upon alleges, that Defendant
17 DOE DEFENDANTS (“DOE DEFENDANTS”) are, and at all relevant times
18 mentioned herein were, residents of the County of San Bernardino and State of
19 California. Further, at all times relevant to the acts and omissions herein alleged,
20 Defendant DOE DEFENDANTS were sworn Sheriff’s Department Deputies employed
21 by the Defendant COUNTY and the San Bernardino Sheriff’s Department.

22 6. On or around July 3, 2023 a timely Claim for Damages was submitted to
23 the County of San Bernardino, in substantial compliance with California Government
24 Code § 910, et seq. on behalf of the plaintiff. At the time of the filing of this Complaint,
25 said Claim has been denied.

26 7. Plaintiff is unaware of the true names and capacities of those Defendants
27 named herein as DOE Defendants. Plaintiff will amend this Complaint to allege said
28 Defendants’ true names and capacities when that information becomes known to them.

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1 8. Plaintiff is informed, believes, and thereon alleges that these DOE
2 Defendants were legally responsible and liable for the incident, injuries, and damages
3 hereinafter set forth, and that each of said Defendants proximately caused the injuries
4 and damages by reason of negligent, careless, deliberately indifferent, intentional,
5 willful, or wanton misconduct, including the negligent, careless, deliberately indifferent
6 intentional, willful, or wanton misconduct in creating and otherwise causing the
7 incidents, conditions, and circumstances hereinafter set forth, or by reason of direct or
8 imputed negligence or vicarious fault or breach of duty arising out of the matter herein
9 alleged. Plaintiff will seek leave to amend this Complaint to set forth said true names
10 and identities of the unknown named DOE Defendants when they are ascertained.

11 9. Each of the individual Defendants sued herein is sued both in his individual
12 and personal capacity, as well as in his official capacity.

13 10. Plaintiff is informed, believes, and thereon alleges that at all times herein
14 mentioned, each of the Defendants was the agent and/or employee and/or co-conspirator
15 of each of the remaining Defendants, and in doing the things hereinafter alleged, was
16 acting within the scope of such agency, employment, and/or conspiracy and with the
17 permission and consent of other co-Defendants.

18
19 **FACTS COMMON TO ALL COUNTS**

20 11. This Complaint concerns a fatal deputy-involved shooting which occurred
21 at approximately 8:25 p.m. on Sunday January 11, 2023, at or around the 61700 block
22 of Oleander Drive, in the City of Joshua Tree, in the County of San Bernardino. During
23 the subject incident, heretofore unknown San Bernardino Sheriff’s Department
24 Deputies, while acting under the color of law and in the course and scope of their
25 employment with the County of San Bernardino and the San Bernardino County
26 Sheriff’s Department, negligently assessed the circumstances presented to them, and
27 then violently confronted SAMUEL ARREDONDO (“MR. ARREDONDO”) without
28 having probable cause or reasonable suspicion to believe that MR. ARREDONDO had

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1 committed a crime, or would commit a crime in the future. Without warning as to the
2 impending use of lethal force, DOE DEFENDANTS proceeded to assault and batter Mr.
3 Arredondo by acts which included, but were not limited to, repeatedly and unjustifiably
4 discharging department-issued firearms at the person of MR. ARREDONDO, inflicting
5 multiple gunshot wounds to MR. ARREDONDO's person, which ultimately inflicted
6 fatal injuries.

7 12. At no time during the course of these events did MR. ARREDONDO pose
8 any reasonable or credible threat of violence to the responding deputies, nor did he do
9 anything to justify the force used against him, and the same was deadly, excessive,
10 unnecessary, and unlawful. MR. ARREDONDO suffered severe injuries as a direct and
11 proximate result of the gunshot wounds inflicted upon his person by DOE
12 DEFENDANTS, which, after an appreciable period of time had elapsed, proved to be
13 fatal.

