

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

MATTHEW WATSON

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

**-against-**

- 1.POLICE OFFICER BESNIK BOJKOVIC SHIELD NO.UNKNOWN
- 2.POLICE OFFICER JOHN GUERRA SHIELD NO.1562
- 3.SEAN CLAXTON SHIELD NO.UNKNOWN
- 4.NYPBA,
- 5.The City Of NEW YORK

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)*

**Complaint for Violation of Civil Rights**

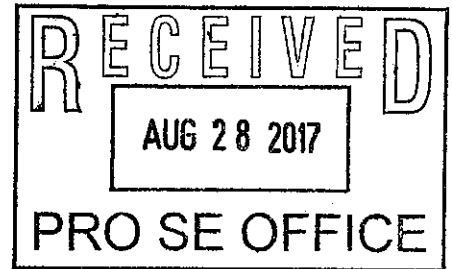
(Non-Prisoner Complaint)

Case No. **CV 17-5137**

*(to be filled in by the Clerk's Office)*

Jury Trial:  Yes  No  
*(check one)*

**COGAN, J.**



**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

**I. The Parties to This Complaint**

**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	MATTHEW WATSON
Street Address	244 EAST 89 <sup>th</sup> Street
City and County	Brooklyn ,Kings County
State and Zip Code	NY , 11236
Telephone Number	718-629-4507
E-mail Address	Geminimatt31@hotmail.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	POLICE OFFICER BESNIK BOJKOVIC SHIELD NO.UNKNOWN
Job or Title	POLICE OFFICER
Street Address	2820 Snyder Ave, Brooklyn, NY 11226
City and County	Brooklyn, Kings County
State and Zip Code	New York, 11226
Telephone Number	718) 287-3211
E-mail Address (if known)	_____

- Individual capacity AND
- Official capacity

Defendant No. 2

Name	POLICE OFFICER JOHN GUERRA SHIELD
NO.1562	
Job or Title	POLICE OFFICER
Street Address	2820 Snyder Ave, Brooklyn, NY 11226
City and County	Brooklyn, Kings County
State and Zip Code	New York, 11226
Telephone Number	718) 287-3211
E-mail Address (if known)	_____

- ✓ Individual capacity AND
- ✓ Official capacity

Defendant No. 3

Name	POLICE OFFICER SEAN CLAXTON
NO.UNKNOWN	
Job or Title	POLICE OFFICER
Street Address	2820 Snyder Ave, Brooklyn, NY 11226
City and County	Brooklyn, Kings County
State and Zip Code	New York, 11226
Telephone Number	718) 287-3211
E-mail Address (if known)	_____

- ✓ Individual capacity AND
- ✓ Official capacity

Defendant No. 4

Name THE CITY OF NEW YORK

Job or Title \_\_\_\_\_  
(if known)

Street Address 1 Centre street ,room 1225

City and County NYC

State and Zip Code NEW YORK, 10007

Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_  
(if known)

Defendant No. 5

Name NEW YORK PATROLMENS BENEVOLENT  
ASSOCIATION

Job or Title \_\_\_\_\_  
(if known)

Street Address 25 Broad Street, 11th Fl.New York, NY 10004-  
2400

City and County NYC

State and Zip Code NEW YORK, 10004-2400

Telephone Number Phone: (212) 298-9100

E-mail Address \_\_\_\_\_

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ✓  State or local officials (a § 1983 claim)
- ✓  Federal officials (a *Bivens* claim)
- ✓ SEEMINGLY ONE IN THE SAME

- B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal, constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Constitutional

1<sup>st</sup> amendment ,4<sup>th</sup> amendment ,5<sup>th</sup> amendment, ,8<sup>th</sup> amendment 9<sup>th</sup> amendment, ,14<sup>th</sup> amendment,

Federal

18 U.S. Code § 245 - Federally protected activities, 42 U.S. Code § 1985 - Conspiracy to interfere with civil rights,18 U.S. Code § 242 - Deprivation of rights under color of law, 18 U.S. Code § 241 - Conspiracy against rights, 18 U.S. Code § 231 - Civil disorders , 42 U.S. Code § 1988 - Proceedings in vindication of civil rights, 42 U.S. Code § 1983 - Civil action for deprivation of rights, 18 U.S. Code § 249 - Hate crime acts , 18 U.S. Code § 373 - Solicitation to commit a crime of violence, 42 U.S. Code § 1975 - Duties of Commission

