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8 Attorney for Plaintiff, Genaro Bautista

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

11 GENARO BAUTISTA,  
12  
13 Plaintiff,

14 vs.

15 COUNTY OF RIVERSIDE; ADONIS  
16 GLASPER and DOES 1-10, inclusive.  
17 Defendants.

Case No.:

**COMPLAINT FOR DAMAGES  
AND REQUEST FOR JURY TRIAL**

1. **42 U.S.C. § 1983 – Unlawful Detention and Arrest**
2. **42 U.S.C. § 1983 – Unlawful Search of Vehicle and Personal Property**
3. **42 U.S.C. § 1983 – Excessive Force**
4. **False Arrest**
5. **Negligence**
6. **Cal. Civil Code § 52.1 – Civil Rights Violations (Bane Act)**

22 **COMPLAINT FOR DAMAGES**

23  
24 COMES NOW, Plaintiff Genaro Bautista, individually, for his Complaint  
25 against Defendants County of Riverside; Adonis Glasper; and DOES 1-10,  
26 inclusive, and alleges as follows:  
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**JURISDICTION AND VENUE**

1  
2 1. This Court has original jurisdiction pursuant to 28 U.S.C. §§ 1331 and  
3 1343(a)(3)-(4) because Plaintiff asserts claims arising under the laws of the United  
4 States including 42 U.S.C. § 1983 and the Fourth Amendment of the United States  
5 Constitution. This Court has supplemental jurisdiction over Plaintiff’s claims  
6 arising under state law pursuant to 28 U.S.C. § 1367(a), because those claims are  
7 so related to the federal claims that they form part of the same case or controversy  
8 under Article III of the United States Constitution.

9 2. Venue is proper in this Court under 28 U.S.C. § 1391(b) because  
10 Defendants reside in this district and all incidents, events, and occurrences giving  
11 rise to this action occurred in this district.

12 3. On January 29, 2024, Plaintiff presented to the County of Riverside  
13 his Claims for Damages based on the acts, omissions, damages, and injuries herein  
14 complained of, pursuant to Government Code § 911.2. On February 6, 2024,  
15 Defendant County of Riverside sent Plaintiff a notice of rejection of claim.

16 **INTRODUCTION**

17 4. This civil rights and state tort action seeks compensatory and punitive  
18 damages from Defendants for violating various rights under the United States  
19 Constitution and state law in connection with County of Riverside Sheriff’s  
20 deputy-involved detention, arrest, search, and seizure of and use of force on  
21 Genaro Bautista on September 18, 2023.

22 **PARTIES**

23 5. At all relevant times, Plaintiff Genaro Bautista (“PLAINTIFF”) was a  
24 53-year-old individual man residing in the County of Riverside, California.

25 6. At all relevant times, Defendant COUNTY OF RIVERSIDE  
26 (“COUNTY”) is and was a duly organized public entity existing under the laws of  
27 the State of California. COUNTY is a chartered subdivision of the State of  
28 California with the capacity to be sued. COUNTY is responsible for the actions,

1 omissions, policies, procedures, practices, and customs of its various agents and  
2 agencies, including the County of Riverside Sheriff’s Department and its agents  
3 and employees.

4 7. At all relevant times, COUNTY was the employer of Defendants  
5 Adonis Glasper; and DOES 1-10, inclusive.

6 8. Defendant Deputy Adonis Glasper (“GLASPER”) is a Sheriff’s  
7 deputy employed by the County of Riverside Sheriff’s Department. GLASPER  
8 was acting under the color of law and within the course and scope of his duties as a  
9 deputy for the County of Riverside Sheriff’s Department. GLASPER was acting  
10 within the complete authority and ratification of his principal, Defendant  
11 COUNTY. At all times relevant hereto he acted in concert with the other  
12 Defendants under the color of state law. He is sued both in his official and  
13 individual capacity.