14 13. Upon information and belief, Plaintiff further contends that DOE
15 DEFENDANTS was negligently hired, trained, and retained by the County of San
16 Bernardino and the San Bernardino County Sheriff's Department, in that it was or
17 should have been plainly obvious to the County of San Bernardino and the San
18 Bernardino Sheriff's Department that DOE DEFENDANTS were dangerous and violent
19 employees, prone to discharge firearms without reasonable justification, and in a
20 manner that demonstrates callous disregard for the rights and safety of third parties, and
21 to assault and batter, persons and/or use unnecessary, unreasonable, deadly, and/or
22 unlawful physical force without reasonable justification, all of which was a further
23 proximate cause of the fatal injuries sustained by MR. ARREDONDO as a result of the
24 subject deputy-involved shooting incident. Plaintiff further contends that the death of
25 Plaintiff's decedent and the injuries suffered by Plaintiff's decedent and Plaintiff were
26 the proximate result of unconstitutional policies and customs of the County of San
27 Bernardino and the San Bernardino County Sheriff's Department, which include, but
28 are not limited to, unjustifiably using excessive force, unjustifiably using deadly force

1 against non-dangerous civilians and suspects, inadequately training and supervising
2 patrol deputies with respect to the reasonable and proper use of deadly force,
3 inadequately training and supervising patrol deputies with respect to the reasonable and
4 proper Sheriff procedures for the arrest and detention of mentally ill suspects, as well as
5 the deliberate and conscious approval, endorsement, and ratification of unconstitutional
6 seizures, unconstitutional uses of deadly force, and other unconstitutional acts by
7 authorized final policymakers within the County of San Bernardino and the San
8 Bernardino County Sheriff's Department.

9
10 **FOR THE FIRST CAUSE OF ACTION**
11 **Against DOE DEFENDANTS For Violations of Civil Rights**
12 **[42 U.S.C. §1983]**
13 **(Based on Unreasonable Use of Deadly Force)**

14 14. Plaintiff restates and incorporates by reference the foregoing paragraphs of
15 this Complaint as if set forth in full at this point.

16 15. This cause of action is in part brought on behalf of decedent SAMUEL
17 ARREDONDO, by and through his Successors in Interest, who would, but for his death,
18 be entitled to bring this cause of action, and is set forth herein to redress the deprivation,
19 under color of statute, ordinance, regulation, policy, custom, practice, and/or usage, of
20 rights, privileges, and/or immunities secured to SAMUEL ARREDONDO by the Fourth
21 Amendment to the Constitution of the United States, which include, but are not limited
22 to, the right to be free from unreasonable governmental seizures of his person.

23 16. Plaintiff is informed, believes, and thereon alleges that at all times
24 mentioned herein, Defendant COUNTY employed the individual Defendants named
25 herein, including the heretofore unknown DOE DEFENDANTS. Defendant COUNTY
26 provided its individual employees and agents with official badges and identification
27 cards which designated as described the bearers as employees of the Defendant
28 COUNTY and the San Bernardino County Sheriff 's Department.

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1 17. At all times relevant to the acts and omissions herein alleged, all individual
2 defendant deputies were employed by the Defendant COUNTY and the San Bernardino
3 County Sheriff’s Department, and were acting under color of state law and in the course
4 and scope of their employment with Defendant COUNTY and the San Bernardino
5 County Sheriff’s Department.

6 18. During the afternoon hours of Sunday January 11, 2023, Plaintiff’s
7 decedent, SAMUEL ARREDONDO, a mentally ill man, was present at or around at or
8 around the 61700 block of Oleander Drive, in the City Joshua Tree, when Defendant
9 DOE DEFENDANTS, while acting under color of state law and in the course and scope
10 of their employment with the Defendant COUNTY and the San Bernardino County
11 Sheriff’s Department, negligently assessed the circumstances presented to them, and
12 proceeded to violently confront Plaintiff’s decedent, SAMUEL ARREDONDO, without
13 having probable cause or reasonable suspicion to believe that SAMUEL ARREDONDO
14 had committed a crime, or would commit a crime in the future.

15 19. Without warning as the impending use of lethal force, DOE
16 DEFENDANTS proceeded to assault and batter SAMUEL ARREDONDO by acts
17 which included, but were not limited to repeatedly and unjustifiably discharging
18 department-issued firearms at the person of SAMUEL ARREDONDO in a manner that
19 demonstrated deliberate indifference to his constitutional rights. After a significant and
20 appreciable period of time had passed following the shooting, SAMUEL
21 ARREDONDO died as a direct and proximate result of the gunshot wounds inflicted
22 upon his person by Defendant DOE DEFENDANTS.