STATE

N.Y. Penal Law 240.50 – Falsely Reporting An Incident in the Third Degree, N.Y. Penal Law 240.20 – Disorderly Conduct, N.Y. Penal Law 195.00 – Official Misconduct, N.Y. Penal Law 195.05 – Obstructing Governmental Administration in the Second Degree, N.Y. Penal Law 195.20 – Defrauding the Government, N.Y. Penal Law 200.22 – Rewarding Official Misconduct in the First Degree, N.Y. Penal Law 200.27 – Receiving Reward for Official Misconduct in the First Degree, N.Y. Penal Law 200.30 – Giving Unlawful Gratuities, N.Y. Penal Law 200.35 – Receiving Unlawful Gratuities, N.Y. Penal Law 210.15 – Perjury in the First Degree, N.Y. Penal Law 210.10 – Perjury in the Second Degree, N.Y. Penal Law 210.40 – Making An Apparently Sworn False Statement in the First Degree, N.Y. Penal Law 210.45 – Making a Punishable False Written Statement, N.Y. Penal Law 210.20 – Perjury; Pleading and Proof Where Inconsistent Statements Involved , N.Y. Penal Law 215.16 – Intimidating a Victim or Witness in the Second Degree, N.Y. Penal Law 215.17 – Intimidating a Victim or Witness in the First Degree, N.Y. Penal Law 115.00 – Criminal Facilitation in the Fourth Degree, N.Y. Penal Law 140.17 – Criminal Trespass in the First Degree, N.Y. Penal Law 140.05 – Trespass, , N.Y. Penal Law 490.20 – Making a Terroristic Threat, N.Y. Penal Law 135.65 – Coercion in the First Degree, N.Y. Penal Law 496.06 – Public Corruption, N.Y. Penal Law 260.24 – Endangering the Welfare of An Incompetent or Physically Disabled Person in the Second Degree, N.Y. Penal Law 135.10 – Unlawful Imprisonment in the First Degree , N.Y. Penal Law 120.25 – Reckless Endangerment in the First Degree, N.Y. Penal Law

120.05 – Assault in the Second Degree, N.Y. Penal Law 120.25 – Reckless Endangerment in the First Degree

- C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

1<sup>st</sup> amendment ,4<sup>th</sup> amendment ,5<sup>th</sup> amendment, ,8<sup>th</sup> amendment 9<sup>th</sup> amendment, ,14<sup>th</sup> amendment, Federal protected Activities

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- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Acting under the power and veil of Public indemnity provided by federal, state, and local laws that create allocation for all doings both in Official and unofficial capacities ,The Three officers named as defendants , falsely arrested MATTHEW WATSON and subjected him to assault ,battery, excessive force, all while on the Plaintiffs Private Property. Terroristic threats of extended jail time and false reported charges were made by Sean Claxton in the police vehicle to deter the plaintiff from dwelling on the destruction of Rule of Law that just took place at his home.. Besnik Bojkovic, helped Sean Claxton drag MATTHEW WATSON by his clothing out of his private property, so they could falsely say he was in fact on Public Properties. MATTHEW WATSON was defenselessly punched in the face and had his hand twisted like a pretzel by John Guerra as he laid on the ground after begging them to stop because he didn’t want his Mom to look outside and see her son in such a position. John Guerra ,used excessive and potentially deadly punching the Plaintiff in the face and head ,never being aware that the victim has a skull defect that makes him susceptible to trauma and seizure. Besnik Bojkovic grabbed MATTHEW WATSON and tried to drag him out of his property along with Sean Claxton the main instigator of this whole ordeal, who would in the Police car go on to threaten the Plaintiff with staying in jail until “Monday or Tuesday” , false allegations of assaulting an officer which is a felony with an ugly social stigma , and resisting arrest. All officers referenced are protected by the NYPBA and City Of New York in the performance or lack thereof in there official and unofficial duties. These realities are leading to AMERICAN HONOR KILLINGS AND GENOCIDE. IS it based on one’s skin

color, economic status, and neighborhood, or just the whim of people with more power than they can handle? Although the City Of New York and NYCPBA are not responsible for what these officers do, Neither are the officers as they all operate under corporate capacities that can never do wrong even when they try. Officers seemingly forget they are supposed to protect people and not just look for reasons to harm and arrest them. An American and State issued Birth certificate is supposed to give NATURAL PERSONS' rights of equality, protection and freedom but it seems like the only things that do that are fraternities and Corporate Charters.

### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful 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 more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

The events took place, in the PRIVATE residential PROPERTY of MATTHEW WATSON , in the Police Vehicle, and the 67<sup>th</sup> Police Precinct

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B. What date and approximate time did the events giving rise to your claim(s) occur?

On May,29,2016 at about 1:50 in the morning. Memorial Weekend

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C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

On May 29<sup>th</sup> 2016, MATTHEW WATSON the natural persons' stood by the front door entrance of the premises of 244 East 89<sup>th</sup> street Brooklyn NEW YORK. The premises, a private family residence owned and maintained by the WATSON family for many decades now, was the scene of a felony level criminal destruction of law. It was two days before the innocent persons' and entity MATTHEW WATSON celebrated his birthday, Memorial Weekend: A weekend of

festive celebrations seemingly commencing the real beginning of the summer, one in which part of the very Fabric and civility of THIS NATION is honored and respected . Weekends like Memorial weekend, July 4<sup>th</sup> and Labor Day Weekend in NEW YORK can be quite busy and hectic as a lot of good and bad people go about their motives for often self-gain and interest, in a vast array of ways. Many just want to have a great time, maybe listen to music a little louder than they normally would, or hit the club in a rush to see some new hot guys and gals. Some party, maybe even have a few to many drinks and still drive. Some even rob and take advantage of others physically. Luckily under the rights of our constitution, statutes, bills of writ and Rule of Law there are restrictions to protect citizens from each other no matter the name or rank. **“To make Laws that man cannot and will not obey, serves to bring all law into contempt. It is very important in a Republic that the people should respect the laws, for if we throw them to the winds, what becomes civil government?”** *Elizabeth Cady Stanton*. People while in the midst of seeking and persisting after “happiness” and the American dream must remain respectful of common man and common law. On the night of May 29<sup>th</sup> 2016 the innocent party, son, brother, uncle, Man of God and victim did just that.