14 9. Defendants DOES 1-6 (“DOE DEPUTIES”) are Sheriff’s deputies for  
15 the County of Riverside Sheriff’s Department. DOE DEPUTIES were acting  
16 under color of law within the course and scope of their duties as deputies for the  
17 County of Riverside Sheriff’s Department. DOE DEPUTIES were acting with the  
18 complete authority and ratification of their principal, Defendant COUNTY.

19 10. Defendants DOES 7-8 are supervisory deputies for the County of  
20 Riverside Sheriff’s Department who were acting under color of law within the  
21 course and scope of their duties as supervisory deputies for the County of  
22 Riverside Sheriff’s Department. DOES 7-8 were acting with the complete  
23 authority and ratification of their principal, Defendant COUNTY.

24 11. Defendants DOES 9-10 are managerial, supervisory, and  
25 policymaking employees of the County of Riverside Sheriff’s Department who  
26 were acting under the color of law within the course and scope of their duties as  
27 managerial, supervisory, and policymaking employees for the County of

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1 Riverside Sheriff's Department. DOES 9-10 were acting with the complete  
2 authority and ratification of their principal, Defendant COUNTY.

3 12. On information and belief, Defendants GLASPER and DOES 1-10  
4 were residents of the County of Riverside.

5 13. In doing the acts, and failing and/or omitting to act as hereinafter  
6 described, Defendants GLASPER and DOES 1-6 were acting on the implied and  
7 actual permission and consent of DOES 7-10.

8 14. In doing the acts, and failing and/or omitting to act as hereinafter  
9 described, Defendants GLASPER and DOES 1-10 were acting on the implied and  
10 actual permission and consent of the COUNTY.

11 15. The true names and capacities, whether individual, corporate,  
12 association or otherwise of Defendants DOES 1-10, inclusive, are unknown to  
13 PLAINTIFF, who otherwise sues these Defendants by such fictitious names.  
14 PLAINTIFF will seek leave to amend this complaint to show the true names and  
15 capacity of these Defendants when they have been ascertained. Each of the  
16 fictitiously-named Defendants is responsible in some manner for the conduct or  
17 liabilities alleged herein.

18 16. At all times mentioned herein, each and every Defendant was the  
19 agent of each and every other Defendant and had the legal duty to oversee and  
20 supervise the hiring, conduct, and/or employment of each and every Defendant.

21 17. All of the acts and omissions complained of herein by PLAINTIFF  
22 against Defendants were done and performed by said Defendants, by and through  
23 their authorized agents, servants, and/or employees, all of whom at all relevant  
24 times herein were acting within the course, purpose, and scope of said agency,  
25 service, and/or employment capacity. Moreover, Defendants and their agents  
26 ratified all of the acts complained of herein.

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1 18. Defendants GLASPER and DOES 1-10 are sued in their individual  
2 capacities, and below are collectively referred to as the INDIVIDUAL  
3 DEFENDANTS.

4 **FACTS COMMON TO ALL CLAIMS FOR RELIEF**

5 19. PLAINTIFF repeats and re-alleges each and every allegation in  
6 paragraphs 1 through 18 of this Complaint with the same force and effect as if fully  
7 set forth herein.

8 20. On September 14, 2023, PLAINTIFF hired a licensed process server  
9 who was authorized by law to carry a fire arm. Claimant retained the process  
10 server through the licensed process service, ProServ364, to serve a three-day notice  
11 to pay rent or quit (“eviction notice”) on a tenant occupying PLAINTIFF’S  
12 residential property at 50120 Monroe Street in La Quinta, California.

13 21. The individual process server so retained was named Van Wilcox,  
14 who as part of his general duties carried a firearm (pistol) on his side.

15 22. On September 14, 2023, Van Wilcox went to the property owned by  
16 PLAINTIFF and his family to serve the eviction notice. Van Wilcox knocked on  
17 the door and announced his presence, but no one answered. The residential home  
18 was equipped with Ring Doorbell surveillance cameras.

19 23. Plaintiff is informed and believes the INDIVIDUAL DEFENDANTS  
20 obtained a copy of the Ring video before September 18, 2023.

