

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

COGAN, J.

ORIGINAL

THEADORE BUACK

PLAINTIFF,

CV 16

-against-

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ **2320** ★
BROOKLYN OFFICE

PAROLE OFFICER Dominique Pettinato

PO Pettinato's partner of 9-29-2015

Senior PO Linda Jefferies NYS DIVISION OF PAROLE

all parole officers that took part of this petitioners wives home search on 9-29-2015

Police Officer Damico, Police Officer Santana (Santiago) Lt. DOYLE and all other Police Officers and Parole Officers that took part in the ^{SEARCH} Search OF THIS PLAINTIFFS WIFE'S HOME ON 9-29-2015

Defendants.

THEADORE BUACK

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

CLERK OF COURT

FIRST CAUSE OF ACTION

THE SEARCH OF MY WIFES HOME WAS CONDUCTED BY THE POLICE AND PAROLE ON 9-29-15 WAS IN VIOLATION OF MY CONSTITUTIONAL RIGHTS

SECOND CAUSE OF ACTION

THE POLICE DID NOT HAVE A SEARCH WARRANT

THIRD CAUSE OF ACTION

THE PAROLE OFFICERS DID NOT HAVE A SEARCH WARRANT

4th

AT THE TIME OF THE SEARCH THIS PLAINTIFF WAS NOT IN VIOLATION OF ANY RULES OF HIS PAROLE CONDITIONS

5th

AT THE TIME OF THE SEARCH THIS PLAINTIFF WAS NOT IN VIOLATION OF ANY LAWS

6th

AT THE TIME THAT DEFENDANTS CONDUCTED THEIR SEARCH THIS PLAINTIFF WAS NOT IN VIOLATION OF ANY STATE, CITY, NOR COUNTY RULES REGULATIONS OR ORDANCES

7th

AT THE TIME DEFENDANTS CONDUCTED THEIR SEARCH THIS PLAINTIFF WAS AT HOME SLEEPING IN BED WITH HIS WIFE AT HER HOME

8th

THIS PLAINTIFF DID NOT LET THE LAW OFFICERS INTO HIS WIFES HOME

9th

THE DEFENDANTS GAINED ENTRANCE INTO PLAINTIFFS WIFES HOME BY THREATENING HIS VISITING MOTHER IN LAW WITH THE THREAT OF BREAKING DOWN THE DOOR IF SHE DID NOT LET THEM IN

10th

THE DEFENDANTS DID NOT HAVE AN ARREST WARRANT

THESE WERE THE CIRCUMSTANCES INVOLVED

11th

THERE WERE NO EXIGENT CIRCUMSTANCES INVOLVED

12th

THE SEARCH CONDUCTED BY DEFENDANTS WAS A PART OF A POLICE INVESTIGATION TO FIND OUT WHO WAS SELLING THE DRUGS AND GUNS IN PLAINTIFFS WIFES BUILDING

13th

THIS PLAINTIFF DID NOT CONSENT TO THE SEARCH OF HIS WIFES HOME

14th

THIS PLAINTIFFS WIFE DID NOT CONSENT TO THE SEARCH

15th

PLAINTIFF AND HIS WIFE WERE NOT ASKED FOR OUR CONSENT TO SEARCH

16th

DEFENDANTS CONDUCTED THEIR SEARCH OVER THE PROTESTS OF THIS PLAINTIFF AND HIS WIFE

CAUSE OF ACTION

17...

DEFENDANTS SEARCHED THIS PLAINTIFFS WIFES WHOLE HOME INCLUDING OUR 8 YEAR OLD
SONS ROOM

DEFENDANTS TOOK PICTURES OF MY WIFES HOME WITHOUT HER CONSENT

DEFENDANTS TOOK PICTURES OF PLAINTIFFS WIFE PARTIALLY NUDE WITHOUT HER CONSENT

DEFENDANTS WOULD NOT ALLOW PLAINTIFFS WIFE TO ~~RE~~PUT HER CLOTHES ON

DEFENDANTS TOLD PLAINTIFFS WIFE THAT THEY WOULD "BE BACK" IN A THREATENING MANNER

DEFENDANTS REMOVED PROPERTY FROM PLAINTIFFS WIFES HOME WITHOUT CONSENT

DEFENDANTS WERE IN VIOLATION OF THE PAROLE MANUAL

DEFENDANTS WERE IN VIOLATION OF THE PAROLE HANDBOOK

DEFENDANTS WERE IN VIOLATION OF THE COURTS RULINGS IN REGARDS TO THE SEARCHING
OF PAROLEES ~~RESIDENCES~~ RESIDENCES

DEFENDANTS WERE IN VIOLATION OF THE COURTS RULINGS IN REGARDS TO "HOME VISITS"

DEFENDANTS CONDUCT WHILST IN MY WIFES HOME ON 9-29-2015 CONSTITUTED ACTS OF
~~HARRASSMENT~~ HARASSMENT

DEFENDANTS CONDUCT WHILST CONDUCTING THE SEARCH OF 9-29-2015 CONSTITUTED ACTS
OF MENACING

DEFENDANTS CONDUCT WHILST IN MY ~~WIFES~~ WIFES HOME ON 9-29-2015 VIOLATED MY
CONSTITUTIONAL RIGHTS

DEFENDANTS CONDUCT WHILST IN MY WIFES HOME ON 9-29-2015 VIOLATED MY WIFES
CONSTITUTIONAL RIGHTS

DEFENDANTS HAD THIS PLAINTIFF HANDCUFFED IN THE PRESENCE OF MY 8 YEAR OLD CHILD

DEFENDANTS ACTS OF HOSTILITY, HARASSMENT AND MENACING TOOK PLACE IN FRONT OF
THIS PLAINTIFFS 8 YEAR OLD CHILD

2...