On the night JUSTICE became just another meaningless word that JUST IS, at approximately 1:35 A.M. MATTHEW WATSON just finished smoking a marijuana cigarette right in front of his home’s door about 35ft back from the entrance to the gate enclosed, family owned ,private property. He stood by his lonesome soon to smoke a marijuana cigarette that was in the pocket of his hooded sweat jacket before going to bed and calling it a night. The victim was doing all possible in righteousness to stay within the legal confines, allowances and provisions of every aspect of law as he does every time he smokes on his own PRIVATE property. Smoking even cigarettes in the wrong capacity is an offense, as law mandates many provisions to protect the PUBLIC realm and health, thus it is regularly illegal to smoke indoors. Around 10 minutes later at approximately 1:50AM As MATTHEW WATSON, stood on PRIVATE property in front of his door about 35ft back from the entrance to the gate, bothering no one nor committing any offense because of his legal positioning and status in his PRIVTE property nor smoking in PUBLIC ;A dark jeep with some men looking like they were having a jolly good time drove down his block and passed well in front of his property by about four PRIVATE family houses ,when suddenly it reversed back and stopped right in front of MATTHEW WATSON’s home waving and gesturing to him to come closer. At that point MATTHEW WATSON walked closer to the middle of his driveway away from the door to his home that he was initially standing by to see who it was, because they looked familiar also it was dark and late. The one African American man that was SERGEANT SEAN CLAXTON SHIELD NO.UNKNOWN visible on the passenger's side asked MATTHEW WATSON "SIR THIS IS ON PUBLIC RECORD, ARE YOU SMOKING IN PUBLIC". It was at that very point where the battle of RULE OF LAW took place and Justice was made to be a mockery because of the thirst to transact any rewarded arrest possible and flex one’s ego.

Public is a being, a state, a place, an understanding, common ground where all parties are mutually understood ,respected and protected and ALLOWED. On the night in reference the Law was applied in a capacity that does not protect Citizens’ constitutional rights in Persons’, property or PRIVATE capacities. The actions and color of law enacted by the bodies and officers of the state/municipality raise many questions on whether they lawfully performed duties, have any regard for humanity because of their use of excessive and potentially deadly force for a misdemeanor arrest based on mere suspicion, and are unlawfully empowered by the same



laws/codes/colors enacted to protect innocent people. Public officials in the wrong often go unrecognized and unpunished because of impenetrable immunity given as public agents and corruption even more organized and instituted than that of the felons. Public Order is a necessary component to our institutionalized culture and society.

According to section, 240.00 OFFENSES AGAINST PUBLIC ORDER 1. "Public place" means a place to which the public or a substantial group of persons has access, and includes, but is not limited to, highways, transportation facilities, schools, places of amusement, parks, playgrounds, and hallways, lobbies

By this very fact alone POLICE OFFICER JOHN GUERRA SHIELD NO.1562 ,POLICE OFFICER BESNIK BOJKOVIC SHIELD NO.UNKNOWN , SERGEANT SEAN CLAXTON SHIELD NO.UNKNOWN should have known enough statute, and constitutional law to not press the issues they did or break the very laws they are hired to enforce, protect and uphold. The Locus Delicti was Kings County Brooklyn, New York. The destruction of MATTHEW WATSON's rights be it CIVIL, CONSTITUTIONAL, HUMAN or UNENUMERATED spanned from the Central bookings, the 67<sup>th</sup> police precinct, and even 244 east 89<sup>th</sup> street at the PRIVATE Home and property of the victim. The liability for such improper conduct although clear cut wrecks of Federal question jurisdiction, Rule 5.1 Constitutional challenge to a Statute ,and certainly Locus Standi. Municipal and State Laws empower too many parties with conflicts of interests between PUBLIC and PRIVATE gains.

The three officers led by SERGEANT SEAN CLAXTON SHIELD NO.UNKNOWN Continued badgering victim Matthew Watson and repeating the question "THIS IS ON PUBLIC RECORD, ARE YOU SMOKING IN PUBLIC".

MATTHEW WATSON REPLIED "SIR I DON'T UNDERSTAND, IM NOT DOING ANYTHING WRONG, IM JUST HERE IN MY GATE !"

SERGEANT SEAN CLAXTON SHIELD NO.UNKNOWN AGAIN ASKED WITH A TONE MORE MENANCING "THIS IS ON PUBLIC RECORD, ARE YOU SMOKING IN PUBLIC?".

MATTHEW WATSON clearly ENTRENCHED in PRIVATE PROPERTY walked closer to the officers trying to display his innocence and capacity respectfully replied "SIR I DON'T UNDERSTAND WHATS GOING ON! IM NOT SMOKING RIGHT NOW, IM JUST HERE IN MY GATE"

at that point all three of the officers aggressively scurried out of the Jeep and assembled on the sidewalk in front of property 244 EAST 89<sup>th</sup> STEET BROOKLYN NEW YORK .