21 24. Based on information and belief, PLAINTIFF believes that sometime  
22 between September 14, 2023, and September 18, 2023, his estranged brother and  
23 sister made a report to the COUNTY (via the Thermal Sheriff’s Sub Station) that  
24 PLAINTIFF was illegally on the Monroe premises and was recorded on the Ring  
25 surveillance cameras brandishing and carrying a gun on the premises.

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1           25. On September 18, 2023, at approximately 7:00 p.m. PLAINTIFF was  
2 approached by who he would later understand to be INDIVIDUAL DEFENDANTS  
3 at his place of employment. The INDIVIDUAL DEFENDANTS were acting as  
4 customers in an attempt to verify PLAINTIFF's identity. PLAINTIFF did not  
5 know this at the time.

6           26. PLAINTIFF left his place of employment at which time he was pulled  
7 over and placed in handcuffs. PLAINTIFF demanded to know why he was being  
8 arrested but the INDIVIDUAL DEFENDANTS refused to tell him. The  
9 INDIVIDUAL DEFENDANTS requested permission to raid his home. PLAINTIFF  
10 refused to give permission at which time he was told they were going to raid his  
11 home anyways.

12           27. The INDIVIDUAL DEFENDANTS then told PLAINTIFF he was  
13 suspected of carrying an illegal firearm, and of impersonating a law enforcement  
14 officer.

15           28. The INDIVIDUAL DEFENDANTS questioned PLAINTIFF as to the  
16 location of the firearm.

17           29. The PLAINTIFF explained to the officers that the person on the  
18 premises was a licensed process server that he had hired to serve eviction  
19 paperwork on the renters of his rental property.

20           30. PLAINTIFF calmly tried to clarify the situation and identified the  
21 hired process server as Van Wilcox of ProServe364 who was licensed to carry a  
22 weapon and who was there for the purposes of serving eviction paperwork.

23           31. The INDIVIDUAL DEFENDANTS claimed they viewed the Ring  
24 video and the person on the video was not Van Wilcox who the INDIVIDUAL  
25 DEFENDANTS claimed to know personally.

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1 32. Van Wilcox is African American and PLAINTIFF is Hispanic.

2 33. The INDIVIDUAL DEFENDANTS proceeded to advise PLAINTIFF  
3 that they were going to raid his house, which was occupied by his wife and  
4 children, in order to find the firearm seen on the Ring video.

5 34. The INDIVIDUAL DEFENDANTS took PLAINTIFF into custody  
6 using excessive force to handcuff and detain PLAINTIFF.

7 35. The INDIVIDUAL DEFENDANTS drove PLAINTIFF to a shopping  
8 mall parking lot which was located less than a mile from PLAINTIFF'S home on  
9 Orcadessa Drive.

10 36. The INDIVIDUAL DEFENDANTS forcefully pushed PLAINTIFF  
11 into a squad car and drove to PLAINTIFFS'S home residence at 78585 Orcabessa  
12 Drive in Bermuda Dunes, Ca.

13 37. While parked at the shopping mall, with PLAINTIFF still in  
14 handcuffs in the back of the squad car, the INDIVIDUAL DEFENDANTS  
15 demanded that PLAINTIFF give them permission to enter his Home.  
16 PLAINTIFF DECLINE giving consent to the requested search.

17 38. The INDIVIDUAL DEFENDANTS threatened PLAINTIFF that if he  
18 didn't consent to the home search, they would "raid" the home.

19 39. PLAINTIFF informed the INDIVIDUAL DEFENDANTS that his  
20 wife and young kids were in the home.

21 40. PLAINTIFF is informed and believes the INDIVIDUAL  
22 DEFENDANTS forcefully entered PLAINTIFF'S home, without consent and  
23 without a warrant or other legal justification to enter.

24 41. Based on information and belief, the INDIVIDUAL DEFENDANTS  
25 entered PLAINTIFF'S home with guns drawn and pointed their firearms at  
26 PLAINTIFF'S family.

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1           42. The INDIVIDUAL DEFENDANTS searched PLAINTIFF’S home  
2 but did not find any evidence of a firearm or false badge or vest.

