

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Robert Moco

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Write the full name of each plaintiff.

No.

To be filed out by Clerk's Office
17CV6106

-against-

New York City Police Department

COMPLAINT

(Prisoner)

Do you want a jury trial?

Yes No

Write the full name of each defendant. 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 above must be identical to those contained in Section IV.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *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. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

Violation of my federal constitutional rights

Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Robert Moco
First Name Middle Initial Last Name

NYSID # 15R2643
State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

N N/A
Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Rikers Island Correctional Facility
Current Place of Detention

A.M.K.C 18-18 HAZEN ST.
Institutional Address

EAST ELMHORST New York 11370
County, City State Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

- Pretrial detainee
- ~~Civilly committed detainee~~
- Immigration detainee
- Convicted and sentenced prisoner
- Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

First Name	Last Name	Shield #
		949171
Police officer 115-PRICENT.		
Current Job Title (or other identifying information)		
Police Station.		
Current Work Address		
Queens	Ny	
County, City	State	Zip Code

Defendant 2:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 3:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 4:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: 2528 78 STREET

Date(s) of occurrence: November 27, 2012

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

Someone who in the past I had problems with placed a gun and drugs in my vehicle. This happened where I work at 41st Astoria Br. North. At 10:30 on my way home I never noticed that the gun and drugs were in the back seat of my car. I got home at 10:35 because I live close to my job. I went to pick up my girlfriend and parked the car in front of her house at 2528 78th Queens N.Y. 11370. I parked in front of the house and ran inside to use the rest room. Minutes later the door bell started ringing a lot, my girlfriend went to see who was it. She told me that there were cops a lot of cops outside. I went to see what the problem was and why the police were at the house. As soon as I opened the door they grabbed me, pulled me out of the house and threw me on the ground with their guns pointed at me, they hand cuffed me and when they stood me up I noticed that the back doors to my car were wide open. The police stated

CONT. BACK PAGE →

police force. I also found out that my
Landlords also work there too at
the 19, percent. This civilian also works
the X-police Commissioner. All this
was done in order to take possession
of my property. Also the police impounded
my car and held my car (Honda Accord) for
(1) one year.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

I humbly ASK the court to consider
granting me relief for pain and suffering
lost wages, emotional stress and
defamation.

\$ 3,500,000

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change 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 Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. 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.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

06/18/17 _____
Dated Plaintiff's Signature

Robert Moco _____
First Name Middle Initial Last Name

18-18- HAZEN Street _____
Prison Address

EAST ERMHURST New York 11370 _____
County, City State Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: 7/12/17

Arrest/Charge Information

Arrest Date: November 27, 2012 10:56 am (10:56:00)

Name: ROBERT MOCO
Date of Birth: February 29, 1976
Sex: Male
Race: Asian
Ethnicity: Not Hispanic
Height: 5' 07"
Weight: 170
SSN: 347-92-9912
Age at time of crime/arrest: 36
Address: 34-26 STEINWAY STR, QUEENS, NY
Fax Number: Q54598
Place of Arrest: NYCPD 115
Arrest Type: Unknown
Date of Crime: November 27, 2012
Place of Crime: NYCPD 115
Criminal Justice Tracking No.: 65783779N
Arresting Agency: NYCPD PCT 115
Arresting Officer ID: 949171
Arrest Number: Q12665570
Arraignment: Queens County Criminal Court

Arrest Charges:

- Criminal Possession Of A Weapon-2nd Degree: Loaded Firearm
PL 265.03 Sub 01B Class C Felony Degree 2 NCIC 5299
- Criminal Possession Weapon-4th:Firearm/Weapon
PL 265.01 Sub 01 Class A Misdemeanor Degree 4 NCIC 5212
- Criminal Possession Weapon-4th:Armor Piercing Ammunition
PL 265.01 Sub 08 Class A Misdemeanor Degree 4 NCIC 5299

Criminal Repository for NYSID Number: 10285381K on 10\31\2016 09:31 am

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-- Criminal Possession Controlled Substance- 7th Degree
PL 220.03 Class A Misdemeanor Degree 7 NCIC 3599

Court Case Information

--Court: Queens County Criminal Court Case Number: 2012QN061687

November 28, 2012
Initial Report Of Docket Number

November 28, 2012
Arraigned

-- Criminal Possession Of A Weapon-2nd Degree: Loaded Firearm
PL 265.03 Sub 01B Class C Felony NCIC 5299

-- Crim Possess Weapon-2:Loaded Firearm-Other Than Person's Home/business
PL 265.03 Sub 03 Class C Felony NCIC 5299

-- Criminal Possession Controlled Substance- 7th Degree
PL 220.03 Class A Misdemeanor NCIC 3599

-- General Violation Of Local Law
LOC Class U Misdemeanor NCIC 7399

August 06, 2013
Dismissed CPL160.50

-- Criminal Possession Of A Weapon-2nd Degree: Loaded Firearm
PL 265.03 Sub 01B Class C Felony NCIC 5299

-- Crim Possess Weapon-2:Loaded Firearm-Other Than Person's Home/business
PL 265.03 Sub 03 Class C Felony NCIC 5299

-- Criminal Possession Controlled Substance- 7th Degree
PL 220.03 Class A Misdemeanor NCIC 3599

-- General Violation Of Local Law
LOC Class U Misdemeanor NCIC 7399

August 06, 2013
Not Arraigned

-- Criminal Possession Weapon-4th:Firearm/Weapon
PL 265.01 Sub 01 Class A Misdemeanor NCIC 5212

-- Criminal Possession Weapon-4th:Armor Piercing Ammunition
PL 265.01 Sub 08 Class A Misdemeanor NCIC 5299

August 14, 2014
Sealed Upon Termination Of Criminal Action In Favor Of The Accused CPL160.50

Criminal Repository for NYSID Number: 10285381K on 10/31/2016 09:31 am

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--Court: Queens County Grand Jury Case Number: 01731-2013

August 02, 2013

Initial Report Of Docket Number

-- Criminal Possession Of A Weapon-2nd Degree: Loaded Firearm

PL 265.03 Sub 01B Class C Felony NCIC 5299

-- Crim Possess Weapon-2:Loaded Firearm-Other Than Person's Home/business

PL 265.03 Sub 03 Class C Felony NCIC 5299

-- Criminal Possession Controlled Substance- 7th Degree

PL 220.03 Class A Misdemeanor NCIC 3599

August 02, 2013

Dismissed, No True Bill

-- Criminal Possession Of A Weapon-2nd Degree: Loaded Firearm

PL 265.03 Sub 01B Class C Felony NCIC 5299

-- Crim Possess Weapon-2:Loaded Firearm-Other Than Person's Home/business

PL 265.03 Sub 03 Class C Felony NCIC 5299

-- Criminal Possession Controlled Substance- 7th Degree

PL 220.03 Class A Misdemeanor NCIC 3599

August 14, 2014

Sealed Upon Termination Of Criminal Action In Favor Of The Accused CPL160.50

ROBERT MOCO # 8951700593

18.18 HAZEN ST / A.M.E. A

E. ELMHURST, N.Y. 11370

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL



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