OFFICER JOHN GUERRA SHIELD NO.1562 ,POLICE OFFICER BESNIK BOJKOVIC SHIELD NO.UNKNOWN, and SERGEANT SEAN CLAXTON SHIELD NO.UNKNOWN at that point had not entered the PRIVATE property nor had the rights, as a result they stood by the driveway gate entrance on the PUBLIC sidewalk as the innocent party respectfully answered all questions and sought legal understanding and clarity.

After again being asked "ARE YOU SMOKING IN PUBLIC ?" by SERGEANT SEAN CLAXTON SHIELD NO.UNKNOWN

MATTHEW WATSON replied "SIR I DON'T UNDERSTAND,I WAS SMOKING EARLIER BUT IM NOT SMOKING RIGHT NOW AND IM STANDING (CLEARLY) RIGHT HERE IN MY GATE ON PRIVATE PROPERTY I JUST DON'T UNDERSTAND"

SERGEANT SEAN CLAXTON SHIELD NO.UNKNOWN replied saying "SO SINCE YOU KNOW SO MUCH, IF YOU WERE WAVING A GUN IN THE AIR AND YOUR IN YOUR GATE IS THAT LEGAL?"

MATTHEW WATSON said "SIR I DON'T KNOW ,IM NOT DOING ANYTHING WRONG ,IM JUST HERE IN MY GATE IM NOT SMOKING IN PUBLIC OR DOING ANYTHING WRONG SIR. "

Each respectful answer and response seemed to be agitating the officers and doing the opposite of what MATTHEW WATSON had hoped. Furthermore by moving even closer to the agents at the gate entrance and further away from the door of his home to respectfully face and speak to them less than 4 feet away,MATTHEW WATSON legitimately thought he was showcasing honesty, innocence, respect ,legality and the fact that he was not smoking at the moment, nor in a PUBLIC capacity being on the PRIVATE PROPERTY that he was standing on the whole time.

SERGEANT SEAN CLAXTON SHIELD NO.UNKNOWN said "SIR CAN YOU STEP OUT THE GATE"

MATTHEW WATSON not understanding what procedure or measures were being taken asked "HOW COME? WHAT HAPPENED? WHAT DID I DO WRONG SIR?"

The only response offered was "SIR PLEASE STEP OUT OF THE GATE" by SERGEANT SEAN CLAXTON .

MATTHEW WATSON REPLIED "AM I BEING SEARCHED OR ARRESTED? WHATS GOING ON SIR?,I DON'T UNDERSTAND WHATS HAPPENING RIGHT NOW!"

SERGEANT SEAN CLAXTON replied "I SAID GET OUT OF THE GATE" loudly

And immediately proceeded to grab MATTHEW WATSON by his hooded sweatshirt to pull him out of the gate while he was standing up straight, respectfully and innocently speaking to them from his driveway. The actions that took place would feel like a movie or news headline to most as it was a foreign sight to see officers of the LAW operating so egotistically, unjust, and thuggish.

MATTHEW WATSON knowingly had a unlit marijuana cigarette in his jacket pocket as he maintained his legal and straightforward stance in the PRIVATE property of 244 East 89<sup>th</sup> street. Why would a man knowingly incriminate himself by stepping off his property into the PUBLIC realm when he could avoid all wrongdoing and contest by simply being honest with authority and on the PRIVATE property where he would be technically staying within the confines of the law .At NO point was MATTHEW WATSON read his rights ,told he was being taken in to

custody or even asked to be searched . Hence no form of constitutionality or Due process, the police tried to use their authority and stature to coerce MATTHEW WATSON into incriminating himself or waiving his rights protected by his PRIVATE capacity. In failing to get MATTHEW WATSON to waive his rights and PRIVATE CAPACITY the police violently and maliciously grabbed MATTHEW WATSON by his clothes and dragged the victim out of his gate and PRIVATE property. Once SERGEANT SEAN CLAXTON began his application of unjustified force the other two police officers without warrant stepped on to the PRIVATE PROPERTY and with the use of impenetrable immunity, excessive force and malice intent, collectively pushed MATTHEW WATSON's body through the gate and over the Property line that separates all home driveways from the PUBLIC sidewalk. MATTHEW WATSON's put up no form of fight, resistance or defense but standing up straight with his hands folded in front of him as if already placed in handcuffs so they would be visible to the officers and maybe they would see that there was no threat or dispute. RESISTING ARREST and being seen as a threat to police is a potential death sentence in today's social climate and MATTHEW WATSON sure wasn't trying to get shot or beaten to death for no reason. The quickest way for a person to stop a bully of such stature from beating on them is to let them keep doing so until they realize how volatile and unjust they are for doing so. MATTHEW WATSON was abruptly slammed into the gate behind him and fell to the ground. Once his body was dragged over the property line bringing him into some PUBLIC capacity on the sidewalk in front of his PRIVATE property, the officers saw it as an invitation to take away all of MATTHEW WATSON rights be it HUMAN, PUBLIC, PRIVATE, or CIVIL.