3           43. After searching PLAINTIFF’S home, the INDIVIDUAL  
4 DEFENDANTS took PLAINTIFF to the Thermal Sheriff’s Station located at  
5 86625 Airport Blvd in Thermal, California.

6           44. PLAINTIFF on multiple occasions ask the INDIVIDUAL  
7 DEFENDANTS to call and verify Van Wilcox was hired by PLAINTIFF and to  
8 confirm PLAINTIFF’S story that it was Van Wilcox seen on the Ring video.

9           45. the INDIVIDUAL DEFENDANTS ignored PLAINTIFF’S requests  
10 and failed to call Van Wilcox or his process service company, ProServ364 and  
11 kept PLAINTIFF detained.

12           46. The PLAINTIFF was wrongfully detained overnight despite  
13 information, including digital proof, being provided to the Officers that the person  
14 on the premises was in fact Van Wilcox who had been hired to serve the eviction  
15 notice.

16           47. PLAINTIFF was in handcuffs for three straight hours from the time  
17 the INDIVIDUAL DEFENDANTS first contacted PLAINTIFF at his work until he  
18 was placed in a suspect room at the station.

19           48. Within the first 20 minutes of being handcuffed, PLAINTIFF  
20 informed the INDIVIDUAL DEFENDANTS that the cuffs were too tight and that  
21 his shoulder had been injured in the initial act of handcuffing. Despite this, the  
22 INDIVIDUAL DEFENDANTS kept PLAINTIFF handcuffed for three plus hours  
23 further injuring PLAINTIFF’S shoulder. .

24           49. After many hours of detention, someone from the COUNTY called  
25 Van Wilcox to confirm PLAINTIFF’S story.

26           50. Van Wilcox came to the Thermal station and met with a COUNTY  
27 employee confirming PLAINTIFF’S story and the fact that he (Van Wilcox) was  
28 the individual on the Ring camera observed at the Monroe premises.



1 51. PLAINTIFF was then released at 6am the following morning after 11  
2 hours of being detained wrongfully.

3 **FIRST CLAIM FOR RELIEF**

4 **Fourth Amendment – Illegal Detention and Arrest (42 U.S.C. § 1983)**  
5 **(Against the INDIVIDUAL DEFENDANTS)**

6 52. PLAINTIFF realleges and incorporates by reference each and every  
7 allegation in paragraphs 1 through 51 of this Complaint with the same force and  
8 effect as if fully set forth herein.

9 53. The INDIVIDUAL DEFENDANTS had no credible information that  
10 PLAINTIFF had committed any crime, had no information that PLAINTIFF had  
11 any outstanding wants or warrants, and had no information that PLAINTIFF had  
12 harmed any person. The INDIVIDUAL DEFENDANTS unreasonably detained  
13 and arrested PLAINTIFF without reasonable suspicion or probable cause.

14 54. The scope and manner of the INDIVIDUAL DEFENDANTS’  
15 detention of PLAINTIFF was unreasonable. When the INDIVIDUAL  
16 DEFENDANTS detained the PLAINTIFF, they restricted PLAINTIFF’s liberty  
17 and freedom of movement and they violated PLAINTIFF’s right to be secure in his  
18 person against unreasonable searches and seizures as guaranteed to PLAINTIFF  
19 under the Fourth Amendment to the United States Constitution.

20 55. The conduct of the INDIVIDUAL DEFENDANTS was willful,  
21 wanton, malicious, and done with reckless disregard for the rights and safety of  
22 PLAINTIFF and therefore warrants the imposition of exemplary and punitive  
23 damages as to the INDIVIDUAL DEFENDANTS.

24 56. As a result of their misconduct, the INDIVIDUAL DEFENDANTS  
25 are liable for PLAINTIFF’s injuries because they were an integral participant  
26 and/or because they failed to intervene to prevent the wrongful detention and arrest  
27 of PLAINTIFF.

