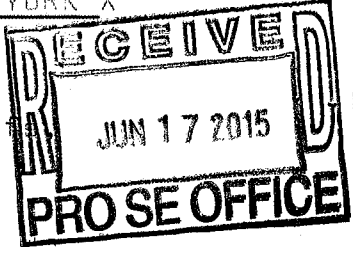


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DATE FILED: 6/16/2015



Andre Youngblood

Plaintiff

-against-

COMPLAINT

15-CV-3541

JURY TRIAL
DEMANDED

THE CITY OF NEW YORK,
Detective Louis Pena# 6992,
Officer Jesus Sanchez# 5644,
C.O. T.J.#19297, all being sued
in their official and personal
capacity. Defendants. X

PI
Plaintiff Andre Youngblood, by his attorneys, and
, complaining of the defendants, respectfully alleges
as follow:

PRELIMINARY STATEMENT

1. Plaintiff brings this action for compensatory damages, pu
punitive damages and attorney's fees pursuant to 42 U.S.C. §§
19 83 and 42 U.S.C. 1988 for violations of his civil rights,
as said rights are secured by said statutes and the constitutions
of the state of New York and the United States.

JURISDICTION

- 2. This action is brought pursuant to 42 U.S.C. 1983 and 42 U.S.C.
1988, and the First, Fourth, Fifth, Eighth and Fourteenth Amendments
to the United States Constitution.
- 3. Jurisdiction is founded upon 28 U.S.C. 1331, 1343 and 1367.

VENUE

4. Venue is properly laid in the Southern District of New York
under U.S.C. 1391(b), in that this is the District in which
the claim arose.

JURY DEMAND

5. Plaintiff respectfully demands a trial by jury of all issues
in this matter pursuant to Fed.R.Civ. P.38(b).

PARTIES

6. Plaintiff Andre Youngblood is an African-American male, citize
of the United States and at all relevant times a resident of
Bronx County, State of New York.

7. Defendant THE CITY OF NEW YORK, was and is a municipal corpora
tion duly organized and existing under and by virtue of the
laws of the state of New York.

8. Defendant, THE CITY OF NEW YORK, maintains the New York City
Police Department, a duly authorized public authority and/or
police department, authorized to perform all functions of a police
department as person t the applicable seations of the New York
State Criminal Procedure Law, acting under the direction and
Supervision of the eforementioned municipal corporation, The City
of New York.

11. Each and all of the acts of defendants alleged herein were done by said defendants while acting within the scope of their employment by defendant THE CITY OF NEW YORK.

12. Each and all of the acts of the defendants alleged herein were done by said defendants while acting in furtherance of their employment by defendant THE CITY OF NEW YORK.

FACTS

13. On or about March 10, 2015, at approximately 2:30p.m. plaintiff Andre Youngblood was lawfully present at St. Barnabas Hospital I was admitted to St. Barnabas Hospital on date: 3-5-15 with walking pneumonia and flexor tendon rupture of my right hand while a waiting a scheduled for surgery on my right hand. (Flexor tendon rupture of my hand) On 3-10-15 Det. Pena conspired with Dr. Raja and forged medical release documents. I was denied medical attention and caused me extreme pain and suffering. Det. Pena and his fellow officers confiscated my pain and seizure medication along with the antibiotics for the walking pneumonia. Dr. Raja and the officers ~~expressions~~-actions were malice and caprecious.

14. At the afore said time and place, Denied medical treatment which has caused further pain suffering from injured hand.

15. forcibly discharged from medical care while recovering from walking pneumonia.

16. Denied medication prescribed during treatment. Dr. Raja and officer Pena Shield No. #6992, officer Sanchez Shield No. #5644, C.O.T.J. Shield No. #19297, were negligent.

17. As a result of the foregoing, plaintiff Andre Youngblood sustained, inter alia, bodily injuries, mental anguish, shock, fright, apprehension, embarrassment, and humiliation, and deprivation of his constitutional rights.

FIRST CLAIM FOR RELIEF DEPRIVATION OF FEDERAL RIGHTS UNDER 42U.S.C.1983

18. Plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs numbered "1" through "17" with the same force and effect as if fully set forth herein.

19. All of the aforementioned acts of defendants, their agents, servants and employees, were carried out under the color of state law.