23 20. At no time during the course of these events did SAMUEL ARREDONDO
24 pose any reasonable or credible threat of death or serious bodily injury to DOE
25 DEFENDANTS, nor did he do anything to justify the force used against him, and the
26 same was deadly, excessive, unnecessary, and unlawful. Both prior to and during the
27 time in which he was fatally shot, SAMUEL ARREDONDO posed no reasonable or
28 credible threat of death or serious bodily injury to DOE DEFENDANTS, nor to any

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1 other individual. Both prior to and during the time in which he was shot dead, SAMUEL
2 ARREDONDO made no aggressive movements, furtive gestures, or physical
3 movements which would suggest to a reasonable peace officer that he had the will, or
4 the ability, to inflict substantial bodily harm upon any individual. Both prior to and
5 during the time in which DOE DEFENDANTS shot and killed SAMUEL
6 ARREDONDO, DOE DEFENDANTS were not faced with any circumstances which
7 would have led a reasonable peace officer to believe that SAMUEL ARREDONDO
8 posed an immediate threat of death or serious bodily injury to any person.

9 21. At all times mentioned herein, DOE DEFENDANTS acted under color and
10 pretense of law, and under color of the statutes, ordinances, regulations, policies,
11 practices, customs, and/or usages of the State of California and the Defendant
12 COUNTY. DOE DEFENDANTS deprived SAMUEL ARREDONDO of the rights,
13 privileges and/or immunities secured to him by the Fourth Amendment to the
14 Constitution of the United States and the laws of the United States, including, but not
15 limited to, the right to be free from unreasonable governmental seizures of his person.

16 22. SAMUEL ARREDONDO had the right to be free from unreasonable
17 governmental seizures of his person, a right which was secured to SAMUEL
18 ARREDONDO, by the provisions of the Fourth Amendment to the United States
19 Constitution, and by 42 U.S.C. §1983. All of these interests were implicated by the
20 wrongful conduct of DOE DEFENDANTS, which proximately caused the death of
21 SAMUEL ARREDONDO.

22 23. Plaintiff is informed, believes, and thereon alleges, that in unreasonably
23 seizing the person of SAMUEL ARREDONDO, as described in the foregoing
24 paragraphs of this Complaint, DOE DEFENDANTS acted outside the scope of their
25 jurisdiction and without authorization of law, and acted willfully, maliciously,
26 knowingly, with reckless disregard and callous indifference to the known consequences
27 of his acts and omissions, and purposefully with the intent to deprive SAMUEL
28 ARREDONDO of his federally protected rights and privileges, and did in fact violate

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1 the aforementioned rights and privileges, thereby warranting punitive and exemplary
2 damages against DOE DEFENDANTS in an amount to be proven at the trial of this
3 matter.

4 24. As a direct and proximate result of the wrongful, intentional, and malicious
5 acts and omissions of DOE DEFENDANTS, SAMUEL ARREDONDO was shot and
6 killed on January 11, 2023, and suffered great mental and physical pain, suffering,
7 anguish, fright, nervousness, anxiety, grief, shock, humiliation, indignity,
8 embarrassment, apprehension, and loss of enjoyment of life prior to his death, all to his
9 damage in a sum to be determined at trial.

10 25. As a further proximate result of the wrongful, intentional, and malicious
11 acts and omissions of DOE DEFENDANTS, SAMUEL ARREDONDO was required to
12 employ, health care providers and/or medical practitioners to examine, treat, and care
13 for him, and incurred expenses for emergent medical services and medical treatment and
14 care prior to his death in an amount according to proof at trial.

15 26. Plaintiff is entitled to and hereby demands costs, attorneys' fees, and
16 expenses pursuant to 42 U.S.C. § 1988. For such other and further relief as the Court
17 deems just and proper.

18 **FOR THE SECOND CAUSE OF ACTION**
19 **BY THE PLAINTIFF**
20 **Against DOE DEFENDANTS For Violations of Civil Rights**
21 **[42 U.S.C. §1983]**
22 **(Based on Substantive Due Process Violations)**

23 27. Plaintiff restates and incorporates by reference the foregoing paragraphs of
24 this Complaint as if set forth in full at this point.

25 28. This cause of action is to redress rights secured to SAMANTHA
26 ARREDONDO, as well as decedent SAMUEL ARREDONDO through the Fourteenth
27 Amendment to United States Constitution, and the provisions therein protecting citizens'
28

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1 constitutional rights to be free from invasions of privacy and from unwarranted
2 governmental deprivations into their rights of association with their family members.

