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9  
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11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

13 JESSIE WILSON and DAJON SMITH, )  
14 Plaintiffs )

**COMPLAINT FOR DAMAGES**

15 )  
16 v. )

**DEMAND FOR JURY TRIAL**

17 CITY OF ANTIOCH, DEVON WENGER, )  
18 ERIC ALLEN ROMBOUGH, MORTEZA )  
AMIRI, and DOES 1-50 )  
19 Defendants. )  
20 )

1 Plaintiffs, demanding a jury trial, brings this action against Defendant City of  
2 ANTIOCH, Defendant DEVON WENGER, Defendant Eric Allen ROMBOUGH, Defendant  
3 Morteza AMIRI, and DOES 1-50, inclusive, for general, consequential, compensatory, punitive  
4 and statutory damages, costs and attorneys' fees resulting from defendants' unconstitutional and  
5 tortious conduct, and as grounds therefore allege as follows:

6  
7 **I.PARTIES**

8 1. Plaintiff JESSIE WILSON was at all times relevant to this complaint, living within the  
9 Northern District of California. WILSON is African American.

10 2. Plaintiff DAJON SMITH was at all times relevant to this complaint, living within the  
11 Northern District of California. SMITH is African American.

12 3. Defendant City of ANTIOCH is a municipal corporation, duly organized and existing  
13 under the laws of the State of California and is the employer of the Chief of Police of the  
14 Antioch Police Department, and of the to-be-identified individual officers, sergeants, and  
15 employees who carried out the acts and omissions complained of herein.

16 4. At all material times, the City of ANTIOCH was responsible for supervising, enacting,  
17 and enforcing ANTIOCH POLICE DEPARTMENT (APD) conduct, policies, and practices; the  
18 absence of needed policies and practices; and for the hiring, retention, supervision, and training  
19 of employees and agents of APD.

20 5. Defendant DEVON WENGER was employed as a police officer for the City of Antioch  
21 at the time of the incident in question. This Defendant is being sued in his individual capacity.

22 6. Defendant ERIC ALLEN ROMBOUGH was employed as a police officer for the City  
23 of Antioch at the time of the incident in question. This Defendant is being sued in his/her  
24 individual capacity.

25 7. Defendant MORTEZA AMIRI was employed as a police officer for the City of Antioch  
26 at the time of the incident in question. This Defendant is being sued in his/her individual  
capacity.

1 8. The true names and capacities, whether individual, corporate, associate or otherwise, of  
2 defendants Does 1 through 50 inclusive, are unknown to the plaintiffs, who therefore sue said  
3 defendants by such fictitious names. Defendants DOES 1 through 50, and each of them, were  
4 responsible in some manner for the injuries and damages alleged herein. Plaintiffs are informed  
5 and believe and thereupon alleges that each of them is responsible for the injuries and damages  
6 alleged herein. These DOES 1-50 will be named as defendants in this action once their identities  
7 are ascertained, and they are being sued in their individual capacities.

8 9. All defendants acted under the color of law as it pertains to this complaint.  
9

## 10 **II. JURISDICTION AND VENUE**

11 10. This action is brought pursuant to 42 U.S.C. §§ 1983, 1988 and 12132 and the Fourth  
12 and Fourteenth Amendments to the United States Constitution, made applicable to Defendants  
13 through the Fourteenth Amendment to the United States Constitution. This Court has  
14 jurisdiction over plaintiffs' claims under 28 U.S.C. § 1331 and 28 U.S.C. § 1343(a). This Court  
15 also has pendent jurisdiction regarding all state claims.

16 11. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 because the events giving  
17 rise to this action occurred in Contra Costa County, which is in the Northern District.

## 18 **III. STATEMENT OF FACTS**

19 12. While employed at APD, Defendants AMIRI, ROMBOUGH, and WENGER  
20 (“Defendants”) conspired and agreed together and with each other, and with others unknown at  
21 this time to injure, oppress, threaten, and intimidate residents of Antioch, California in the free  
22 exercise and enjoyment of rights secured to them by the Constitution or laws of the United  
23 States. They specifically made racist and demeaning statements about African American  
24 residents of Antioch. Defendants AMIRI, ROMBOUGH, and WENGER intentionally and with  
25 malice engaged in the willful use of unreasonable force, and purposefully denied equal  
26 protection under the law, to residents of the city they were entrusted to protect.

1           **A. Agreement and Encouragement**

2           13. On or about August 17, 2023, the Department of Justice together with the Federal  
3 Bureau of Investigation announced as series of criminal indictments against, among others,  
4 Defendants DEVON WENGER, ERIC ALLEN ROMBOUGH, and MORTEZA AMIRI for  
5 conspiracy to violate civil rights. Specifically, Defendants WENGER, ROMBOUGH and  
6 AMIRI would agree and conspire to use excessive force on residents of the City of Antioch as  
7 part of a game, which included the deployment of a police canine named “Purcy” by AMIRI  
8 and the use of a 40 mm less lethal launcher by ROMBOUGH. As part of the scheme to violate  
9 civil rights, which was made public only upon the filing of the above indictments, and which  
10 was unknown to Plaintiffs until then, Defendants communicated with one another and with  
11 others unknown about their actual and intended uses of force, including about specific violent  
12 acts that constituted excessive uses of force by a police officer against individuals in and around  
13 Antioch.

14           14. As a further part of the scheme, Defendants agreed with one another and with others  
15 unknown to carry out such violent acts against individuals in and around Antioch even where  
16 the force was excessive, knowing that certain of their actions were excessive uses of force by a  
17 police officer, including in the communications identified in this complaint.

18           15. Additionally, Defendants WENGER, ROMBOUGH and AMIRI purposefully and  
19 intentionally targeted minorities, especially African American males, as part of their use of  
20 excessive force. For example, these Defendants would routinely employ racist language when  
21 referring to African American community members, including referring to such individuals as  
22 “Gorillas” and discussing wanting to beat an African American suspect’s “black ass.”

23           **B. Collecting Trophies and Touting Deployments**

24           16. As part of the scheme to violate civil rights, Defendants communicated with each other  
25 and with unknown after specific deployments of excessive force and touted their applications of  
26 force, including in the communications identified in this complaint.

1 17. As a further part of the scheme, after each canine deployment of K9 Purcy, AMIRI  
2 captured photographs and videos of each subject's injuries from the corresponding dog bite.  
3 While APD required official documentation of injuries from such uses of force, AMIRI  
4 captured additional photographs and shared them on his personal cell phone with individuals  
5 and officers not involved with the incident, contrary to APD policy. For example, following a  
6 deployment of K9 Purcy to bite a subject on December 19, 2019, AMIRI stated: "I'm gonna  
7 take more gory pics. gory pics are for personal stuff. cleaned up pics for the case 🤔🤔".

