

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RONJA SIM,

Plaintiff,

- against -

COMPLAINT AND
JURY TRIAL DEMAND

DETECTIVE STEVEN GORDON, Shield No. 11234
and DETECTIVE OGHENEVI OKROKOTO, Shield
No. 7008,

Defendants.
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Plaintiff, RONJA SIM, by her attorney, ALAN D. LEVINE, ESQ., complaining of
the defendants herein, respectfully alleges as follows:

JURISDICTION

1. This is a civil action, seeking compensatory damages, punitive damages and attorney's fees.
2. This action is brought pursuant to 42 U.S.C. §§1983 and 1988 and the fourth and fourteenth amendments to the Constitution of the United States.
3. Jurisdiction is founded upon 28 U.S.C. §§1331 and 1343.

VENUE

4. Venue is properly alleged in the Eastern District of New York in that the acts complained of herein occurred within this District.

JURY TRIAL DEMAND

5. Plaintiff hereby demands a trial by jury of all issues in this action that are so triable.

PARTIES

6. At all times relevant hereto, plaintiff, RONJA SIM, was and is a natural person, resident in the County of Kings, City and State of New York.

7. At all times relevant hereto, defendant DETECTIVE STEVEN GORDON, Shield No. 11234 (hereinafter "GORDON") was and is a natural person, employed as a police officer by the Police Department of The City of New York.

8. At all times relevant hereto, defendant DETECTIVE OGHENEVI OKROKOTO, Shield No. 7008 (hereinafter "OKROKOTO") was and is a natural person, employed as a police officer by the Police Department of The City of New York.

9. The defendants are sued in their individual capacities.

AS AND FOR A CAUSE OF ACTION
(42 U.S.C. §1983)

10. Plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs "1" through "10" hereinabove as if more fully set forth at length herein.

11. On or about January 6, 2012, at approximately 7:25 P.M., plaintiff was seated in the front passenger seat of a motor vehicle registered to her, which vehicle was parked in front of 257 East 23rd Street, in the County of Kings, City and State of New York.

12. The aforementioned address was directly across the street from plaintiff's residence.

13. Seated at the front passenger side of the aforementioned vehicle was plaintiff's godson, Andrew Stolar, who is not a party to this action.

14. In a paper bag located in the front console of the vehicle, in between where plaintiff and Mr. Stolar were seated, were several clonazepam pills.

15. A receipt for clonazepam tablets made out to Andrew Stolar and indicating that they had been prescribed by a Dr. James Seely, and that Mr. Stolar had paid for them through a third-party insurer, was stapled to the aforementioned bag.

16. Nevertheless, defendant GORDON, claiming that the pills in the bag were amphetamines, had plaintiff arrested.

17. Defendant OKROKOTO was designated as plaintiff's arresting officer and swore out the complaint against her.

18. Plaintiff was transported to the stationhouse of the 70th Precinct and from there was taken to Brooklyn Central Booking.

19. Plaintiff was not brought before a judge of the Criminal Court of the City of New York until at or about 12:00 Noon on January 8, 2012, approximately fifty-two hours after she had been arrested.

20. Plaintiff was charged, upon the complaint of defendant OKROKOTO, with criminal possession of a controlled substance in the seventh degree, an A misdemeanor.

21. Plaintiff was released in her own recognizance.

22. Plaintiff was compelled to appear in court on three more occasions, namely March 29, May 21 and July 24, 2012.

23. At her last appearance in Criminal Court of the City of New York, County of Kings, plaintiff received an adjournment in contemplation of dismissal.

24. The charge against plaintiff has been dismissed.

25. Defendants GORDON and OKROKOTO violated plaintiff's right, guaranteed to her by the fourth amendment to the Constitution of the United States to be arrested only with probable cause in that, while acting under color of state law, they illegally, falsely, maliciously, wrongfully and unlawfully accused her of being in possession of illegal drugs, specifically amphetamines, without having probable cause to do so and as a result caused her to lose her liberty and be forced to defend herself in a criminal proceeding.

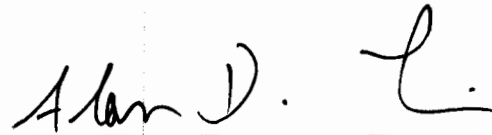
26. As a result of the aforesaid acts committed against her by the defendants hereto, plaintiff suffered a deprivation of her right to due process of law, guaranteed to her by the fourth and fourteenth amendments to the Constitution of the United States, and, as a result, suffered a loss of her liberty and severe mental anguish.

27. By reason of the aforementioned unconstitutional and illegal actions taken against her by the defendants, plaintiff has been damaged in an amount sufficient to compensate her for her injuries as enumerated hereinabove and, in addition, seeks punitive damages against the defendants.

WHEREFORE, plaintiff, RONJA SIM, demands judgment against defendants, DETECTIVE STEVEN GORDON, Shield No. 11234 and DETECTIVE OGHENEVI OKROKOTO, Shield No. 7008, in an amount sufficient to compensate her for her injuries as enumerated hereinabove and, in addition, seeks punitive damages against the defendants.

In addition, plaintiff demands the costs and disbursements of this action, including her attorney's fees, pursuant to 42 U.S.C. §1988.

Dated: Kew Gardens, New York
December 30, 2014

A handwritten signature in black ink, appearing to read "Alan D. Levine". The signature is written in a cursive style with a horizontal line underneath it.

ALAN D. LEVINE, ESQ.
Attorney for Plaintiff
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