3 29. In shooting and killing Plaintiff's decedent, as described herein, DOE
4 DEFENDANTS acted in a manner unrelated to any legitimate law enforcement
5 objective, and the manner in which DOE DEFENDANTS shot killed SAMUEL
6 ARREDONDO, when he posed no reasonable threat of violence, would be considered
7 to shock the conscience, considering the gratuitous and unnecessary amount of deadly
8 force employed by DOE DEFENDANTS. Moreover, the circumstances faced by DOE
9 DEFENDANTS allowed ample time for DOE DEFENDANTS to deliberate as to the
10 propriety of this deputy's actions prior to using deadly force, and before making the
11 conscious decision to continue to use deadly force, which was not a snap judgment.
12 Notwithstanding this DOE DEFENDANTS nevertheless made the deliberate decision to
13 fire, and continue to fire, multiple rounds at MR. ARREDONDO in an unlawful manner
14 as described herein.

15 30. Plaintiff is informed, believes, and thereon alleges that in unreasonably
16 seizing the person of SAMUEL ARREDONDO, as described in the foregoing
17 paragraphs of this Complaint, DOE DEFENDANTS acted outside the scope of DOE
18 DEFENDANTS' jurisdiction and without authorization of law, and acted willfully,
19 maliciously, knowingly, with reckless disregard and callous indifference to the known
20 consequences of their acts and omissions, and purposefully with the intent to deprive
21 SAMUEL ARREDONDO of his federally protected rights and privileges, and did in
22 fact violate the aforementioned rights and privileges, thereby warranting punitive and
23 exemplary damages against DOE DEFENDANTS in an amount to be proven at the trial
24 of this matter.

25 31. As a direct and proximate result of the wrongful, intentional, and malicious
26 acts and omissions of DOE DEFENDANTS, SAMUEL ARREDONDO was shot and
27 killed on January 11, 2023, and suffered great mental and physical pain, suffering,
28 anguish, fright, nervousness, anxiety, grief, shock, humiliation, indignity,

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1 embarrassment, apprehension, and loss of enjoyment of life prior to his death, and loss
2 of the value of his life, all to his damage in a sum to be determined at trial.

3 32. As a further proximate result of the wrongful, intentional, and malicious
4 acts and omissions of DOE DEFENDANTS, SAMUEL ARREDONDO was required to
5 employ, health care providers and/or medical practitioners to examine, treat, and care
6 for him, and incurred expenses for emergent medical services and medical treatment and
7 care prior to his death in an amount according to proof at trial.

8 33. Plaintiff is entitled to and hereby demands costs, attorneys’ fees, and
9 expenses pursuant to 42 U.S.C. § 1988. For such other and further relief as the Court
10 deems just and proper.

11 **FOR THE THIRD CAUSE OF ACTION**
12 **By THE PLAINTIFF**
13 **Against DOE DEFENDANTS For Violations of Civil Rights**
14 **[Cal Civ. Code Section 52.1]**
15 **(Based on Civil Rights Violations)**

16 34. Plaintiff restates and incorporates by reference the foregoing paragraphs of
17 this Complaint as if set forth in full at this point.

18 35. This cause of action is to redress rights afforded to SAMUEL
19 ARREDONDO under Cal Civ. Code Section 52.1 who suffered constitutional
20 deprivations associated with the deputy involved shooting discussed in the foregoing
21 paragraphs of this Complaint.

22 36. As described in the foregoing paragraphs of this Complaint, in detaining
23 MR. ARREDONDO in an unreasonable manner, and later inflicting deadly force on
24 multiple occasions, when the repeated instances of which were unnecessary and
25 unjustified, DOE DEFENDANTS used excessive force on multiple occasions,
26 independent of the coercion inherent in the detention as well as in the uses of deadly
27 force which occurred after DOE DEFENDANTS used lethal force against SAMUEL
28 ARREDONDO.

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1 37. As a direct and proximate result of the wrongful, intentional, and malicious
2 acts and omissions of DOE DEFENDANTS, SAMUEL ARREDONDO was shot and
3 killed on January 11, 2023, and suffered great mental and physical pain, suffering,
4 anguish, fright, nervousness, anxiety, grief, shock, humiliation, indignity,
5 embarrassment, apprehension, and loss of enjoyment of life prior to his death, all to his
6 damage in a sum to be determined at trial.