8 18. After each bite, AMIRI also messaged multiple recipients from his personal cell phone,  
9 including in some instances ROMBOUGH and WENGER, about the bite, often with a  
10 consecutive number memorializing the number of dog bites he had accumulated up to that point  
11 (for instance, "bite #1", "#2", "just got #3", "#4 on fire rn.. lol", "#5 this morning", "Purcy #6",  
12 etc., through "#28") along with photographs and/or videos of each subject's injuries, contrary to  
13 APD policy.

14 19. As a further part of the scheme, after ROMBOUGH's deployment of the 40mm less  
15 lethal launcher, he likewise secured photographs of the subject's injuries. While APD again  
16 required official documentation of such injuries, ROMBOUGH shared photographs of the  
17 injuries on his personal cell phone with officers who were not otherwise involved with the  
18 incident and other individuals in and around Antioch, contrary to APD policy.

19 20. Likewise, WENGER would also use excessive force on residents of the City of Antioch,  
20 including through the use of physical force.

21 21. ROMBOUGH also collected the spent 40mm munitions following each deployment and,  
22 instead of disposing or processing them, kept them for himself. ROMBOUGH collected the  
23 spent munitions to create a display; specifically, he told others at APD that he was collecting  
24 munitions for "the mantle" and creating a trophy "flag," that is, in which the munitions were  
25 used among the stars and stripes to commemorate his 40mm deployments.

26 22. As a further part of the scheme, Defendants deployed uses of force as "punishment" to  
subjects beyond any punishment appropriately imposed by the criminal justice system, and/or

1 made repeated reference to or suggestion of “violating civil rights”, including in the  
2 communications identified in this complaint.

3 23. Upon information and belief, command staff at APD was aware of WENGER,  
4 ROMBOUGH and AMARI’s routine use of excessive force on Antioch residents and of  
5 ROMBOUFG and AMARI’s gamification of their use of excessive force utilizing the police K9  
6 and 40mm launcher. Further, upon information and belief, command staff at APD would assist  
7 all three individual Defendants to write police reports in connection with the above incidents to  
8 avoid criminal liability.

9 24. At all times relevant hereto, all APD officers, including Defendants, had a duty to  
10 intervene to prevent the use of excessive of force by APD officers against others.

11  
12 **C. Concealments to Further Perpetuate the Scheme**

13 25. As a further part of the scheme to violate civil rights and to target minorities, including  
14 African Americans, Defendants also concealed and hid, and caused to be concealed and hidden,  
15 the acts done and the purpose of the acts done in furtherance of the scheme, including to further  
16 perpetuate the scheme. These concealments included:

- 17 a. After each of their involvement in incidents involving uses of force, Defendants  
18 authored police reports containing false and misleading statements to suggest  
19 that the force they used was necessary or justifiable. In truth and in fact, and as  
20 Defendants well knew, Defendants willfully used excessive force in numerous  
21 incidents, including those identified in this complaint.
- 22 b. Upon learning of each other’s participation in incidents involving violent acts  
23 that constituted excessive uses of force, including as identified in this complaint,  
24 Defendants declined to intercede and/or report the incidents to APD superiors,  
25 including as required by APD policies. Instead, Defendants encouraged one  
26 another to continue the scheme to deprive the individuals in and around Antioch

1 of their constitutional rights.

2 c. Moreover, to the extent that any ADP superiors were aware, or had reasonable  
3 suspicion to believe that Defendants, each of them, were systematically violating  
4 civil rights, said ADP superiors worked with Defendants to ensure that they  
5 would escape discipline and accountability. Said efforts including ADP superiors  
6 turning a blind eye to Defendants obvious and repeated uses of excessive force;  
7 manipulating charges so that Defendants could avoid accountability; and APD  
8 superior assisting Defendants in report-writing so as to conceal Defendants'  
9 actions.

10  
11 **D. Agreement to Use Force**

12 26. Beginning in or about 2019, Defendants discussed with one another their plans and  
13 intentions to deploy force against, and inflict harm upon, individuals in and around Antioch,  
14 including through excessive uses of force. Such communications include those set forth below  
15 and elsewhere in this complaint.

16 27. For instance, AMIRI and ROMBOUGH exchanged the following messages on February  
17 12, 2019 about “fuck[ing] some people up” and “hopefully get[ing] [AMIRI] a bite”:

18 ROMBOUGH: Yeah buddy we gonna fuck some people up [...]

19 I'll roll with u and Percy [...] Didn't know if You were already there

20 AMIRI: LOL! no i was planning on enjoying the day off but fuck them for fucking with  
21 [an officer]

22 ROMBOUGH: Me too and exactly I'm gonna fuck someone up and hopefully get you a  
23 bite

24 AMIRI: exactly! blood for blood

25  
26 28. As an additional example, AMIRI, ROMBOUGH, and WENGER exchanged the

1 following messages on April 21, 2019 about an individual in Antioch:

2  
3 WENGER: Please find this guys and fuck him in the ass

4 ROMBOUGH: Deal

5 WENGER: [IMG\_0897, a screenshot of identification records] He's the fuck face that  
6 ran. Wants are 108 and 28001

7 AMIRI: ill bite em  
8

9 29. As an additional example, AMIRI and ROMBOUGH exchanged the following messages  
10 on December 27, 2019 about an individual in Antioch:

11 AMIRI: wtf happened?!

12 ROMBOUGH: lol with what?

13 AMIRI: [an officer]

14 ROMBOUGH: Oh lol 832 with a vehicle on fire, found the suspect walking and had a  
15 gun on him

16 AMIRI: he beat his ass?

17 ROMBOUGH: I don't think so Just dumped him

18 AMIRI: 😏😏 You and i would have broke him lol

19 ROMBOUGH: Hell yeah and got bit  
20

21 30. As an additional example, AMIRI and ROMBOUGH exchanged the following messages  
22 on February 24, 2020 about African Americans in and around Antioch:

23  
24 AMIRI: sorry for the delay bro. had a mess on sycamore i was cleaning. copy just read it  
25 all

26 ROMBOUGH: Lol what did you get? Gorillas



1 AMIRI: basically 😞😞😞😞😞😞

2 ROMBOUGH: Lmao Dog bite

3 AMIRI: no they didn't push it that far. bunch of gorillas surrounding us and taunting a  
4 fight since we were hooking [a subject]. they were all pussies and didn't do shit. i wish  
5 they did

6 ROMBOUGH: I can shoot a few on Sunday I better be riding with you turd

7  
8 31. As an additional example, AMIRI and ROMBOUGH exchanged the following messages  
9 on March 21, 2020 about an individual in Antioch:

10  
11 AMIRI: surprised you didn't use force on the bank burglar!