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1 57. PLAINTIFF seeks damages for his physical and emotional injuries,  
2 including his pain and suffering. PLAINTIFF also seeks attorneys' fees and costs  
3 under this claim.

4 **SECOND CLAIM FOR RELIEF**

5 **Fourth Amendment – Unlawful Search of Home and Personal Property**  
6 **(42 U.S.C. § 1983)**

7 **(Against the INDIVIDUAL DEFENDANTS)**

8 58. PLAINTIFF realleges and incorporate by reference each and every  
9 allegation contained in Paragraphs 1 through 57 above as though fully set forth  
10 herein.

11 59. As a result of the acts alleged above, and the acts of unlawfully  
12 searching PLAINTIFF's home, without a warrant or any lawful justification and  
13 searching his personal property, PLAINTIFF suffered unreasonable searches of his  
14 personal property, in violation of his constitutional rights as guaranteed by the  
15 Fourth Amendment to the United States Constitution. As a result, PLAINTIFF is  
16 entitled to damages pursuant to Title 42 U.S.C. § 1983, et seq. in an amount to be  
17 proven at trial.

18 60. The INDIVIDUAL DEFENDANTS are liable for the constitutional  
19 violations alleged above, both directly and as a result of their failure to intervene  
20 and prevent or stop the constitutional violations by the other deputies. Indeed, the  
21 INDIVIDUAL DEFENDANTS are liable for failing to intervene and stop  
22 wrongful acts that they witnessed by each other, and for directing, encouraging and  
23 failing to intervene and prevent additional constitutional violations by responding  
24 deputies.

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1 61. As a proximate result of the acts alleged above, PLAINTIFF was  
2 injured in mind and body, and suffered severe emotional distress from having his  
3 home personal property invaded and unlawfully searched. PLAINTIFF is  
4 therefore entitled to general and compensatory damages in an amount to be proven  
5 at trial.

6 62. In committing the acts alleged above, the INDIVIDUAL  
7 DEFENDANTS acted with a wanton and reckless disregard for the rights, feelings  
8 and security of PLAINTIFF, and by reason thereof PLAINTIFF is entitled to  
9 exemplary and punitive damages in an amount to be proven at trial.

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11 **THIRD CLAIM FOR RELIEF**

12 **Fourth Amendment – Excessive Force (42 U.S.C. § 1983)**  
13 **(Against the INDIVIDUAL DEFENDANTS)**

14 63. PLAINTIFF realleges and incorporates by reference each and every  
15 allegation in paragraphs 1 through 62 of this Complaint with the same force and  
16 effect as if fully set forth herein.

17 64. The Fourth Amendment to the United States Constitution provides the  
18 right of every person to be free from the use of excessive force by police officers.

19 65. When the INDIVIDUAL DEFENDANTS detained PLAINTIFF, they  
20 had no information that PLAINTIFF had committed any serious crime, and in fact  
21 had no information to establish no crime had been committed by the PLAINTIFF  
22 nor that the PLAINTIFF had injured or threatened to harm anyone.

23 66. Throughout the INDIVIDUAL DEFENDANTS' contact with  
24 PLAINTIFF, PLAINTIFF never threatened anyone, made no aggressive  
25 movements toward anyone, made no furtive gestures, and no physical movements  
26 that would reasonably suggest to the INDIVIDUAL DEFENDANTS that  
27 PLAINTIFF was attempting, willing, or intending to inflict harm on any person or  
28 flee.

1           67. The INDIVIDUAL DEFENDANTS used excessive force against  
2 PLAINTIFF when without warning or justification.

3           68. The INDIVIDUAL DEFENDANTS' acts and omissions deprived  
4 PLAINTIFF of his right to be secure in his person against unreasonable searches  
5 and seizures as guaranteed to PLAINTIFF under the Fourth Amendment to the  
6 United States Constitution.

7           69. The conduct of the INDIVIDUAL DEFENDANTS was willful,  
8 wanton, malicious, and done with reckless disregard for the rights and safety of  
9 PLAINTIFF and therefore warrants the imposition of exemplary and punitive  
10 damages as to the INDIVIDUAL DEFENDANTS.