7 38. As a further proximate result of the wrongful, intentional, and malicious
8 acts and omissions of DOE DEFENDANTS, SAMUEL ARREDONDO was required to
9 employ, health care providers and/or medical practitioners to examine, treat, and care
10 for him, and incurred expenses for emergent medical services and medical treatment and
11 care prior to his death in an amount according to proof at trial.

12 39. Plaintiff is entitled to and hereby demands costs, attorneys’ fees, and
13 expenses pursuant to Cal. Civ. Code Section 57.1, et seq.

14 **FOR THE FOURTH CAUSE OF ACTION**
15 **By THE PLAINTIFF**
16 **Against all Defendants for Wrongful Death**
17 **[Cal. Government Code §§ 815.2(a), 820(a)]**
18 **(Based on Battery)**

19 40. Plaintiff restates and incorporates by reference the foregoing paragraphs of
20 this Complaint as if set forth in full at this point.

21 41. All claims asserted herein against the Defendant COUNTY are presented
22 pursuant to the Defendant COUNTY’S vicarious liability for acts and omissions of
23 municipal employees undertaken in the course and scope of their employment pursuant
24 to California Government Code §§ 815.2(a) and 820(a).

25 42. During the subject incident, Plaintiff’s decedent, SAMUEL
26 ARREDONDO, was present at or around 61700 block of Oleander Drive in the City
27 Joshua Tree in the County of San Bernardino, when DOE DEFENDANTS, while acting
28 under color of law and in the course and scope of their employment with the Defendant
COUNTY and the San Bernardino Sheriff’s Department, negligently addressed the

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1 circumstances presented to them, and then violently confronted SAMUEL
2 ARREDONDO, without having probable cause or reasonable suspicion to believe that
3 SAMUEL ARREDONDO had committed a crime, or would commit a crime in the
4 future. Without warning, DOE DEFENDANTS proceeded to assault and batter
5 SAMUEL ARREDONDO by acts which included, but were not limited to repeatedly
6 and unjustifiably discharging a department-issued firearm at the person of SAMUEL
7 ARREDONDO, inflicting gunshot wounds, which proved to be fatal.

8 43. As a direct and proximate result of the above-mentioned conduct of DOE
9 DEFENDANTS, SAMUEL ARREDONDO was shot on January 11, 2023. After
10 surviving for an appreciable period of time following the shooting, SAMUEL
11 ARREDONDO died as a direct and proximate result of the gunshot wounds inflicted
12 upon his person by DOE DEFENDANTS.

13 44. At no time during the course of these events did SAMUEL ARREDONDO
14 pose any immediate threat of death or serious bodily injury to DOE DEFENDANTS,
15 nor did he do anything to justify the force used against him, and the same was deadly,
16 excessive, unnecessary, and unlawful. Both prior to and during the time in which he
17 shot dead, SAMUEL ARREDONDO made no aggressive movements, furtive gestures,
18 or physical movements which would suggest to a reasonable peace officer that he was
19 armed with any kind of weapon, or had the will, or the ability, to inflict substantial
20 bodily harm upon any individual. Both prior to and during the time in which DOE
21 DEFENDANTS shot and killed SAMUEL ARREDONDO, DOE DEFENDANTS were
22 not faced with any circumstances which would have lead a reasonable Sheriff's Deputy
23 to believe that SAMUEL ARREDONDO posed and immediate threat of death or
24 serious bodily injury to any person.

25 45. Plaintiff is informed, believe, and thereon allege that in shooting SAMUEL
26 ARREDONDO, as described in the foregoing paragraphs of this Complaint, DOE
27 DEFENDANTS acted outside the scope of their jurisdictions and without authorization
28 of law, and acted willfully, maliciously, knowingly, with reckless disregard and callous

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1 indifference to the known consequences of his acts and omissions, and purposefully
2 with the intent to deprive SAMUEL ARREDONDO of his protected rights and
3 privileges, and did in fact violate the aforementioned rights and privileges, thereby
4 warranting punitive damages against DOE DEFENDANTS in an amount to be proven
5 at the trial of this matter.

6 46. As a direct and proximate result of the above-described conduct of DOE
7 DEFENDANTS, and the ensuing death of SAMUEL ARREDONDO, Plaintiff herein,
8 has sustained substantial economic and non-economic damages resulting from the loss
9 of the love, companionship, comfort, care, assistance, protection, affection, society,
10 moral support, training, guidance, services, earnings, and financial support of SAMUEL
11 ARREDONDO in an amount according to proof at trial.