12 ROMBOUGH: We didn't get him I couldn't bro he gave up

13 AMIRI: would it have been a bite if i was there or did he immediately coward up?

14 ROMBOUGH: He sprawled out but if you were there we would have gotten u a bite

15 AMIRI: 😞😞😞😞😞😞 they need to request me back on patrol since we are code red  
16 and y'all could use me I'm so annoyed

17  
18 32. As an additional example, AMIRI and ROMBOUGH exchanged the following messages  
19 on November 26, 2021, about using the K9 to bite an African American's throat in Antioch:

20 ROMBOUGH: Nice stop on the "211"3 turd

21 AMIRI: thanks bro. throat bite

22 ROMBOUGH: Lmao fucking perfect

23 AMIRI: don't share [Photograph from body-worn camera video]

24 ROMBOUGH: [...] I won't Going for the jugular

25 AMIRI: imagine fat ass purcy on your fucking throat 🤢🤢

26 ROMBOUGH: That's perfect I love it

1 AMIRI: i shit myself when i saw that. i thought he was gonna kill her

2 ROMBOUGH: Oh well one less gorilla pro-curating [Image of smiling gorilla with lips  
3 making kissing face]

4 AMIRI: lmao!

5 ROMBOUGH: Stay safe bro.

6  
7 33. At about 1:45 a.m. on July 24, 2019, A.A. an Antioch resident, rode a bicycle along  
8 San Jose Drive in Antioch. AMIRI initiated a traffic enforcement stop of A.A., specifying later  
9 that A.A. 's bicycle failed to have lights on while it was dark outside. AMIRI ultimately exited  
10 his patrol vehicle and ordered A.A. to stop.

11 34. In the course of apprehending A.A., AMIRI punched him multiple times; K9 Purcy  
12 then bit A.A. in into A.A. injuring him. Officer-I, a police officer from a neighboring police  
13 department and AMIRI's roommate, was present during this incident in AMIRI's vehicle.  
14 AMIRI had scheduled a "ride-along" for DOE Officer-I a day earlier. AMIRI sent numerous  
15 individuals a description of the bite and/or photographs of the bite after the incident.

16 35. For instance, minutes after the bite, at about 1 59 a.m., AMIRI sent a photograph  
17 from the incident to DOE Officer-I, who responded "Haha".

18 36. Less than an hour after the incident, at about 2:41 a.m., AMIRI sent two photographs  
19 from the incident to ROMBOUGH. ROMBOUGH replied, "Yeah buddy good boy purcy".  
20 ROMBOUGH later wrote to AMIRI, "Lol you bit [A.A.]" and "Fuck that turd" at about 4:12  
21 p.m.

22 37. At about 5:03 a.m. on July 24, AMIRI sent the following messages to DOE Officer-  
23 2:

24 AMIRI: [DOE Officer-I] helped me get a bike on a ride along just now lol \*bite  
25 i took an SUV since he can't fit in my car and i don't have a door pop for this car so he  
26 opened my door and sent purcy in for a bite

1 DOE Officer-2: Lol nice.

2  
3 38. At about 8:17 a.m., AMIRI sent DOE Officer-3, a police officer from a neighboring  
4 police department, “Purcy #6 ...” and a photograph from the incident, and stated the following:

5  
6 AMIRI: this one was different... i had a lateral ride along (my roommate) and i was  
7 driving someone else’s car so my door pop wasn’t matched up... sooo i had my ride  
8 along open my door 😂😂 i did not mention that in the report

9 DOE Officer-3: Wow lol

10 AMIRI: hey we made it work lo 😂😂

11 DOE Officer-3: Nice good job What cut the dogs face?

12 AMIRI: that’s a piece of the suspect’s flesh lol

13  
14 39. Shortly thereafter, at about 9:14 a.m., AMIRI exchanged the following messages  
15 with his roommate, Officer-1, remarking that the incident was a “weak ass 69” and “stretch of a  
16 69” in reference to California Penal Code 69 (resisting an officer) and explaining how he would  
17 get out of “go[ing] to court for the bite”:

18 AMIRI: bro that’s was badass. Thanks for your help. You got to see purcy in action lol.  
19 That was a weak ass 69 but the bosses were cool with it. Detectives already called PRCS  
20 and got him a 45 day violation and we are gonna leave it at that so i don’t have to go to  
21 court for the bite. easy

22 DOE Officer-1: Hahaha anytime !! That was cool..I wanted to help but you know how  
23 that goes lol....that’s good saves you hella shit having to go through

24 AMIRI: right! yea it wasn’t even really a fight and more of just a resisting and making it  
25 a stretch of a 69 lol. I’m sure if he started kicking my ass you’d jump in  
26

1 40. Following this incident, AMIRI authored a police report that differed from the  
2 description AMIRI privately provided to others in his text messages, including that the report  
3 made no reference to Officer-1's participation in the deployment of K9 Purcy.

4 41. On December 19, 2019, APD officers initiated a traffic stop on a car associated with  
5 R.S., an Antioch resident who was wanted in connection with five armed robberies. After the  
6 car fled, officers tracked it to a housing development. R.S. fled into the housing complex, where  
7 he fell face-first on some wet grass, got up, and fell again. As officers-including AMIRI and  
8 DOE Officer-4--converged on R.S., and with two officers within five feet of R.S., AMIRI's K9  
9 Purcy bit R.S. while he was in a prone position on the ground, injuring him.

10 42. After the incident, AMIRI sent numerous individuals photographs, a video, and/or a  
11 description of the bite.

12 43. At 4:30 p.m., AMIRI exchanged the following messages with another APD officer,  
13 DOE Officer-5:

14 AMIRI: bro you see that armpit?

15 DOE Officer-5: Lol for sure did . Good shit

16 AMIRI: i did something different this time that i think might have helped as purcy was  
17 on the bite i pulled his harness which i think helped with the bite Yeah that will lock  
18 him in for sure. Makes them bite down more

19  
20 44. Later that day, at 7:13 p.m., AMIRI and ROMBOUGH had the following text  
21 exchange about R.S. being "proned out" and "give[n] up" when he was bit:

22  
23 ROMBOUGH: Fuck I just want to punch the shit out of someone lol AMIRI: do it bro

24 ROMBOUGH: Don't have my road dog out here

25 AMIRI: the guy i bit today was proned out. no fucks given. you don't take us on a high  
26 speed and rob people and gun point and crash into cars during a foot bail and just give

1 up... bite on

2 ROMBOUGH: Lol agreed

3 AMIRI: I hate not having you on the streets with me

4 ROMBOUGH: i know bro. not even the same

5  
6 45. The next day, on December 20, 2019 at about 8:57 a.m., AMIRI exchanged text  
7 messages with DOE Officer-6, a police officer at a neighboring police department. AMIRI sent  
8 photographs and a video, requesting he “don’t share the video lol” and referring to the bite as  
9 “the real punishment compared to the soft DA” (District Attorney):

10  
11 AMIRI: armed robbery with a pursuit to a foot bail to a bite

12 DOE Officer-6: Nice work! Damn Purcy likes going for the armpit, looks so painful lol

13 AMIRI: haha yea idk what’s with the armpit bites lol don’t share the  
14 video.. lol

15 DOE Officer-6: I don’t share anything lol not even the pics bro! It’s good that even  
16 though the laws don’t keep them in jail they still get fucked up by the dog

17 AMIRI: haha i know right. i feel like this is the real punishment compared to the soft  
18 DA

19 46. Following this incident, AMIRI authored a police report that differed from the  
20 description AMIRI privately provided to others in his text messages.

