UNITED STATES DISTRICT COURT EASTERN DISTRICT

DONALD WILLIAMS

2014 JAN -8 PM 8: 38

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**PLAINTIFF** 

-against-

U.S. DISTRICT COURT E.D.N.Y. VERIFFED COMPLAINT

ORIGINAL

THE CITY OF NEW YORK

&

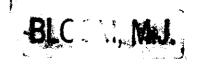
THE NEW YORK CITY POLICE DEPARTMENT

POLICE OFFICER JESSE ULLGER INDIVIDUALLY & IN HIS OFFICIAL CAPACITY AS NEW YORK CITY POLICE

**DEFENDANT** 

GAPALIFIS, J.

# JURISDICTION



THIS ACTION IS BROUGHT PURSUANT TO 42 U.S.C. 1983 AND 1988, & THE 4 , 5 , 6 , 8 & 14 , AMENDMENT OF THE CONSTITUION.

JURISDICTION IS FOUNDED ON 28 U.S.C. 1291 & 1331 & 1343 (1) (2) (3) (4) OF AFOREMENTIONED STATORY AND CONSTITUTIONAL PROVISIONS

PLAINTIFF FURTHER INVOKES THE PENDENT JURISDICTION OF THIS COURT TO ADJUDICATE CLAIMS ARISING UNDER NEW YORK

STATE COMMON LAW UNDER THE NEW YORK CITY CODE.

#### **PARTIES**

- 1. THE PLAINTIFF DONALD WILLIAMS 309 BEACH 54 STREET #1C ROCKAWAY NEW YORK 11692
- 2. THAT ALL TIMES MATERIAL HERETO, DEFENDANT THE CITY OF NEW YORK CORPORATION COUNSEL 100 CHURCH STREET NEW YORK 10007
- 3. THE NEW YORK CITY POLICE DEPARTMENT 1 POLICE PLAZA
  NEW YORK, NEW YORK 10038 A MUNICPAL ORGANAZATION EXISTING UNDER
  THE LAWS OF THE UNITED STATES.
- 4. THAT THE DEFENDANT THE CITY OF NEW YORK AND ITS AGENTS, SERVENTS, POLICE DEPARTMENT DID VIOLATE PLAINTIFF UNITED STATES CONSTITUIONAL 4,5,6,8,&14 AMENDEDMENT RIGHTS.

- 5. PLAINTIFF ALSO ALLEGES VARIOUS STATE LAW CLAIMS AGAINST THE CITY OF NEW YORK AND ITS AGENTS.
- 6. THE DEFENDANT THE CITY OF NEW YORK CREATED THE AFORESAID DEFECTIVE CONDITION.

## AS FOR A CAUSE OF ACTION

- 7. THE INCIDENT COMPLAINED OF OCCURRED IN THE COUNTY OF KINGS, STATE OF NEW YORK, AT OR ABOUT 284 SUTTER AVENUE.
- 8. ON OR ABOUT OCTOBER 11, 2012 PLAINTIFF DONALD WILLIAMS THROUGH NEGLIGENT SUPERVISION, WAS FALSELY ARRESTED, IMPRISONED UNLAWFULLY, AND WITH WILLFULL NEGLIGENT (PERSONALLY INJURED) ASSAULTED AND BATTERED, HUMILATED AND MALICIOULY ABUSED AND PROSECUTED, AND LEFT MENTALLY DURESSED. A VIOLATION OF NEW YORK STATE LAW AND THE UNITED STATES CONSTITUTION.
- 9. ON SAID DATE PLAINTIFF WAS SLAMED TO THE PAVEMENT AND ASSAULTED AND BATTERED THEN SEARCHED AND ARRESTED FOR NO APARENT REASON, IN THE COURT YARD OF BROWNSVILE HOUSES BY OFFICER ULLGER #30637
- 10. PLAINTIFF WAS THEN TOOKEN TO SUTTER AVENUE P.S.A. #2 AND THEN SEARCHED AGAIN THEN IMPRISONED.
- 11. PLAINTIFF WAS BLEEDING FROM THE MOUTH AND HAD SHORTNESS OF BREATH AND FELT, SEVERE PAIN IN HIS BACK AND KNEE AREA OF HIS LEG, AND ALSO SCRAPES ON HIS FACE AND HANDS.
- 12. PLAINTIFF WAS CONFINED FOR ABOUT 3 DAYS , THEN RELEASED ON R.O.R. AT CENTRAL BOOKING.
- 13. PLAINTIFF WAS GIVEN A COURT DATE OF OCTOBER 29, 2012 FOR CRIMINAL COURT DOCKET #KN085520 THS WAS ADJOURNED TO JANUARY 28, 2013
- 14. ON OR ABOUT JANUARY 9, 2013 & MARCH 29, PLAINTIFF FILED A CLAIM WITH THE COMPTROLLER OFFICE AGAINST THE CITY OF NEW YORK AND THE POLICE DEPARTMENT
- 15. ON OR ABOUT JANUARY 28, 2013 SAID CASE WAS DISMISSED IN PLAINTIFF FAVOR.
- 16. ON APRIL 20, 2013 PLAINTIFF FILED ANOTHER CLAIM AT THE COMPTROLLER OFFICE OF THE CITY OF NEW YORK, SAID CLAIMS HAS NOT BEEN ADJUSTED AND PLAINTIFF HAS NOT RECEIVED A T 50 H HEARING ON THE MATTER.