12 47. As a further proximate result of the above-described conduct of DOE
13 DEFENDANTS, and the ensuing death of SAMUEL ARREDONDO, Plaintiff has
14 incurred funeral and burial expenses in an amount according to proof at trial.

15
16 **FOR THE FIFTH CAUSE OF ACTION**

17 **By THE PLAINTIFF**

18 **Against all Defendants for Wrongful Death**

19 **[Cal. Government Code §§ 815.2(a), 820(a)]**

20 **(Based on Negligence)**

21 48. Plaintiff restates and incorporates by reference the foregoing paragraphs of
22 this Complaint as if set forth in full at this point.

23 49. All claims asserted herein against the Defendant COUNTY are presented
24 pursuant to the Defendant COUNTY’S vicarious liability for acts and omissions of
25 municipal employees undertaken in the course and scope of their employment pursuant
26 to California Government Code §§ 815.2(a) and 820(a).

27 50. At approximately 8:25 p.m. on January 11, 2023, Plaintiff’s decedent
28 SAMUEL ARREDONDO, was present at or around the 61700 block of Oleander Drive
in the City Joshua Tree in the County of San Bernardino, when DOE DEFENDANTS,

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1 while acting under color of state law and in the course and scope of their employment
2 with the Defendant COUNTY and the San Bernardino Sheriff’s Department, negligently
3 assessed the circumstances presented to them, and then violently confronted Plaintiff’s
4 decedent, SAMUEL ARREDONDO, without having probable cause or reasonable
5 suspicion to believe that SAMUEL ARREDONDO had committed a crime, or would
6 commit a crime in the future. Without warning, DOE DEFENDANTS proceeded to
7 negligently discharge their department-issued firearms at the person of SAMUEL
8 ARREDONDO, inflicting multiple gunshot wounds, which proved to be fatal. After a
9 significant and appreciable period of time had passed following the shooting, SAMUEL
10 ARREDONDO died as a direct and proximate result of the gunshot wounds negligently
11 inflicted upon his person by DOE DEFENDANTS.

12 51. At no time during the course of these events did SAMUEL ARREDONDO
13 pose any immediate threat of death or serious bodily injury to DOE DEFENDANTS,
14 nor did he do anything to justify the force used against him, and the same was deadly,
15 excessive, unnecessary, and unlawful. Both prior to and during the time in which he was
16 fatally shot, SAMUEL ARREDONDO was not armed with any kind of weapon, and
17 posed no immediate threat of death or serious bodily injury to DOE DEFENDANTS,
18 nor to any other individual. Both prior to and during the time in which he was shot dead,
19 SAMUEL ARREDONDO made no aggressive movements, furtive gestures, or physical
20 movements which would suggest to a reasonable peace officer that he was armed with
21 any kind of weapon, or had the will, or the ability, to inflict substantial bodily harm
22 upon any individual. Both prior to and during the time, in which DOE DEFENDANTS
23 shot and killed SAMUEL ARREDONDO, DOE DEFENDANTS, were not faced with
24 any circumstances which would have lead a reasonable peace officer to believe that
25 SAMUEL ARREDONDO posed an immediate threat of death or serious bodily injury
26 to any person.

27 52. Plaintiff is informed, believes, and thereon alleges that on and before
28 January 11, 2023, DOE DEFENDANTS had a duty to exercise the reasonable and

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1 ordinary care which would be expected of similarly situated peace deputies in the use of
2 deadly force, and a duty to exercise the reasonable and ordinary care which would be
3 expected of similarly situated peace deputies in the execution of Sheriff tactics and
4 Sheriff procedures in approaching and/or detaining or arresting civilians and suspects
5 who do not pose an immediate threat of death or serious bodily harm to any person.
6 Notwithstanding each of these duties, upon information and belief DOE
7 DEFENDANTS failed to exercise reasonable and ordinary care in committing the acts
8 alleged herein, by actions and inactions which include, but are not limited to,
9 negligently failing to utilize additional departmental resources during the incident
10 involving SAMUEL ARREDONDO, negligently failing to utilize available forms of
11 cover during the incident involving SAMUEL ARREDONDO, negligently failing to
12 maintain a position of tactical advantage during the incident involving SAMUEL
13 ARREDONDO, negligently failing to communicate and/or effectively communicate
14 with SAMUEL ARREDONDO, and with other departmental personnel and resources,
15 during the incident involving SAMUEL ARREDONDO, negligently failing to utilize
16 and/or appropriately utilize less lethal force options and other alternatives less intrusive
17 than deadly force during the incident involving SAMUEL ARREDONDO, negligently
18 failing to deescalate the situation involving SAMUEL ARREDONDO, negligently
19 employing a tactical response to the situation involving SAMUEL ARREDONDO that
20 resulted in the unnecessary and preventable shooting of SAMUEL ARREDONDO,
21 negligently failing to determine the fact that SAMUEL ARREDONDO posed no
22 immediate threat of death or serious bodily injury to any person when he was shot and
23 killed, negligently inflicting physical injury upon SAMUEL ARREDONDO, as
24 described herein, and negligently employing deadly force against SAMUEL
25 ARREDONDO when the same was unnecessary and unlawful. All of these negligent
26 acts proximately cause SAMUEL ARREDONDO'S death on January 11, 2023.