21 47. On May 6, 2020, APD officers, including AMIRI and ROMBOUGH, planned an  
22 operation to arrest wanted individuals in Antioch, including X.B. who was a resident of  
23 Antioch.

24 48. At about 8:35 a.m., AMIRI and DOE Officer-5 exchanged the following messages:

25  
26 AMIRI: yea [X.B.] was trying to take it down last night

1 Officer-5: [X.B.] needs to get his ass whooped too

2 AMIRI: they are planning an [X.B.] ass whooping today

3 DOE Officer-5: Lol good

4  
5 49. AMIRI and ROMBOUGH rode together during this operation, as they described in  
6 text messages at about 10:19 a.m.:

7  
8 ROMBOUGH: Riding with u turd

9 MIRI: Loved "Riding with u turd"

10  
11 50. At about 11:20 a.m., AMIRI's K9 Purcy bit X.B. and ROMBOUGH assisted with  
12 X.B.'s arrest. After the arrest, AMIRI sent numerous individuals photographs, a video, and/or a  
13 description of the bite. At about 1:38 pm AMIRI and WENGER exchanged the following text  
14 messages:

15 WENGER: Pics of [X.B.] please my dude!!! That bitch [...] has talked so much shit to  
16 me! Thank you for biting that piece of shit!

17 WENGER: You're my hero

18  
19 51. The next day, on May 7, 2020 at about 6:50 am, AMIRI wrote to ROMBOUGH "bro  
20 yesterday was sooooo fun". ROMBOUGH "liked" AMIRI's message. They then exchanged  
21 the following messages at about 7:10 am:

22  
23 AMIRI: can't believe [X.B.].... his bitch ass is still at county tell your wifey to have him  
24 discharged

25 ROMBOUGH: Lmao fuck that hopefully he dies

26

1 52. On May 11, 2020, AMIRI sent a video excerpt showing K9 Purcy’s bite of X.B. to  
2 ROMBOUGH. ROMBOUGH responded “Lol love it”.

3 53. On August 21, 2020 at about 11:23 p.m., AMIRI and WENGER assisted Agency-1  
4 with the pursuit of a subject. AMIRI deployed K9 Purcy to bite the subject. About an hour  
5 later, at about 12:35 a.m., AMIRI exchanged the following text messages with WENGER:

6  
7 AMIRI: if [Agency-1] didn’t have all those body cams and that was us... we would have  
8 fucked him up more. He didn’t get what he deserved

9 WENGER: I agree That’s why I don’t like body cams

10 AMIRI: Emphasized “That’s why I don’t like body cams”

11  
12 54. WENGER later sent the following messages at about 6:25 p.m. on August 22, 2020:

13  
14 WENGER: We need to get into something tonight bro!! Lets go 3 nights in a row dog  
15 bite!!!

16 AMIRI: Emphasized "We need to get into something tonight bro!! Lets go 3 nights in a  
17 row dog bite!!!"

18 WENGER: Lets get faggot ass [a lieutenant] something to stress out about lol

19  
20 55. At about 6:50 p.m., APD officers—including AMIRI and WENGER—conducted a  
21 vehicle stop of another subject in Antioch, in which the subject was pulled from the vehicle and  
22 taken to the ground. At about 7:06 p.m., AMIRI sent the following text message to WENGER,  
23 followed by a photograph of the subject with injuries several hours later: “hahaha. [the subject]  
24 style”.

25 56. On August 23, 2020, officers from a neighboring agency Agency-2 initiated a traffic  
26 stop of a vehicle containing a subject, later identified as D.R., that led them on a chase to a  
transient encampment. After D.R. entered the encampment, the officers formed a perimeter. At

1 about 7:25 p.m., AMIRI was dispatched to assist with apprehending D.R., known to him as a  
2 “car thief.” K9 Purcy located D.R. in a tent and bit him in the back, injuring him.

3 57. After the incident, AMIRI sent numerous individuals photographs, a video, and/or a  
4 description of the bite. At about 8:47 p.m. that day, AMIRI sent WENGER multiple images of  
5 D.R. and his injuries, in which the following text messages were exchange:

6  
7 WENGER: Home boy got lumped up!!!! Hahahah The [ a c01poral] special And the  
8 morty special

9 AMIRI: bro we saw him laying in bed just acting like he was asleep. i walked out the  
10 tent and game planned how to fuck him up. went back and did justice. wish you were  
11 there. inside a tent with no cams ... you would have loved it. Agency-2] agreed to keep  
12 cameras off

13 WENGER: Bro ... fuuuuuuck yes!!! Fuck that nerd!! That's what fucking happens when  
14 you nm, you acquire a tax. His tax was paid properly! Good shit bro

15 58. The conversation continued on August 24, 2020 at about 11 :26 a.m., with AMIRI  
16 sending WENGER eight images of multiple subjects with injures, including D.R.:

17  
18 AMIRI: a very eventful work week @@

19 WENGER: Hahahah FUCK YEAH BRO

20 AMIRI: let's fuck some people up next work week

21 WENGER: Bro Fuck the mother fucking yes

22 AMIRI: Loved “Fuck the mother fucking yes”

23 WENGER: Bite some nerds and crush some dweebs bro!

24 AMIRI: hell yea bro. ill find some shit. ill write it. just come over and crush some  
25 skulls alongside purcy. ill handle the rest lol

26



1 59. The day following the arrest of D.R. at about 1:12 p.m., AMIRI sent images of  
2 D.R.'s injuries to ROMBOUGH during the following text message exchange:

3  
4 AMIRI: nice gun arrest turd

5 ROMBOUGH: Turd

6 AMIRI: you beat his ass? Emphasized "you beat his ass?"

7 ROMBOUGH: Taser

8 AMIRI: what about an ass whoopin? [IMG\_2619; IMG\_2617; IMG\_2615]

9 ROMBOUGH: Brah lol

10 AMIRI: Laughed at "Brah lol" Hahaha

11  
12 60. Following this incident, AMIRI authored a police report that differed from the  
13 description AMIRI privately provided to others in his text messages.