#### AS FOR A SECOND CASE OF ACTION

- 17. THE CITY OF NEW YORK AND THE NEW YORK CITY POLICE DEPARTMENT HAS PROJECTED A POLICY AND A PATTERN OF NOT EFFECTIVELY TRAINING OR SUPERVISING ITS OFFICERS WHICH HAS CAUSED THE VIOLATING OF ITS CITIZENS CONSITITUTIONAL RIGHTS.
- 18. THE NEW YORK POLICE DEPARTMENT HAS A PATTERN AND PRACTICE OF UNLAWFULLY ARRESTING MINORITIES SO THAT IT CAN MEET ARREST OUOTAS.
- 19. THERE WAS NO NEED FOR THE OFFICER TO BRUTILIZE PLAINTIFF, OR ARREST HIM NO CRIME HAD BEEN COMMITTED.

WHEREFORE, DONALD WILLIAMS DEMANDS JUDGEMENT AGAINST THE DEFENDANT ON CAUSE OF ACTION 1 IN THE AMOUNT OF \$400.000.00

AND IN THE 2 CAUSE OF ACTION \$300,000.00

TOGETHER WITH INTREST , COSTS , AND DISBURSEMENTS OF THIS ACTION , AND SUCH AND OTHER AND FURTHER RELIEF IN LAW THAT THE COURT DEEMS JUST AND PROPER.

### **JURY DEMAND**

PLAINTIFF HEREBY REQUEST THAT THIS ACTION BE TRIED BEFORE A JURY

DATED: JANUARY 8.2014

RESPECTFULLY SUBMITTED

DONALD WILLIAMS PRO-SE 309 BEACH 54 STREET #1C **ROCKAWAY NEW YORK 11692** 

(347) 384-3883

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	K	***
DONALD WILLIAMS		X
	PLAINTIFF,	VERIFICATION
-against-		
THE CITY OF NEW YORK		
& THE NEW YORK CITY POLICE DEF	PARTMENT	
& POLICE OFFICER JESSE ULLGER INDIVIDUALLY & IN HIS OFFICIAL CAPACITY AS NEW YORK CITY POLICE		
	DEFENDANT,	<b>Y</b>
STATE OF NEW YORK ) ) SS. COUNTY OF KINGS )		
I, DONALD WILLIAMS BEIN	G DULY SWORN , D	EPOSES AND SAYS THAT I AM THE
PLAINTIFF NAMED IN THE ABOVE	E ENTITLED ACTIO	N , AND I HAVE READ THE
VERIFIED COMPLAINT AND KNO	W THE CONTENTS	THEREOF. THAT THE
VERIFIED COMPLAINT IS TRUE TO	O MY KNOWLEDGE	, TO MATTERS ALLEGED ON
INFORMATION AND BELIEF, AND	THAT AS TO THOSE	E MATTERS I BELIEVE IT TO BE
TRUE.		
	DO	NALD WILLIAMS
SWORN TO BEFORE ME ON THIS DAY OF JANUARY 8, 2014		

AMANDA HEYWOOD
Notary Public, State of New York
No. 04HE6193922
Qualified in Kings County
Commission Expires Sept, 22, 2016

**NOTARY PUBLIC**