27 53. As a proximate result of the above-described conduct of the Defendants,
28 and each of them, SAMUEL ARREDONDO was shot and killed on January 11, 2023.

1 54. As a direct and proximate result of the above-described conduct of the
2 Defendants and the ensuing death of SAMUEL ARREDONDO , Plaintiff’s decedent
3 herein, Plaintiff has sustained substantial damages resulting from the loss of the love,
4 companionship, comfort, care, assistance, protection affection, society, moral support,
5 training, guidance, services, earnings, and financial support of SAMUEL
6 ARREDONDO in an amount according to proof at trial, and have incurred substantial
7 funeral and burial expenses.

8 **PRAYER FOR RELIEF**

9
10 **WHEREFORE**, Plaintiff prays for judgment against Defendants as follows:

- 11
- 12 1. For funeral and burial related expenses according to proof at trial;
- 13 2. For compensatory damages, including wrongful death damages and
- 14 surviving damages, in an amount according to proof at trial;
- 15 3. For costs of suit incurred herein;
- 16 4. For attorneys’ fees incurred herein, as provided by law;
- 17 5. For punitive damages against the individual Defendants in their individual
- 18 capacities in an amount according to proof at trial; and
- 19 6. For such other and further relief as the Court deems just and proper.

20 **JURY DEMAND**

21 Plaintiff hereby demands that a jury be impaneled for the trial of this matter.

22
23 DATED: January 23, 2024

Respectfully submitted,

24 **THE COCHRAN FIRM CALIFORNIA**

25
26
27 By: /s/ Brian T. Dunn
BRIAN T. DUNN
Attorneys for Plaintiff

THE COCHRAN FIRM – CALIFORNIA
4929 Wilshire Boulevard, Suite 1010, Los Angeles, CA 90010
(323) 435-8205 Telephone • (323) 282-5280 Facsimile

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ATTACHMENTS

Declaration of Samantha Arredondo

1. The decedent's name who is the subject of this action is SAMUEL ARREDONDO.
2. On January 11, 2023, SAMUEL ARREDONDO lost his life at or around the 61700 block of Oleander Drive, in the City of Joshua Tree, County of San Bernardino.
3. No proceeding is now pending in California for the administration of the decedent's estate.
4. I am the decedent's successor in interest (as defined in Section 377.11 of the California Code of Civil Procedure) with respect to the decedent's interest in the instant wrongful death action.
5. No other person has a superior right to commence the action or proceeding or to be substituted for the decedent in the pending action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Samantha Arredondo", written in a cursive style.

Samantha Arredondo
Declarant

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY of SAN BERNARDINO
DEPARTMENT OF PUBLIC HEALTH

351 N. MT. VIEW AVENUE, SAN BERNARDINO, CALIFORNIA 92415-0010

3052023044973

CERTIFICATE OF DEATH

3202336002353 1 OF 2

Form containing fields for decedent's personal data, residence, informant, spouse/parent information, funeral director, place of death, cause of death, physician's certification, and coroner's use only.

CERTIFIED COPY OF VITAL RECORD

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

DATE ISSUED

JAN 22 2024

This is a true and exact reproduction of the document officially registered and placed on file in the VITAL RECORDS SECTION, SAN BERNARDINO DEPARTMENT OF PUBLIC HEALTH.

Signature of Michael A. Sequeira, M.D.