14 61. On October 8, 2020 at about 6:41 a.m., AMIRI messaged ROMBOUGH, "tell  
15 [Agency-3] to keep their cams off".

16 62. Later that day at about 8:06 p.m., AMIRI sent text messages on his personal cell  
17 phone to on-duty APD officers about M.Z., a transient individual in Antioch. AMIRI wrote the  
18 following to the on-duty officers in a group text, including WENGER, DOES Officer-7, and  
19 Officer-8, accompanied with photographs of M.Z.:

20 AMIRI: [M.Z.] anyone that finds him gets code. this fucker stole my mail and was trying  
21 to open accounts under my name.

22  
23 63. Among responses in the group text, WENGER responded at about 8:12 p.m.:

24  
25 WENGER: Lets beat his fucking ass bro! I'm down after work morty  
26

1 64. WENGER immediately then directly text messaged AMIRI:

2  
3 WENGER: I'm serious bro, let's beat that dudes ass after work

4 AMIRI: !!!!

5  
6 65. At about 9:48 p.m., DOES Officer-7 and Officer-8 located M.Z. in Antioch, who  
7 was riding a bicycle in a parking lot. Minutes later, AMIRI arrived in a police car and exited it,  
8 confronting M.Z. by shoving him against the wall in a parking lot, pressing a baton against his  
9 chest while holding another object or weapon in his other hand, and threatening to kill him.

10 66. At about 10:12 p.m., AMIRI sent the following message to the same group text:

11  
12 AMIRI: DOES [Officer-7] and [Officer-8] won the bounty on [M.Z.]

13  
14 67. Following this incident, AMIRI failed to author any police report about the  
15 encounter.

16 68. Several months later, on January 25, 2021, AMIRI exchanged the following  
17 messages with DOE Officer-9, an officer at a neighboring police department:

18 AMIRI: who arrested [M.Z]? [...] that fucker stole my mail

19 DOE Officer-9: [...] Ohhhh

20 AMIRI: few months ago. i tracked him down and dragged him to the back of a car to  
21 "discuss" the matter

22 DOE Officer-9: Yikes "Officer [Officer-9] how long did you know Officer Amiri and in  
23 the course of your friendship did you ever know him to act under color of authority "

24 AMIRI: lol putting a pistol in someone's mouth and telling them to stop stealing isn't  
25 illegal... it's an act of public service to prevent further victims of crimes

26

1 69. On October 10, 2020, ROMBOUGH described violating civil rights to other APD  
2 officers in relation to his police work and use of the 40mm less lethal launcher, including DOES  
3 Officer-1, Officer-10, Officer-11, and others:  
4

5 DOE Officer-11: You guys have a game plan?

6 ROMBOUGH: Violate rights forty people and catch turds  
7

8 70. On November 11, 2020, ROMBOUGH again referenced the violation of civil rights  
9 in messages to other APD officers, including DOES Officer-1, Officer-10, Officer-12, and  
10 others:  
11

12 DOE Officer-10: I'm on my way in now, what're you guys up to?

13 ROMBOUGH: Violating civil rights  
14

15 71. On February 8, 2021, AMIRI and ROMBOUGH exchanged the following messages  
16 about deploying the 40mm less lethal launcher in upcoming operations:  
17

18 AMIRI: Jk see u in the am homie [...] we gotta arrest errrbody

19 ROMBOUGH: Yup fuck them including [an individual]

20 AMIRI: [Wife] says she will purchase you a box of cookies if you 40 him

21 ROMBOUGH: Done I'll 40 a few people this week

22 AMIRI: lmao good [...] she wanted to encourage you to 40 him but then the crowd  
23 threw her off 🤔🤔

24 ROMBOUGH: lol I'll send her a pic  
25

26 72. The next day, on February 9, 2021 at about 6:30 a.m., APD officers executed a  
search warrant at a residence in Antioch. While inside the residence, ROMBOUGH and

1 Officer-4 identified R.C. outside a sliding door. ROMBOUGH deployed the 40mm less lethal  
2 launcher at R.C., injuring him in the lower back area. ROMBOUGH and other APD officers  
3 had previously received instruction during annual training that this area was a “potentially  
4 lethal” area of the body to avoid deploying the 40mm.

5 73. After the incident at about 8:48 a.m., ROMBOUGH sent numerous individuals  
6 photographs of the injury, including DOE Officer-13, stating “And another one got 40d”.

7 74. At about 8:54 a.m., ROMBOUGH exchanged the following messages with DOE  
8 Officer-13:

9  
10 DOE Officer-13: Good job on that one!

11 ROMBOUGH: Bro so much fun

12  
13 75. One day later, on February 10, 2021 after conducting another operation in Antioch in  
14 which APD officers did not deploy a canine or 40mm less lethal launcher, AMIRI and  
15 ROMBOUGH exchanged the following messages:

16 ROMBOUGH: I’m so mad bro Fuck this please don’t use a 40 shit

17 AMIRI: he deserved a 40. why didn’t they let me dog bite him? fucker threw a gun

18 ROMBOUGH: Tell me about it I’m so fucking pissed off

19 AMIRI: Questioned “why didn’t they let me dog bite him? fucker threw a gun”

20 ROMBOUGH: I didn’t know man. Probably didn’t like the optics. [...] I seriously want  
21 to beat his black ass.

22  
23 76. The next month, ROMBOUGH had multiple conversations about making progress  
24 on a trophy “flag”, that is, in which he collected spent 40mm munitions and would use them  
25 among the stars and stripes of the flag to commemorate his 40mm deployments on individuals  
26 in and around Antioch. For instance, on March 5, 2021, ROMBOUGH exchanged messages

1 with Officer-13 about events the prior day in which ROMBOUGH “had the forty” and someone  
2 “almost got plugged”, stating “It’s been fun”:

3  
4 DOE Officer-13: We just have to find a way to finish your flag!!!

5 ROMBOUGH: I know challenge accepted.

6  
7 77. Likewise, following his 40mm deployments on two subjects on the same day, March  
8 31, 2021, ROMBOUGH exchanged messages with DOE Officer-14, who served as law  
9 enforcement with another agency, about “taking down a second [] suspect and he got 40d too”:

10  
11 DOE Officer-14: 🤔🤔 That 40 flag is coming along!! Murica!!