19. All of the aforementioned acts deprived plaintiff Andre Youngblood of the rights, privileges and immunities guaranteed to citizens of the United States by the First, Fourth, Fifth, Eighth and Fourteenth Amendments to the Constitution of the United States of America, and in violation of 42U.S.C.1983.

20. The acts complained of were carried out by the aforementioned individual defendants in their capacities as police officers, with all the actual and/or apparent authority attendant thereto.

21. The acts complained of were carried out by the aforementioned individual defendants in their capacities as police officers, pursuant to the customs, usages, practices, procedures and their

SECOND CLAIM FOR RELIEF
MALICIOUS ABUSE OF PROCESS UNDER 42 U.S.C.1983

23. Plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs "1" through "54" WITH THE same force and effect as if fully set forth herein.
24. Defendants issued legal process to place plaintiff Andre Youngblood under arrest.
25. Defendants arrested plaintiff in order to a collateral objective outside the legitimate ends of the legal process.
26. Defendants acted with intent to do harm to plaintiff Andre Youngblood, without excuse or justification.
27. As a result of the foregoing, plaintiff's liberty was restricted for an extended period of time, he was put in fear for his safety and humiliated and subjected to handcuffing and other physical restraints, without-----

FIFTH CLAIM FOR RELIEF
EXCESSIVE FORCE UNDER 42 U.S.C.1983

28. Plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs numbered "1" through "65" with the same force and effect as if fully set forth herein.
29. The level of force employed by defendants was objectively unreasonable and in violation of the constitutional rights of the plaintiff.
30. As a result of the aforementioned conduct of defendants, plaintiff Andre Youngblood, was subjected to excessive force and sustained, inter alia, physical and emotional injuries.

SIXTH CLAIM FOR RELIEF
MUNICIPAL LIABILITY UNDER 42 U.S.C.1983

31. Plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs numbered "1" through "30" with the same force and effect as if fully set forth herein.
32. Defendants, collectively and individually, while acting under color of state law, engaged in conduct that constituted a custom, usage, practice, procedure or rule of the respective municipality/ authority, which is forbidden by the constitution of the United States, .
33. The aforementioned customs, policies, usages, practices, procedures and rules of the City of New York and the New York City Police Department included, but were not limited to,
a) arresting individuals regardless of probable cause, and
b) Utilizing excessive force in executing said arrests, and
c) Falsifying evidence to cover up police misconduct.
34. The foregoing customs, policies, usages, practices, procedures and rules of the City of New York City Police Department constituted deliberate indifference to the safety, well-being and constitutional rights of plaintiff.
35. The foregoing customs, policies, usages, practices, procedures and rules of the City of New York and the New York City Police Department were the direct and proximate cause of the constitutional

38. Defendants, collectively and individually, while acting under color of state law, were directly and actively involved in violating plaintiff constitutional rights.

39. Defendants, collectively and individually, while acting under color of state law, acquiesced in a pattern of unconstitutional conduct by subordinate police officers, and were directly responsible for the violation of plaintiff Andre Youngblood constitutional rights.

40. The acts complained of deprived plaintiff of their rights:

- A) Not to be deprived of liberty without due process of law;
- B) To be free from malicious abuse of process;
- C) Not to have excessive force imposed upon them;
- D) To be free unlawful search;
- E) Not to have summary punishment imposed upon them; and
- F) To receive equal protection under the law.

41. As a result of the foregoing, plaintiff are entitled to compensatory damages in the sum of 5 million dollars (\$5,000,000.00) and are further entitled to punitive damages against the individual defendants in the sum of fifty thousand dollars (\$50,000).

WHEREFORE, plaintiff Andre Youngblood demands judgment in the sum of five million dollars (\$5,000,000.00) in compensatory damages fifty thousand dollars (\$50,000) in punitive damages, plus attorney's fees, costs, and disbursements of this action.

Dated:

New York, New York

By: Andre Youngblood 2015

In the United States District Court
For the Southern District of New York

-----x
Andre Youngblood,

Plaintiffs,

-against-

Officer Jesús Sanchez,

Defendants,
-----x

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: Summons
:
: Civil Action No.
:
: 15-CV-3541
:
:-----x

To the Above-Mentioned Defendants:

You are hereby summoned and required to serve upon plaintiffs,
whose address is 42P. CT, 830 Washington, an answer to the
complaint which is herewith served upon you, within 15, days
after service of this summons upon you, exclusive of the day of
service. If you fail to do so, judgment by default will be taken
against you for the relief demanded in the complaint. Any answer
that you serve on the parties to this action must be filed with
the Clerk of this Court within a reasonable period of time after
service.