MATTHEW WATSON said while getting dragged on the ground and cuffs being violently placed on him like an animal "WHAT'S GOING ON?" "WHY ARE YALL DOING THIS?" "PLEASE?" "MY MOTHER IS PROBABLY LOOKING OUT THE WINDOW RIGHT NOW AND WONDERING WHAT IS GOING ON"

That prompted all the officers to look up at the windows of MATTHEW WATSON'S HOME and when they did ,so did MATTHEW WATSON as he turned his neck to look up OFFICER JOHN GUERRA SHIELD NO.1562 threw a punch so hard MATTHEW WATSON could reply in no way but "REALLY? OH MY GOD! REALLY ? WOW!" Even SERGEANT SEAN CLAXTON looked at OFFICER JOHN GUERRA SHIELD NO.1562 with surprise and a sly smirk.

At that very moment MATTHEW WATSON realized how much of a reality this nightmare was becoming and how this just wouldn't make sense to him until someone else made sense of it and believed that his rights and sense of mental stability were stripped from him and altered that night. The actions taken by the Police that night were unlike any ever seen by MATTHEW WATSON. Until that point he was a humble black man just trying to be different from the normal feared perception of a 6'1 dark skin black man in his City and even Country, he himself has a bachelor's degree in criminal justice with a minor in Sociology, family members in law enforcement, and has his sights set on joining the Corrections, Court, Social services fields, if he can't succeed in his pursuits of being a professional drummer/musician. After the events of the night in review MATTHEW WATSON suffers from anger, resentment, flashbacks, severe depression, insomnia, PTSD, hopelessness, fatigue, headaches, severe anxiety, paranoia, vision loss in his right eye from being defenselessly punched while being dragged on the ground, and

severe pain/tension with sustained use of the left hand as it was twisted like a pretzel in every manner during the unconstitutional arrest, assault and detainment that was more like a kidnapping from hell. MATTHEW WATSON did not deserve to be improperly detained, defenselessly beaten, punched in his eye and dragged like a ragdoll two days before his birthday on PRIVATE PROPERTY he has resided in for decades now ,just for respecting and trying to follow the law. **“Submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.”** *Martin Luther King*

The police officers went to such lengths to transact the arrest that they lost sight of the laws they needed to uphold themselves on the behalf of their servitude. The police, after beating MATTHEW WATSON on his PRIVATE property, falsely reported facts on the police report about the victim being on the sidewalk in front of 244 east 89<sup>th</sup> street in PUBLIC instead of in the PRIVATE property they used misconduct to displace him from. The false statements, reports, concealment of facts, intimidation and threats that were to come were instituted for false legal legitimacy in the arrest, use of force and in this case potentially deadly force . Many slimy and illegal tactics were used to transact the arrest of an innocent man and such tactics are not uncommon in one of the busiest localities in the country. The NYPD and officers named are liable for numerous abuses of authority, excessive and potentially deadly force by beating a man with a preexisting skull defect and history of seizures, who in fact was guilty of no crime and on his own PRIVATE property. Sadly it was all for the mere suspicion of a crime that is of a lesser degree and severity than every law the officers broke to make sure the arrest took place. The further this case goes on the more the officers, NYPD Corporation, a CITY OF NEW YORK, and NYPBA will be committing perjury and a deprivation of civil rights because of the ego of three improperly trained or capacitated officers and improper State/Municipal practices that can't address or identify remedies to deter happenings of this nature .People's lives are at stake with every honor killing, false statement, and limited liability the government allows to take place.

To top it all off the officer with the highest rank amongst the three being

SERGEANT SEAN CLAXTON threatened Victim MATTHEW WATSON and told him “IM GONNA FUCK YOUR WHOLE WEEKEND UP” “IM GONNA THROW THE BOOK AT YOU” “IM GONNA MAKE SURE YOUR IN THERE UNTIL MONDAY OR TUESDAY SINCE YOU WANNA BE A SMART ASS AND THINK YOU KNOW LAW”

Is it right for a man to be punished for trying to establish and assert his rights ,in the only Country and STATE he physically knows as home ,all While on the PRIVATE property of the home he has lived in since his birth and certificate being issued?

MATTHEW WATSON pleaded for understanding and reasoning as to why this was all transpiring while in the back of the vehicle next to OFFICER JOHN GUERRA SHIELD NO.1562 who had just punched him square in the eye like Mike Tyson in a boxing match or quarrel with a lover .

SERGEANT SEAN CLAXTON continued to get more obnoxious, threatening "IM GONNA HAVE THE BOOK THROWN AT YOU WATCH". "YOU SHOULD HAVE SAID YES WHEN I ASKED YOU IF YOU WERE SMOKING IN PUBLIC AND APOLOGIZED TO ME"

MATTHEW WATSON replied "SIR I WASN'T SMOKING WHEN YALL SEEN ME AND I WASN'T IN PUBLIC I WAS IN MY PRIVATE GATE THE WHOLE TIME DOING NOTHING WRONG"