12 ROMBOUGH: Liked “That 40 flag is coming along!! Murica!!”

13  
14 78. On April 14, 2021 at about 10:47 a.m., ROMBOUGH and AMIRI exchanged the  
15 following messages:

16 ROMBOUGH: This training makes me want to smoke someone

17 AMIRI: lmao typical rambo

18 ROMBOUGH: Maybe tomorrow lol Or at least 40d

19  
20 79. Several weeks later, on May 5, 2021 at about 10:22 a.m., APD officers—including  
21 ROMBOUGH—responded to a report that transients were living inside a privately-owned unit.  
22 While responding, ROMBOUGH and DOE Officer-10 located L.R. and another female  
23 individual laying on a bed inside a room. ROMBOUGH deployed the 40mm less lethal  
24 launcher at L.R., injuring L.R. in the chest and knocking him off the bed. ROMBOUGH and  
25 other APD officers had previously received instruction during annual training that this area was  
26 a “potentially lethal” area of the body to avoid deploying the 40mm.

1 80. Following this incident, ROMBOUGH authored a police report that differed from  
2 the accounts that other APD officers later provided. ROMBOUGH later stated that he deployed  
3 the 40mm less lethal launcher because L.R. was refusing commands and pretending to be asleep  
4 while a liquor bottle was next to him.

5 81. At about 1:40 p.m. that day, AMIRI sent a video captured from Instagram captioned  
6 “Officer damages private property while executing a search warrant” of an unknown uniformed  
7 police officer looking around, then repeatedly slamming a door into the side of a car parked  
8 inside of a private garage to ROMBOUGH, with the message “you 🤔🤔” at about 1:41 p.m.;  
9 ROMBOUGH responded “Lmao”.

10 82. AMIRI also sent the same video to DOE Officer-1, and their exchange followed:

11 AMIRI: why do i think of rombough when i see this? 🤔🤔 [video]

12 Officer-1: Bro a 100% 🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔🤔 He 40’d another person today

13 AMIRI: 🤔🤔 deserved?

14 DOE Officer-1: No 🤔🤔

15 AMIRI: jesus lol

16 DOE Officer-1: Bro we just shook our heads like wtf .. we assisted patrol on a 6026

17 AMIRI: 🤔🤔 no way lol did he at least sit on the dude?

18 DOE Officer-1: It was stupid I know the patrol guys really didn’t want any paperwork  
19 out of it

20  
21 83. Despite AMIRI’s conversation with Officer-1 about L.R. not “deserving” getting  
22 shot by ROMBOUGH with a 40mm less lethal launcher, the next day, on May 6, 2021 at about  
23 1:56 p.m., AMIRI sent ROMBOUGH a screenshot of another conversation containing a  
24 photograph of the two officers and AMIRI’s subsequent commentary about “true love”.

25 84. Less than two weeks later, on May 14, 2021, in reference to the potential  
26 deployment of the 40mm less lethal launcher at another individual, ROMBOUGH stated “Lmao

1 add him to the mantle”.

2 85. The next month, ROMBOUGH and AMIRI exchanged the following messages on  
3 June 13, 2021, referencing “dog bite and 40 deployment”:

4  
5 ROMBOUGH: You working?

6 AMIRI: yea 40 mins until the weekend

7 ROMBOUGH: It’s your Friday right? Copy until u come in on Tuesday

8 AMIRI: lol yea

9 ROMBOUGH: Yeh buddy dog bite and 40 deployment

10 AMIRI: Loved “Yeh buddy dog bite and 40 deployment”

11  
12 86. On July 27, 2021, AMIRI sent ROMBOUGH a screenshot of an email from APD  
13 leadership stating “the new BWC [body-worn camera] and MVAR policies are effective  
14 immediately, and the use of these devices should start at the beginning of the next scheduled  
15 shift.” The next day, ROMBOUGH stated “Yeah over it bro” and “Can’t wait to retire”.  
16 AMIRI responded, “over it lmao”.

17 87. On August 5, 2021, AMIRI and ROMBOUGH exchanged the following messages:

18 AMIRI: but do me a solid. don’t face me and record my coo sniffs on bwc. it will open  
19 the door for defense to criticize the alert. my angle doesn’t get it all [. . .]

20 ROMBOUGH: I got you. I’ll Position myself a little diff next time. I didn’t want you to  
21 get ran over by him. I was gonna smoke him

22  
23 88. On August 24, 2021: ROMBOUGH Deploys 40mm Less Lethal Launcher at  
24 Plaintiff Jessie Wilson.

25 89. On August 24, 2021, at about 6:08 a.m., APD officers—including ROMBOUGH  
26 and AMIRI—executed a search warrant at a residence in Antioch, captured on body-worn

1 camera. Multiple individuals exited the residence after officers made announcements. Officers  
2 then entered the residence, locating J.W. inside a locked bedroom holding a video game  
3 controller while sitting on an air mattress, with a video game showing on a television screen.

4 90. Jessie Wilson removed a pair of headphones and raised his hands as officers,  
5 including ROMBOUGH with the 40mm less lethal launcher, entered the room.

6 91. One officer, DOE Officer-4, stepped onto the bed and took Jessie Wilson's left arm  
7 to arrest him as four other APD officers, including ROMBOUGH, DOE Officer-IO, DOE  
8 Officer-12, and DOE Officer-13, surrounded Jessie Wilson. As DOE Officer-4 held Jessie  
9 Wilson's left arm on the bed, ROMBOUGH immediately deployed the 40mm less lethal  
10 launcher at Jessie Wilson injuring him.

11 92. In addition to the APD officers inside the bedroom, AMIRI stood with K9 Puryc  
12 outside of the bedroom during the deployment of the 40mm less lethal launcher.

13 93. ROMBOUGH later reported that this deployment of the 40mm, as captured on body  
14 worn camera, was within "1 feet to 3 feet" of Jessie Wilson.

15 94. Less than an hour later, ROMBOUGH exchanged the following messages with DOE  
16 Officer 15.

17 ROMBOUGH: Can u please get photos of him

18 DOE Officer-15: Yup

19 DOE Officer-15: Black tip tattoo

20 ROMBOUGH: Lmao

21  
22 95. On September 20, 2021, DOE Officer-12, a Sergeant, wrote the following to  
23 ROMBOUGH about authoring a police report:

24  
25 DOE Officer-12: You write that he didn't comply but he clearly had his hands up at  
26 first. You need to describe way better what happened. He was ordered to put his hands



1 on his head. He didn't do this. What did he do instead? (Leaned to his right. Arm  
2 appeared to be reaching behind bed once [DOE Officer-4] grabbed him)  
3

4 96. Following this incident, ROMBOUGH authored a police report that differed from  
5 the accounts that other APD officers later provided.

6 97. On August 31, 2021, at about 2:50 p.m., APD officers—including ROMBOUGH,  
7 AMIRI, DOES Officer-10, and Officer-15—conducted a traffic enforcement stop of S.S. in  
8 Antioch. During the encounter, which was captured on body-worn camera, at least five APD  
9 officers surrounded S.S.'s vehicle and AMIRI called out "If you do not comply, you will be  
10 40'd or bit by the dog." As officers called out commands, S.S. exited his vehicle with his hands  
11 raised, turned around and backed toward the officers, and placed his hands on his head. As  
12 DOE Officer-10 took S.S.'s hands, DOE Officer-10 brought S.S. to the ground; ROMBOUGH  
13 immediately approached and deployed the 40mm less lethal launcher at S.S., injuring him.