The Daniel Patrick Moynihan

Clerk of the Court

Date: 5-26-15

In the United States District Court
For the Southern District of New York

-----X
Andre Youngblood,

Plaintiffs,

-against-

Detective Louis Pena, et al.,

Defendants,
-----X

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: Summons
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: Civil Action No.
:
: 15-CV-3541
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To the Above-Mentioned Defendants:

You are hereby summoned and required to serve upon plaintiffs,
whose address is 42P. CT, 830 Washington, an answer to the
complaint which is herewith served upon you, within 15, days
after service of this summons upon you, exclusive of the day of
service. If you fail to do so, judgment by default will be taken
against you for the relief demanded in the complaint. Any answer
that you serve on the parties to this action must be filed with
the Clerk of this Court within a reasonable period of time after
service.

The Daniel Patrick Moynihan
Clerk of the Court

Date: 5-26-15

In the United States District Court
For the Southern District of New York

Andre Youngblood,
 Plaintiffs,

-against-

The Judge of Bronx ,et al.,
 Supreme Court

Defendants,

Summons

Civil Action No.

15-CV-3519 LAP

To the Above-Mentioned Defendants:

You are hereby summoned and required to serve upon plaintiffs,
 whose address is 265 East 161st., Bronx, N.Y. #10451 an answer to
 the complaint which is herewith served upon you, with in 15, days
 after service of this summons upon you, exclusive of the day of
 service. If you fail to do so, judgment by default will be taken
 against you for the relief demanded in the complaint. Any answer
 that you serve on the parties to this action must be filed with
 the Clerk of this Court within a reasonable period of time after
 service.

The Mr. Daniel Patrick Moynihan
 Clerk of the Court

Date: 5-²⁶~~27~~-15

In the United States District Court
For the Southern District of New York

-----X

Andre Youngblood,

Plaintiffs,

-against-

Officer Jesús Sanchez ,

Defendants,

-----X

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: Summons
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: Civil Action No.
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: 15-CV-3541
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To the Above-Mentioned Defendants:

You are hereby summoned and required to serve upon plaintiffs, whose address is 42P.CT, 830 Washington, an answer to the complaint which is herewith served upon you, within 15, days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

The Daniel Patrick Moynihan
Clerk of the Court

Date: 5-26-15

In the United States District Court
For the Southern District of New York

Andre Youngblood,
Plaintiffs,

-against-
Warden of V.C.B.C., et al.,

Defendants,

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: Summons
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: Civil Action No.
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: 15-CV-3519(LAPM)
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To the Above-Mentioned Defendants:

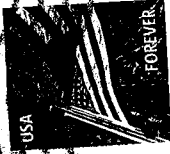
You are hereby summoned and required to serve upon plaintiffs, whose address is 1-Halleck Street, Bronx, N.Y. #10474, an answer to the complaint which is herewith served upon you, with in 15 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

The Mr. Daniel Patrick Moynihan
Clerk of the Court

Date: ²⁶ 5-~~26~~-15

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United States District Court
Southern District of New York

The Daniel Patrick Moynihan United States Courthouse
500 Pearl Street

New York, N.Y. #10007

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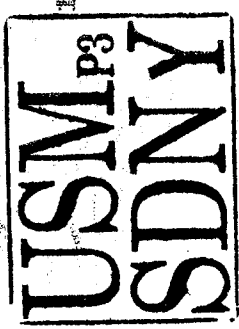


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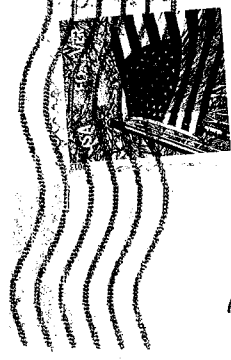
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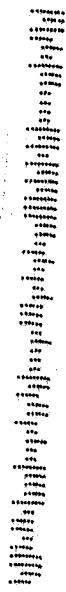
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Southern District of New York
The Daniel Patrick Moynihan United States Courthouse
500 Pearl Street

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Andre Youngblood

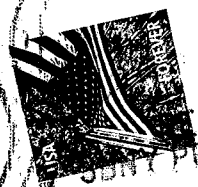
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