MATTHEW WATSON began to really fear for his life, safety and security when SERGEANT SEAN CLAXTON replied "SHUT UP ! WATCH WE'RE GONNA CHARGE YOU WITH RESISTING ARREST, AND ASSAULTING AN OFFICER SINCE YOU THINK YOU KNOW LAW". To be accused of such inconceivable acts after being abused and unlawfully arrested as PRIVATE persons on PRIVATE property has left the victim confused as to why it all took place and feeling like a shell of a man and human being that animals are even treated better than by man and law. MATTHEW WATSON kept quiet the whole ride after that point because he was just in utter disbelief of the events taking place. Upon arriving at the station MATTHEW WATSON was searched for the first time of the night, right outside the station in the parking lot as the officers conversed about all charges that could be pinned on him lawfully and unlawfully based on the findings in his pockets, ultimately they found a marijuana cigarette. They were trying to cover their own dirty tracks. MATTHEW WATSON was then searched again at the front desk less than a minute after they searched him in the parking lot and colluded on the charges they could file. MATTHEW WATSON is an educated man who tried defending his stance as a PRIVATE CITIZEN in his PRIVATE PROPERTY .The officers knew they had to do everything possible to piece together enough against him, hence the "resisting arrest" charge and false statement on the Police report about the where bouts of the events and it being in the PUBLIC realm. Threats of even harsher charges, false information and reporting were used to deter the victim from being forthcoming. He was made a statistic and victim without a voice; in a disproportionate ratio of minorities, and the male gender in the impractical policing of target communities.

To make matters worse he had to watch these officers try to pass off the title of arresting officer from one to the next as if they knew the actions they had just committed weren't something to be claimed or owned. Ultimately SERGEANT SEAN CLAXTON got the clearly less experienced OFFICER JOHN GUERRA SHIELD NO.1562 to take the normally desired and self-motivating title of "arresting officer" in which he remarked "I DON'T KNOW ! I DON'T FEEL RIGHT ABOUT THIS ONE"

The officer who operated with the most class and conduct sadly was the one who didn't say a word and that was POLICE OFFICER BESNIK BOJKOVIC SHIELD NO.UNKNOWN but he too literally had a hand in dragging the victim off his property. In the holding cell at the precinct he made sure to belittle MATTHEW WATSON when ASKING "SO YOU WANNA PLAY TOUGH NOW FOR YOUR FRIENDS HERE" because the dehumanized victim sighed out loud in displeasure upon POLICE OFFICER BESNIK BOJKOVIC SHIELD NO.UNKNOWN telling him he had to cut a string off his boxer shorts that posed no threat to even the boxer shorts themselves.

How could so much injustice take place in a 3 on one roughhousing, in one night, one transaction, one arrest, one punch, many threats, lies and misinformation as well the dehumanization of man? And more importantly how can it be accepted and excused? The CITY OF NEW YORK, NYPD Corporation and NYPBA should not be routinely protecting the breaking of law just because public indemnity exists to empower those who risk their lives every day to JUSTIFIABLY enforce the law in righteousness and the honor of Rule of Law. That is counterproductive and erases any sense of internal auditing, check and balance. MATTHEW WATSON was taught to try to be like these officers and get in the position of similar stature at John Jay College of Criminal Justice but these officers are setting the example that the power to get away with crime is purely dependent on the stature of your alliance and the color of the collar you wear.

MATTHEW WATSON saw paramedics about his pain and injuries in the central bookings but because he was told going to the hospital would push back his release, he chose to deal with the severe pain, burning, and swelling in both his hand and eye. MATTHEW WATSON even shed tears in the Central bookings that made his swollen, vision impaired eye, burn in ways it had never ever before. MATTHEW WATSON shouldn't have endured unbearable pain that has made him stronger by default; discrimination and disrespect that have made him the most fluent of communicators and emotional anguish that has rendered him as cold as ice. MATTHEW WATSON had so much to worry about like why was this all happening, how he would explain what happened in the driveway of their home to his very conservative family, why his eye was so black, a legal aide who seemed to have no other idea in her besides that an acceptance of charges was the best idea despite the facts, how he would get home from jail and most of all what did he do to deserve it all. MATTHEW WATSON being the man that he is accepted the charges, because he thought it would conclude the case quicker, his release as it was a holiday weekend and two days before his birthday, he also knew he would seek remedies because of the level of indecency and abuse he endured and did not want to have multiple pending cases regarding one incident. MATTHEW WATSON was literally afraid he might stay in jail until "Monday or Tuesday" like SERGEANT SEAN CLAXTON threatened. The legal aide who works for Brooklyn defenders named AVA PAGE suggested going to the CCRB and filing a complaint. MATTHEW WATSON now had to walk around with a bummed hand, severely black eye and red eye, the stigma and offensive status in law attached to him for six months before charges could be dismissed because of institutionalized police corruption. Matthew suffers from severe headaches and impaired vision, suffered a black swollen eye and swollen hand for weeks as he went to see about his injuries and options in law. MATTHEW WATSON also had to go back and forth to funeral proceedings and gatherings with these very embarrassing and attention grabbing injuries, broken spirit and mental state for one of his best friends who passed on June, 7, 2016 in his sleep. So much for having a good summer, birthday, or week after the unconstitutional misconduct of the police on MATTHEW WATSON'S PRIVATE PROPERTY and the happenings of Life, death and God that can't be controlled by any man or institution. Throughout all of those happenings MATTHEW WATSON suffered and still does to varying degrees from severe depression, insomnia, PTSD, hopelessness, fatigue, headaches, anxiety, paranoid episodes, Black swollen eye, vision loss from being punched in the eye while being dragged on the ground, severe pain and cramping in the left wrist, hand and thumb, complete loss of appetite, extreme weight loss, uncontrollable crying and emotional distress. The police did all of this to an innocent man with a preexisting skull defect missing almost 3 inches of skull