14 98. ROMBOUGH later reported that this deployment of the 40mm, as captured on body  
15 worn camera, was within "1 feet to 3 feet" of S.S. At about 3:41 p.m., AMIRI exchanged the  
16 following text messages with DOE Officer-5:

17 AMIRI: bro.. rombough be doing some unnecessaiy ass 40s

18 DOE Officer-5: Lol I heard! That's how case law and bad policies get implemented

19 AMIRI: 100%

20 DOE Officer-5: AMIRI: Bro send me The video

21 AMIRI also texted the photograph to ROMBOUGH and DOE Officer-15 in one group  
22 text. 21 Later that day, at about 6:46 p.m., DOE Officer-15 texted back to AMIRI and  
23 ROMBOUGH, "Thanks for 22 the help today bro".  
24

25 99. Despite AMIRI's comments to DOE Officer-5 about ROMBOUGH's "unnecessaiy  
26 ass 40s" 24 following the S.S. incident, AMIRI responded to DOE Officer-15 and

1 ROMBOUGH:

2  
3 AMIRI: that shit is fun  
4

5 100. On October 26, 2021, at about 6:05 p.m., APD officers-including WENGER  
6 responded to a report of a stolen vehicle by DOE Officer-I I at the Antioch Food Center on 18th  
7 Street. During the encounter, which was captured on body-worn camera, multiple APD officers  
8 surrounded Dajon Smith's vehicle and called out commands. Dajon Smith exited the vehicle  
9 and faced the officers, exchanging words with them.

10 101. WENGER stated "Hey [DOE Officer-I I] you got the 40?" then stated "I got it, I  
11 want to plug him." WENGER retrieved the 40mm less lethal launcher from a police vehicle and  
12 moved toward Dajon Smith as he stood by the open doorway of the vehicle with his hands  
13 raised.

14 102. WENGER immediately deployed a 40mm less lethal launcher at Dajon Smith.,  
15 striking him in the chest and injuring him. WENGER and other APD officers received  
16 instruction during annual training that the chest area was a "potentially lethal" area of the body  
17 to avoid deploying the 40mm. As Dajon Smith collapsed toward the vehicle, DOE Officer-16  
18 deployed a canine, which bit Dajon Smith in the arm.

19 103. At about 7:28 p.m. that day, AMIRI exchanged the following text messages with  
20 WENGER.

21 AMIRI: i wanna see your body cam of this! good work man

22 WENGER: Hahah! Thanks bro

23 AMIRI: you get 4 tubs yesterday, make some arrests then 40 someone today?? who the  
24 fuck are you?? i love this wenger 🤔🤔

25 WENGER: #Newyearnewme Hahah jk Just trying to get on swat bro! [. . .]

26 Laughed at "you get 4 tubs yesterday, make some arrests then 40 someone today?? who

1 the fuck are you?? i love this wenger 🤔🤔”

2 AMIRI: Loved “Just trying to get on swat bro!” [. . .]

3 WENGER: You’re my hero bro, I miss you dawg!

4  
5 104. The next month, AMIRI and ROMBOUGH exchanged the following messages on  
6 November 24, 2021:

7  
8 AMIRI: i miss you you haven’t 40d anymore lately

9 ROMBOUGH: I know reducing liability So I can leave

10 AMIRI: Laughed at “I know reducing liability”

11  
12 105. Plaintiffs did not become aware, or have reason to know or suspect of, Defendants  
13 AMIRI, ROMBOUGH, and WENGER’s communications, plans, and conspiracy to engage in  
14 the above acts, including agreements to violate civil rights by, among other things, engaging in  
15 the intentional use of excessive force and denial of equal protection until the Department of  
16 Justice made public criminal indictments against the aforementioned officers in August 2023.

17 106. Likewise, Plaintiffs were utterly unaware of the actions and inactions by superiors  
18 at APD and the CITY OF ANTIOCH that allowed Defendants AMIRI, ROMBOUGH, and  
19 WENGER to engage in communications, plans, conspiracy, and actual civil right violations for  
20 years in the City of Antioch without any sort of discipline or discouragement. Plaintiffs did not  
21 become aware, or have reason to know or suspect, of said actions and inactions by superiors at  
22 APD until the Department of Justice made public criminal indictments against the  
23 aforementioned officers in August 2023. Accordingly, Plaintiffs are entitled to equitable tolling  
and/or are entitled to bring forth this complaint pursuant to the delayed discovery rule.

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**FIRST CAUSE OF ACTION**

**(Conspiracy to Violate Civil Rights, 42 U.S.C. § 1983 – 4<sup>th</sup> Amendment, by all named  
Plaintiffs against all named Defendants)**

107. The preceding paragraphs of this complaint are re-alleged and incorporated herein.

108. Beginning on a date unknown, but no later than approximately February 2019 and continuing through approximately April 2022, in the Northern District of California, Defendants MORTEZA AMIRI, ERIC ALLEN ROMBOUGH, and DEVON CHRISTOPHER WENGER, did knowingly and willfully conspire and agree together and with each other, and with others known and unknown, to injure, oppress, threaten, and intimidate residents of Antioch, California in Northern District of California, including Plaintiffs WILSON and SMITH, in the free exercise and enjoyment of rights secured to them by the Constitution or laws of the United States, to be free from the use of unreasonable force by a law enforcement officer, all in violation of the United States Constitution. Defendants, together and with each other, agreed, orally and in writing, to use excessive force on residents of the City of Antioch, California. Each of the Defendants, MORTEZA AMIRI, ERIC ALLEN ROMBOUGH, and DEVON CHRISTOPHER WENGER, did intentionally engage in the use of excessive force against residents of the City of Antioch, including, but not limited to, on Plaintiffs.

Wherefore, Plaintiffs pray for the relief set forth below.

**SECOND CAUSE OF ACTION**

**(Use of Excessive Force in Violation of the Fourth Amendment, 42 U.S.C. § 1983, by all  
Plaintiffs against Defendants ROMBOUGH, WENGER, and DOE OFFICER #16)**

109. The preceding paragraphs of this complaint are re-alleged and incorporated herein.

110. On or about the dates set forth in the complaint, Defendants ROMBOUGH and WENGER, while acting under color of law, willfully deprived the Plaintiffs of their right, secured and protected by the Constitution and laws of the United States, to be free from the use of unreasonable force by a law enforcement officer, specifically:

1 111. On August 24, 2021, ERIC ALLEN ROMBOUGH deliberately and intentionally  
2 shot Plaintiff WILSON with a 40mm less lethal launcher in violation of the fourth amendment.  
3 The offense involved the use, attempted use, or threatened use of a dangerous weapon and  
4 resulted in bodily injury to Jessie Wilson.

