

ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORKSERGEI CHEPILKO

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

-against-

THE CITY OF NEW YORK,
CRISTOPHE BURTON,
RICHARD COHEN,
GAASING CHAN,
SAMUEL BROWN,
RONETTE BENJAMIN,
ROGER JASMIN

Jury Trial: ☒ Yes ☐ No
(check one)

CV 14

4173

ROSS, J.

BLOOM, M.J.

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name SERGEI CHEPILKOStreet Address 501 SURF AVE., Apt. 13ACounty, City BROOKLYN, NEW YORKState & Zip Code NEW YORK, 11224Telephone Number 718-266-1288

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.



COMPLAINT

Very Truly, Yes ☐ No ☐

(Initials)

BLOOM M.J.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Joseph Chernick

In the space above enter the full name(s) of the plaintiff(s).

against

The City of New York

Department of Social Services

Department of Health and Mental Hygiene

Department of Education

Department of Transportation

Department of Parks and Recreation

In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.

Parties in this complaint:

1. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Name	<i>Joseph Chernick</i>
Street Address	<i>501 E 14th Ave, Apt 12B</i>
City	<i>New York, NY</i>
State & Zip Code	<i>New York, 10003</i>
Telephone Number	<i>718-462-1223</i>

2. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where you defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name P.O. Cristophe BURTON, TAX# 944399
 Street Address _____
 County, City KINGS, NEW YORK, Precinct 63
 State & Zip Code _____
 Telephone Number _____

Defendant No. 2 Name Sgt. RICHARD COHEN, TAX# 905584
 Street Address _____
 County, City KINGS, NEW YORK, Precinct 60
 State & Zip Code _____
 Telephone Number _____

Defendant No. 3 Name P.O. GARSING CHAN, TAX# 941533
 Street Address _____
 County, City KINGS, NEW YORK, Precinct 63
 State & Zip Code _____
 Telephone Number _____

Defendants No. 4, 5, 6 Name P.O. S. BROWN (936248), Sgt. R. Jasmin (928531), P.O. R. BENJAMIN (936194)
 Street Address _____
 County, City KINGS, NEW YORK, Precinct 63.
 State & Zip Code _____
 Telephone Number _____

DEFENDANT 7. CITY OF NEW YORK

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions

☐ Diversity of Citizenship

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? CIVIL RIGHTS VIOLATIONS UNDER 42 USC § 1983, 28 USC § 1391(b)

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship BROOKLYN, NEW YORK

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? JONES WALK AND
SURF AVE., THE 60 PRECINCT, BROOKLYN

B. What date and approximate time did the events giving rise to your claim(s) occur? JULY 4, 2011 AT 7:40 A.M.

C. Facts: PLAINTIFF ADVERTISED PHOTOGRAPHS. P.O. BURTON
STATED THAT PLAINTIFF WAS NOT A LICENSED VENDOR AND
PROHIBITED SELLING PHOTOS. PLAINTIFF TRIED TO WRITE
BADGE NUMBER AND P.O. BURTON IMMEDIATELY HAND-
CUFFED PLAINTIFF AND DRAGGED HIM TO THE GROUP
OF POLICE OFFICERS. THEY KICKED PLAINTIFF'S LEGS AND
REFUSED TO ADDRESS PLAINTIFF'S COMPLAINT FOR PAIN
IN THE WRISTS.

DURING STAYING IN THE HOLDING CELL, PLAINTIFF
WAS VERBALLY ASSAULTED WITH SEXUAL THREAT BY
Sgt. COHEN.

P.O. BURTON ISSUED 2 SUMMONSES FOR DISORDERLY
CONDUCT, WHICH WERE DISMISSED.

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

INJURIES TO THE WRISTS AS A RESULT OF TIGHT HAND-
CUFFING, INJURIES TO THE LEGS
INFLECTION OF SEVERE EMOTIONAL DISTRESS
TREATED ON JULY 5, 2011 AT CORNELL HOSPITAL.
VIOLATION OF PLAINTIFF'S CIVIL RIGHTS.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

WHEREFORE, PLAINTIFF DEMANDS COMPENSATORY AND
PUNITIVE DAMAGES DETERMINED AT THE JURY TRIAL.

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

Signed this 3 day of July, 2014

Signature of Plaintiff

S. Chepilko

Mailing Address

501 SURF AVE., Apt. 13A
BROOKLYN, NY 11224

Telephone Number

718-266-1288

Fax Number (if you have one)