11           70. As a result of their misconduct, PLAINTIFF suffered great physical  
12 pain and suffering, as well as emotional injuries including severe emotional  
13 distress.

14           71. The INDIVIDUAL DEFENDANTS are liable for PLAINTIFF's  
15 injuries because they were an integral participant and/or because they failed to  
16 intervene to prevent these violations.

17           72. PLAINTIFF seeks damages for his physical and emotional injuries,  
18 including his pain and suffering. PLAINTIFF also seeks attorneys' fees and costs  
19 under this claim.

20  
21                           **FOURTH CLAIM FOR RELIEF**  
22                           **False Arrest / False Imprisonment**  
23                           **(Against All Defendants)**

24           73. PLAINTIFF realleges and incorporates by reference each and every  
25 allegation in paragraphs 1 through 72 of this Complaint with the same force and  
26 effect as if fully set forth herein.

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1           74. The INDIVIDUAL DEFENDANTS, while working for the County of  
2 Riverside Sheriff’s Department and acting within the course and scope of their  
3 duties, intentionally deprived PLAINTIFF of his freedom of movement by use of  
4 force, threats of force, violence, menace, and unreasonable duress. The  
5 INDIVIDUAL DEFENDANTS detained PLAINTIFF without reasonable  
6 suspicion and arrested him without probable cause.

7           75. PLAINTIFF did not knowingly or voluntarily consent to being  
8 detained or arrested.

9           76. The conduct of the INDIVIDUAL DEFENDANTS was a substantial  
10 factor in causing the harm to PLAINTIFF.

11           77. Defendant COUNTY is vicariously liable for the wrongful acts of the  
12 INDIVIDUAL DEFENDANTS pursuant to section 815.2(a) of the California  
13 Government Code, which provides that a public entity is liable for the injuries  
14 caused by its employees within the scope of the employment if the employee’s act  
15 would subject him or his to liability.

16           78. The conduct of the INDIVIDUAL DEFENDANTS was malicious,  
17 wanton, oppressive, and accomplished with a conscious disregard for the rights of  
18 PLAINTIFF, entitling PLAINTIFF to an award of exemplary and punitive  
19 damages.

20           79. As a result of their misconduct, the INDIVIDUAL DEFENDANTS  
21 are liable for PLAINTIFF’s injuries, either because they were an integral  
22 participant in the wrongful detention and arrest, and/or because they failed to  
23 intervene to prevent these violations.

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**FIFTH CLAIM FOR RELIEF**

**Negligence**

(Against All Defendants)

80. PLAINTIFF realleges and incorporates by reference each and every allegation in paragraphs 1 through 79 of this Complaint with the same force and effect as if fully set forth herein.

81. Sheriff’s deputies, including the INDIVIDUAL DEFENDANTS, have a duty to use reasonable care to prevent unjustified harm or injury to others. This duty includes using appropriate tactics and not using any force unless reasonably necessary.

82. DEFENDANTS breached this duty of care. Upon information and belief, the actions and inactions of DEFENDANTS were negligent and reckless, including but not limited to:

- a. The failure to properly and adequately assess the need to detain, arrest and use violent force against PLAINTIFF;
- b. The unjustified use of excessively painful force against the PLAINTIFF.
- c. The negligent tactics and handling of the situation with PLAINTIFF, including post-force negligence.

83. As a direct and proximate result of DEFENDANTS’ conduct as alleged above, and other undiscovered negligent conduct, PLAINTIFF was caused to suffer physical injuries, severe pain and suffering. Also, as a direct and proximate result of DEFENDANTS’ conduct as alleged above, PLAINTIFF has suffered severe emotional distress and mental anguish.

84. Defendant COUNTY is vicariously liable for the wrongful acts of the INDIVIDUAL DEFENDANTS, pursuant to section 815.2(a) of the California Government Code, which provides that a public entity is liable for the injuries

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1 caused by its employees within the scope of the employment if the employee's act  
2 would subject him or her to liability.