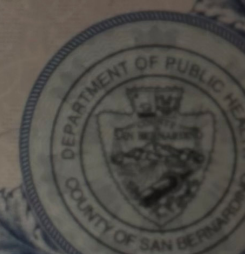
MICHAEL A. SEQUEIRA, M.D.
COUNTY HEALTH OFFICER
REGISTRAR OF VITAL STATISTICS



* 003257997 *

This copy not valid unless prepared on engraved border displaying the date, seal and signature of Registrar.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY of SAN BERNARDINO

DEPARTMENT OF PUBLIC HEALTH
351 N. MT. VIEW AVENUE, SAN BERNARDINO, CALIFORNIA 92415-0010

3052023044973
STATE FILE NUMBER

AFFIDAVIT TO AMEND A RECORD
NO ERASURES, WHITEOUTS, PHOTOCOPIES,
OR ALTERATIONS

3202336002353 2 OF 2
LOCAL REGISTRATION NUMBER

1.1 BIRTH DEATH FETAL DEATH

TYPE OR PRINT CLEARLY IN BLACK INK ONLY - THIS AMENDMENT BECOMES AN ACTUAL PART OF THE OFFICIAL RECORD

PART I INFORMATION TO LOCATE RECORD

1A. NAME—FIRST SAMUEL	1B. MIDDLE GARRETT	1C. LAST ARREDONDO
2. SEX M	3. DATE OF EVENT—MM/DD/CCYY 01/11/2023	4. CITY OF EVENT JOSHUA TREE
5. COUNTY OF EVENT SAN BERNARDINO		6. FULL NAME OF FATHER/PARENT AS STATED ON ORIGINAL RECORD DANIEL PAUL ARREDONDO
7. FULL NAME OF MOTHER/PARENT AS STATED ON ORIGINAL RECORD SAMANTHA EILEEN FISHER		

PART II STATEMENT OF CORRECTIONS TO BIRTH, DEATH, OR FETAL DEATH RECORD

8. ITEM NUMBER TO BE CORRECTED	9. INCORRECT INFORMATION THAT APPEARS ON ORIGINAL RECORD	10. CORRECTED INFORMATION AS IT SHOULD APPEAR
12	NEVER MARRIED	DIVORCED

11. UPDATED INFORMATION

We, the undersigned, hereby certify under penalty of perjury that we have personal knowledge of the above facts and that the information given above is true and correct.

AFFIDAVITS AND SIGNATURES	12A. SIGNATURE OF FIRST PERSON GRACIE A SANDEZ	12B. PRINTED NAME GRACIE A SANDEZ	12C. TITLE/RELATIONSHIP TO PERSON IN PART I EDRS CLERK
	12D. ADDRESS (STREET and NUMBER, CITY, STATE, ZIP) 128 NORTH RIVERSIDE AVE, RIALTO, CA 92376	12E. DATE SIGNED—MM/DD/CCYY 03/08/2023	
TWO PERSONS MUST SIGN THIS FORM TO CORRECT A BIRTH, DEATH, OR FETAL DEATH RECORD	13A. SIGNATURE OF SECOND PERSON PATRICIA ROBLES	13B. PRINTED NAME PATRICIA ROBLES	13C. TITLE/RELATIONSHIP TO PERSON IN PART I FUNERAL HOME STAFF LEVEL
	13D. ADDRESS (STREET and NUMBER, CITY, STATE, ZIP) 128 NORTH RIVERSIDE AVE, RIALTO, CA 92376	13E. DATE SIGNED—MM/DD/CCYY 03/08/2023	
STATE/LOCAL REGISTRAR USE ONLY	14. OFFICE OF VITAL RECORDS OR LOCAL REGISTRAR CDPH-VR	15. DATE ACCEPTED FOR REGISTRATION 03/08/2023	

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, OFFICE OF VITAL RECORDS

FORM VS 24e (REV. 1/08)

1.1

CERTIFIED COPY OF VITAL RECORD

STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO } SS

DATE ISSUED

JAN 22 2024

This is a true and exact reproduction of the document officially registered and placed on file in the VITAL RECORDS SECTION, SAN BERNARDINO DEPARTMENT OF PUBLIC HEALTH.

Michael A. Sequeira M.D.

MICHAEL A. SEQUEIRA, M.D.
COUNTY HEALTH OFFICER
REGISTRAR OF VITAL STATISTICS

This copy not valid unless prepared on engraved border displaying the date, seal and signature of Registrar.



003257996

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