and a history of seizures on his own PRIVATE PROPERTY. No Man in one week of life should be domestically terrorized by police for a misdemeanor pot arrest, celebrate his birthday crying alone unable to share what he just experienced, complain to the CCRB, who probably won't even substantiate his real pains and sufferings about police who are supposed to serve and protect, meet with doctors who balk at the how the injuries were obtained the same week one of his liveliest assumingly healthiest friends inexplicably dies in his sleep. Try Processing so much pain and events happening to one man in a week before and after his birthday and see where your emotional and physical state would stand or if it would stand at all. Don't lose sight of how much incidents of these natures truly deprive sometimes innocent human beings of any sense of normalcy, justice, humanity, protection, faith and refuge. The reality is the misconduct, excessive force, terroristic threats and false reporting of these officers made sure an innocent, law abiding, soft spoken, respectful man was arrested that night. MATTHEW WATSON never spoke to these officers in a disrespectful tone, or manner. MATTHEW WATSON never was told he was being detained, read his rights or searched on his premises and PRIVATE property. There was no such thing as police procedure that night. MATTHEW WATSON cannot resist an arrest that was not merited, constitutional, or followed through the process of DUE PROCESS. MATTHEW WATSON let these three officers drag him like a ragdoll while he kept his hands politely folded in front of him so they could see that he was no threat or liability to them. The only thing MATTHEW WATSON was guilty of was trying not to break the law and tapping in to its allowance within the restrictions. MATTHEW WATSON would be a fool to physically put up a fight against three armed officers while on his PRIVATE property, given some of the things that have been taking place in the Country lately. Police get away with murder and MATTHEW WATSON sure as hell didn't want to die. MATTHEW WATSON even saw POLICE OFFICER JOHN GUERRA SHIELD NO.1562 seemingly stalking his home after the events and the filing of a complaint with the CCRB board and felt legitimate fear for his security because of the savage events that took place on May 29<sup>th</sup> 2016 and the threats made during the arrest. Someone has to be guilty of something and if not, why has such conduct been undertaken to CONCEAL the truth?

#### IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

MATTHEW WATSON saw paramedics about his pain and injuries in the central bookings because he was told going to the hospital would make him have to be reprocessed at the bookings and push back his release, he chose to deal with the severe pain, and swelling in both his hand and eye. Due to the soul crushing victimization of MATTHEW WATSON by the PUBLIC servants just two days before he celebrated his birthday ,MATTHEW WATSON suffers through severe depression, insomnia, PTSD , hopelessness, fatigue, headaches, anxiety, paranoid episodes, Black swollen eye ,vision loss from being punched in the eye while being dragged out of his gate, severe pain and cramping in the left hand and thumb area from when it was twisted like a pretzel while lying on the ground in his gate, complete loss of appetite, extreme weight loss, uncontrollable crying ,emotional distress, fear of law enforcement , and lack of faith in a law system, that he had hoped to join after he got out of school and settled on his pursuits.

## V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Based on precedence, the unique nature of this occurrence, the fact it took place on PRIVATE PROPERTY before the plaintiff was dragged out of it with no inclination of search, arrest or due process, the steps the officers took to justify a completely false arrest riddled with misconduct and excessive, potentially deadly force, the damage caused to a Natural Persons' body, psyche, life, opportunity, Status in law, the coercion and false threats, and having to witness three officers play rock paper scissors for the title of arresting officer (that none of them seemingly wanted): The relief sought is the initial claim (city claim number 2016PI)24267) amount of \$2,000,000, Lawyer fees, and DOCUMENTED discipline for the officers guilty of ganging up on an innocent man in his Private property two days before his birthday for a "decriminalized" misdemeanor pot arrest. The Plaintiff never so much as raised his voice at the Defendants although that might of got his point across and maybe even illicit neighbors and family to inspect and witness the crime of the jurisdictionally immune officers. Police had no right to invade the Plaintiffs property because of right protected by the CONSTITUTION, FEDERAL, STATE, and even a local law clearly outlining police power and protection

**Article 10. Police Protection** New York General Municipal Law § 209-q. General duties and powers – Notwithstanding any local or special law or charter provision, a city, town or village shall, irrespective of the boundaries of a privately owned housing development, provide for any streets and pathways open to the public within such development, police protection services of the same character and to the same extent as those provided generally in the community.

Often records of discipline for police officers are not available to the public under New York Civil Rights Law § 50-a. Personnel records of police officers, firefighters and correction officers, which makes it hard to determine who is doing a good or bad job of PUBLIC SERVITUDE.

Laws like New York General Municipal Law § 50-k. Civil actions against employees of the city of New York, and New York General Municipal Law § 50-j. Liability of police officers for negligence in the performance of duty give police officers a STATE and FEDERALLY preempted LICENSE TO KILL.

How can federally protected police officers who work in the States for the local governments not be subject to any of the provisions of law and conduct that govern their activities?

New York General Municipal Law § 50-j. Liability of police officers for negligence in



the performance of duty clearly states 4. The provisions of this section shall not apply to the city of New York. Well what and who the hell does it apply to if the officers work for the CITY and the CITY assumes liability in the serving of process.