5 112. On October 26, 2021, DEVON CHRISTOPHER WENGER, shot Plaintiff SMITH  
6 with a 40mm less lethal launcher in violation of the fourth amendment. The offense involved  
7 the use, attempted use, or threatened use of a dangerous weapon and resulted in bodily injury to  
8 Dajon Smith.

9 113. On October 26, 2021, DOE Officer #16 deployed a canine, which bit Plaintiff  
10 SMITH in the arm, after SMITH had already been shot in the chest with a 40mm less lethal  
11 launched and was lying on the ground in a surrender position and was surrounded by several  
12 armed police officers, all in violation of the fourth amendment. Not only was the use of police  
13 canine on SMITH unnecessary, once engaged, DOE Officer #16 failed to release the dog once it  
14 was clear that SMITH had surrendered. The offense involved the use, attempted use, or  
15 threatened use of a dangerous weapon and resulted in bodily injury to SMITH.

16 Wherefore, Plaintiffs pray for the relief set forth below.

17 **THIRD CAUSE OF ACTION**

18 **(Conspiracy to Violate Civil Rights, 42 U.S.C. § 1983 – 14<sup>th</sup> Amendment, by all named**  
19 **Plaintiffs against all named Defendants)**

20 114. The preceding paragraphs of this complaint are re-alleged and incorporated herein.

21 115. Beginning on a date unknown, but no later than approximately February 2019 and  
22 continuing through approximately April 2022, in the Northern District of California, Defendants  
23 MORTEZA AMIRI, ERIC ALLEN ROMBOUGH, and DEVON CHRISTOPHER WENGER,  
24 did knowingly and willfully conspire and agree together and with each other, and with others  
25 known and unknown, to injure, oppress, threaten, and intimidate **minority** residents of Antioch,  
26 California in Northern District of California, including Plaintiffs WILSON and SMITH, in the

1 free exercise and enjoyment of rights secured to them by the Constitution or laws of the United  
2 States, to be entitled to equal protection under the law, all in violation of the United States  
3 Constitution. Defendants, together and with each other, agreed, orally and in writing, to use  
4 excessive force on minority residents of the City of Antioch, California. Each of the  
5 Defendants, MORTEZA AMIRI, ERIC ALLEN ROMBOUGH, and DEVON CHRISTOPHER  
6 WENGER, did intentionally engage in the use of excessive force against minority residents of  
7 the City of Antioch, including, but not limited to, on Plaintiffs.

8 Wherefore, Plaintiffs pray for the relief set forth below.

9  
10 **FOURTH CAUSE OF ACTION**

11 **(*Monell* Violation by all named Plaintiffs against Defendant CITY OF ANTIOCH and the**  
12 **ANTIOCH POLICE DEPARTMENT and DOES 1-10)**

13 116. The preceding paragraphs of this complaint are re-alleged and incorporated herein.

14 117. Defendants MORTEZA AMIRI, ERIC ALLEN ROMBOUGH, and DEVON  
15 CHRISTOPHER WENGER acted under color of state law at all times relevant to this  
16 complaint;

17 118. Defendants MORTEZA AMIRI, ERIC ALLEN ROMBOUGH, and DEVON  
18 CHRISTOPHER WENGER's acts, as alleged herein, deprived the Plaintiffs of their fourth  
19 and fourteenth amendment rights under the Constitution;

20 119. Chief Tammany Brooks, employed by Defendants CITY OF ANTIOCH  
21 and the ANTIOCH POLICE DEPARTMENT, was at all times relevant hereto,  
22 together with DOES 1-10, the final policymaker for Defendants CITY OF  
23 ANTIOCH and the ANTIOCH POLICE DEPARTMENT, and acted under color of  
24 state law;

25 120. Chief Tammany Brooks and DOES 1-10 had final policymaking  
26 authority from Defendants CITY OF ANTIOCH and the ANTIOCH POLICE  
DEPARTMENT concerning the acts of Defendants MORTEZA AMIRI, ERIC ALLEN

1 ROMBOUGH, and DEVON CHRISTOPHER WENGER;

2 121. Chief Tammany Brooks, employed by Defendants CITY OF ANTIOCH  
3 and the ANTIOCH POLICE DEPARTMENT, together with DOES 1-10 ratified  
4 Defendants MORTEZA AMIRI, ERIC ALLEN ROMBOUGH, and DEVON  
5 CHRISTOPHER WENGER acts, as alleged herein, by knowing of Defendants MORTEZA  
6 AMIRI, ERIC ALLEN ROMBOUGH, and DEVON CHRISTOPHER WENGER use of  
7 excessive force against minority residents of the CITY OF ANTIOCH and specifically made  
8 a deliberate choice to approve such Defendants' actions;

9 122. Chief Tammany Brooks, employed by Defendants CITY OF ANTIOCH  
10 and the ANTIOCH POLICE DEPARTMENT, together with DOES 1-10 refused to  
11 take any action to prevent Defendants MORTEZA AMIRI, ERIC ALLEN ROMBOUGH,  
12 and DEVON CHRISTOPHER WENGER from depriving Plaintiffs' rights, despite knowing, or  
13 reasonably should have known, that Defendants MORTEZA AMIRI, ERIC ALLEN  
14 ROMBOUGH, and DEVON CHRISTOPHER WENGER were intentionally using excessive  
15 force against residents of the CITY OF ANTIOCH, in particular, minority residents.

16 123. The actions/inactions of Chief Tammany Brooks, employed by Defendants  
17 CITY OF ANTIOCH and the ANTIOCH POLICE DEPARTMENT, together with  
18 DOES 1-10 were so closely related to the deprivation of the Plaintiffs' rights as to be the  
19 moving force that caused their ultimate injuries.

20 Wherefore, Plaintiffs pray for the relief set forth below.

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**V. PRAYER FOR RELIEF**

Plaintiffs pray for judgment against defendants as follows:

1. For compensatory damages and other special damages according to proof;
2. For general damages according to proof;
3. For punitive damages against all individual defendants according to proof;
4. The prejudgment interest at the legal rate according to proof;
5. For costs and reasonable attorneys' fees as provided by law; and
6. For such other relief as the Court may deem fit and proper.

**VI. JURY DEMAND**

Plaintiffs demand a jury trial in this action.

Dated: May 7, 2024

LAW OFFICE OF STANLEY GOFF

          /s/ STANLEY GOFF            
STANLEY GOFF  
Attorney for Plaintiffs

LAW OFFICE OF FULVIO F. CAJINA

Dated: May 7, 2024

          /s/            
FULVIO F. CAJINA  
Attorney for Plaintiffs