CAUSES OF ACTION

DEFENDANTS CONDUCT OF HOSTILITY, HARASSMENT AND MENACING IN THE PRESENCE OF PLAINTIFFS 8 YEAR OLD CHILD CONSTITUTED THE ACT OF ENDANGERING THE MENTAL HEALTH AND WELL BEING OF A MINOR

SENIOR PAROLE OFFICERS FAILED TO CONDUCT THEMSELVES IN A SUPERVISORY CAPACITY

SENIOR POLICE OFFICERS FAILED TO CONDUCT THEMSELVES IN A SUPERVISORY CAPACITY

DEFENDANTS FILED FALSE ARREST NOTIFICATION REPORT AGAINST THIS PLAINTIFF

DEFENDANT PETITINATO LIED UNDER OATH AT A LEGAL PROCEEDING STATING THAT THIS PLAINTIFF CONFESSED TO A CRIMINAL OFFENSE

DEFENDANT PETTINATO FILED A FALSE AFFIDAVET AGAINST THIS PETITINER

DEFENDANTS CONDUCT CONSTITUTED ACTS OF CONSPIRACY TO DEPRIVE THIS PLAINTIFF OF HIS CONSTITUTIONAL RIGHTS

DEFENDANT PETITINATO AND HER PARTNER CONDUCTED THE SEARCH IN AN ACT OF RETALIATION AGAINST PLAINTIFF FOR HIS COMPLAINT LODGED ABOUT THEM COMING TO PLAINTIFFS WIFES HOME WITH THEIR GUNS AND VEST ON DISPLAY IN FRONT OF THIS PLAINTIFFS 8 YEAR OLD CHILD

DEFENDANT PETITINATO TOLD PLAINTIFF THAT THEY WOULD CONTINUE TO HAVE THEIR GUNS AND VESTS ON DISPLAY IN FRONT OF PLAINTIFFS 8 YEAR OLD CHILD WHETHER THIS DISPLAY WAS SCARING THE CHILD OR NOT

ON FEBRUARY 18, 2016 THE CRIMINAL CHARGES THAT DEFENDANTS HAD LODGED AGAINST THIS PLAINTIFF WERE DISMISSED IN CRIMINAL COURT FOR "FACIAL INSUFFICIENCY"

PLAINTIFF SPENT FROM SEPTEMBER 30 till FEBRUARY 18, 2016 on Riker Island

THIS PLAINTIFF WAS FALSELY ARRESTED BY DEFENDANTS NEW YORK CITY POLICE DEPARTMENT 75th PRECINCT

THE PROSECUTION WAS MALICIOUS AND THE IMPRISONMENT WAS ILLEGAL

THE PLAINTIFF WAS FALSELY ARRESTED AND MALICIOUSLY PROSECUTED AND FORCED TO BE IN COURT AT LEAST 10 TIMES OVER A PERIOD OF 5 MONTHS

THESE VIOLATIONS TOOK PLACE EVEN THOUGH DEFENDANTS KNEW THERE WAS NO MERIT TO THE CONTINUANCE OF THE PROSECUTION AND SUCH PROSECUTION WAS MALICIOUS AND THE IMPRISONMENT WAS ILLEGAL

DAMAGES

RELIEF: THE PLAINTIFF SEEKS RELIEF IN THE FOLLOWING MANNER:

10,000 dollars PER EACH DAY OF FALSE IMPRISONMENT

3 MILLION DOLLARS IN COMPENSATORY DAMAGES

3 MILLION DOLLARS IN PUNITIVE DAMAGES

THE PLAINTIFF PRAYS THIS HONORABLE COURT GRANTS SUCH DAMAGES AGAINST DEFENDANTS FOR THE VIOLATION OF THE CIVIL RIGHTS OF HISSELF AND HIS FAMILY

FURTHER RELIEF

THIS PLAINTIFF FURTHER REQUESTS THIS HONORABLE COURT TO ISSUE A TEMPORARY RESTRAINING ORDER AGAINST DEFENDANTS IN REGARDS TO THEIR CONTACT WITH THIS PLAINTIFF AND HIS FAMILY

THIS PLAINTIFF REQUESTS THIS HONORABLE COURT TO ISSUE AN INJUNCTION AGAINST DEFENDANTS FROM PROSECUTING THIS PLAINTIFF IN REGARDS TO THIS MATTER IN LIGHT OF THE FACT THAT THE CRIMINAL CHARGES WERE DISMISSED

DEFENDANTS

"ANY ACTS OF RETALIATION BY DEFENDANTS AGAINST THIS PLAINTIFFS FAMILY OR THIS PLAINTIFF HIMSELF IS IN VIOLATION OF THIS PLAINTIFF AND HIS FAMILIES CIVIL RIGHTS AND IS ACTIONABLE UNDER 42 U.S.C. 1983" AND IS SUBJECT TO REQUEST FOR FURTHER DAMAGES AND RELIEF"