3  
4 **SIXTH CLAIM FOR RELIEF**  
5 **Cal. Civil Code § 52.1 (The Bane Act)**  
6 **(Against All Defendants)**

7 85. PLAINTIFF realleges and incorporates by reference each and every  
8 allegation in paragraphs 1 through 84.

9 86. Section 52.1 of the California Civil Code (the Bane Act), whether or  
10 not acting under color of law, prohibits interference by threat, intimidation, or  
11 coercion, or attempts to interfere by threat, intimidation, or coercion, the exercise  
12 or enjoyment by an individual of rights secured by the Constitution or laws of the  
13 United States, or the rights secured by the Constitution or laws of the State of  
14 California.

15 87. PLAINTIFF alleges that the INDIVIDUAL DEFENDANTS, while  
16 working for the COUNTY and acting within the course and scope of their duties,  
17 intentionally committed acts of violence, threats, intimidation, and coercion against  
18 PLAINTIFF, including wrongfully detaining the PLANTIFF and raiding and  
19 unreasonably searching his home.

20 88. When DEFENDANTS used excessive and unreasonable force against  
21 PLAINTIFF, they interfered with his civil rights to be free from unreasonable  
22 searches and seizures, to record public activities of the police, to protest police  
23 activity, to due process, to equal protection of the laws, to be free from state  
24 actions that shock the conscience, and to life, liberty, and property.

25 89. On information and belief, DEFENDANTS intentionally and  
26 spitefully committed the above acts to discourage PLAINTIFF from exercising his  
27 civil rights, to retaliate against him for invoking such rights, or to prevent him from  
28 exercising such rights, which he was fully entitled to enjoy.

1           90. On information and belief, PLAINTIFF reasonably believed and  
2 understood that the violent acts committed by the INDIVIDUAL DEFENDANTS  
3 were intended to discourage him from exercising the above civil rights, to retaliate  
4 against him for invoking such rights, or to prevent him from exercising such rights.

5           91. The INDIVIDUAL DEFENDANTS successfully interfered with the  
6 above civil rights of PLAINTIFF.

7           92. The conduct of DEFENDANTS was a substantial factor in causing  
8 PLAINTIFF's harms, losses, injuries and damages.

9           93. COUNTY is vicariously liable for the wrongful acts of the  
10 INDIVIDUAL DEFENDANTS pursuant to section 815.2(a) of the California  
11 Government Code, which provides that a public entity is liable for the injuries  
12 caused by its employees within the scope of employment if the employee's act  
13 would subject him or her to liability.

14           94. Defendants DOES 7 through 10 are vicariously liable under California  
15 law and the doctrine of *respondeat superior*.

16           95. The conduct of DEFENDANTS was malicious, wanton, oppressive,  
17 and accomplished with a conscious disregard for PLAINTIFF's rights, justifying  
18 an award of exemplary and punitive damages as to the INDIVIDUAL  
19 DEFENDANTS.

20           96. PLAINTIFF seeks compensatory damages including for his physical  
21 injuries, pain and suffering, and severe emotional distress, punitive damages, and  
22 attorneys' fees and costs under this claim.

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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff GENARO BAUTISTA requests entry of judgment in his favor and against COUNTY OF RIVERSIDE; ADONIS GLASPER; and DOES 1-10, inclusive, as follows:

1. For compensatory damages in whatever amount may be proven at trial, which include physical injuries, pain and suffering, severe emotional distress and mental anguish;
2. For punitive damages against only the Individual Defendants in an amount to be proven at trial;
3. For statutory damages;
4. For reasonable attorneys’ fees, including litigation expenses;
5. For costs incurred in this lawsuit;
6. For prejudgment interest; and
7. For such other relief that the Court deems just, proper, and appropriate.

Respectfully submitted,

Dated: August 5, 2024

Patrick G. Shea  
Patrick G. Shea, Attorney for Plaintiff

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a jury trial as to all causes of action.

Respectfully submitted,

Dated: August 5, 2024

Patrick G. Shea  
Patrick G. Shea, Attorney for Plaintiff