Does the NYPBA accept any liability due to the fact their fraternal corporation houses the interest ,protection and general counsel of city police? But then again even the Federal commission of civil rights can't answer that because of the lack of capacity to investigate see 42 U.S. Code § 1975 - Duties of Commission (b) Limitations on investigatory duties Nothing in this chapter or any other Act shall be construed as authorizing the Commission, its advisory committees, or any person under its supervision or control, to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club, or any religious organization.

Who is running the country is it the Government, the Corporations, fraternities or the People?

If a settlement on this issue can't be reached in Terms of MATTHEW WATSON'S CLAIM and legal fees. Please terminate any record of certificates, contractual obligations both state and Federal that were contracted upon his being born alive in the STATE OF NEW YORK and the UNITED STATES under the Codes

1 U.S. Code § 8 - "Person", "human being", "child", and "individual" as including born-alive infant

**§ 8. "Person", "human being", "child", and "individual" as including born-alive infant**

**(a)**In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administrative bureaus and agencies of the United States, the words "person", "human being", "child", and "individual", shall include every infant member of the species homo sapiens who is born alive at any stage of development.

**(b)**As used in this section, the term "born alive", with respect to a member of the species homo sapiens, means the complete expulsion or extraction from his or her mother of that member, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion.

**(c)**Nothing in this section shall be construed to affirm, deny, expand, or contract any legal status or legal right applicable to any member of the species homo sapiens at any point prior to being "born alive" as defined in this section.

MATTHEW WATSON cannot live in a country that values animals and corporations more than its citizens , apparently they are of the same capacity and value

1 U.S. Code § 1 - Words denoting number, gender, and so forth

the words “person” and “whoever” include corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individuals

MATTHEW IS A DUAL CITIZEN that has naturalization and certification in BARBADOS by birth. If the remedies being asked are too much to ask as a CITIZEN in the LAND OF THE FREE , please terminate certificates and status and allow him to a life as a Human being in a country that might actually treat him like one and not assault him on his PRIVATE PROPERTY under laws that don't require even the slightest bit of force for such a low level decriminalized arrest based on mere suspicion as noted in **New York Penal Law 35.30 , Justification; use of physical force in making an arrest or in preventing an escape.**

This type of conduct is covered up every day in this Country only to resurface a day later. Any individual who can research and read will find the laws that “WE THE PEOPLE” allow to be passed right before our eyes that take away rights from people and give them to entities without a pulse or jurisdiction

Please make a statement this behavior is not okay and grant the claim.

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Matthew 12

**25** And Jesus knew their thoughts, and said unto them, Every kingdom divided against itself is brought to desolation; and every city or house divided against itself shall not stand: **26** And if Satan cast out Satan, he is divided against himself; how shall then his kingdom stand? **27** And if I by Beelzebub cast out devils, by whom do your children cast *them* out? therefore they shall be your judges. **28** But if I cast out devils by the Spirit of God, then the kingdom of God is come unto you. **29 Or else how can one enter into a strong man's house, and spoil his goods, except he first bind the strong man? and then he will spoil his house**

Matthew 5

**17 Think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfill.**<sup>18</sup> For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled.<sup>19</sup> Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven: but whosoever shall do and teach them, the same shall be called great in the kingdom of heaven.<sup>20</sup> For I say unto you, That except your

righteousness shall exceed the righteousness of the scribes and Pharisees, ye shall in no case enter into the kingdom of heaven.<sup>21</sup> Ye have heard that it was said of them of old time, Thou shalt not kill; and whosoever shall kill shall be in danger of the judgment:<sup>22</sup> **But I say unto you, That whosoever is angry with his brother without a cause shall be in danger of the judgment: and whosoever shall say to his brother, Raca, shall be in danger of the council: but whosoever shall say, Thou fool, shall be in danger of hell fire.**<sup>23</sup> **Therefore if thou bring thy gift to the altar, and there rememberest that thy brother hath ought against thee;**<sup>24</sup> **Leave there thy gift before the altar, and go thy way; first be reconciled to thy brother, and then come and offer thy gift.**<sup>25</sup> **Agree with thine adversary quickly, whiles thou art in the way with him; lest at any time the adversary deliver thee to the judge, and the judge deliver thee to the officer, and thou be cast into prison.**<sup>26</sup> **Verily I say unto thee, Thou shalt by no means come out thence, till thou hast paid the uttermost farthing.**

Under Federal Rule of Civil Procedure 11, I MATTHEW WATSON certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law that is a threat to the common man, and natural persons of this nation. (3) the factual contentions have evidentiary support and such support is clear cut and visible despite being counteracted by other colors and codes of law.

**I Pledge Allegiance to the flag  
of the United States of America  
and to the Republic  
for which it stands,  
one Nation under God,  
indivisible,  
with liberty and justice for all.**

## **VI. Certification and Closing**

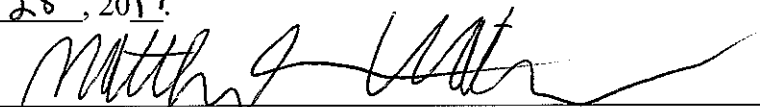
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the

cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8-28, 2017.

Signature of Plaintiff 

Printed Name of Plaintiff MATTHEW WATSON