

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OSIRIS MOSLEY,

Plaintiff,

AMENDED COMPLAINT

-against-

Docket No. 16-CV-994(LAP)

JOHN JENNINGS, Police Officer of the New York
City Police Department, Shield No. 28198 (sued in
his individual capacity),

Jury Trial Demanded

Defendant.
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DOC #:
DATE FILED: 5/17/16

The complaint of the plaintiff Osiris Mosley respectfully shows and alleges as follows:

I. Parties:

A. Plaintiff:

Osiris Mosley
1600 Macombs Road
Bronx, New York 10452
929-281-9321

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MAY 17 2016

LORETTA A. PRESKA
CHIEF U.S. DISTRICT JUDGE
S.D.N.Y.

B. Defendant:

John Jennings
Police Officer of the New York City Police Department
451 West 151st Street
New York, New York 10031

II. Basis of Jurisdiction

The basis of jurisdiction is Federal Question for alleged violations of 42 U.S.C. § 1983 and the United States Constitution.

III. Statement of the Claim:

On October 17, 2011, at the location of Rite Aid Store on 145th Street and Broadway in New

York, New York the plaintiff legally entered the store and was shopping with a male companion. Upon approaching the front of the store a security employee stopped the plaintiff and detained him for the police. When the police arrived however the security guard told the arresting police officer John Jennings that his friend stole items from the store but evaded capture so he wants me arrested. Defendant Jennings then told the security employee we will say he was the actual thief and arrest him. Despite that the plaintiff had never taken any property defendant Jennings and the store employee made out a false complaint charging the plaintiff with Petit Larceny and Possession of Stolen Property. Despite defendant Jennings not having probable cause to arrest the plaintiff he did so anyway and caused him to be maliciously prosecuted for almost two years. Defendant Jennings never had any probable cause to arrest the plaintiff and concocted a story to pursue a baseless arrest. The charges were dismissed on August 13, 2013. The plaintiff now brings this action clearly for malicious prosecution and malicious prosecution claims under 42 U.S.C. § 1983 have a three year statute of limitations.

I initially filed this action on September 25, 2015 while incarcerated at the Anna Marie Kross Center on Rikers Island, by placing it in a prepaid first class envelope and putting it in the mail receptacle within the jail. This was never delivered because on February 1, 2016 I called the Pro Se Intake Unit and was told they were not in possession of any such complaint. I was then directed to resign the copy I had and send it to the court with a letter explaining the prior submission. I do ask that this complaint related back to September 25, 2015.

IV. INJURIES:

The plaintiff injuries include loss of reputation and credit , humiliation, mental suffering, discomfort, injury to health , loss of time, violation of constitutional rights and deprivation of society with family.

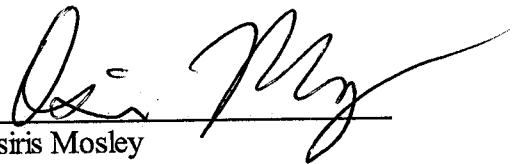
V. RELIEF:

The plaintiff Osiris Mosley request judgment against the defendant John Jennings in the amount

of \$150,000.00 one hundred and fifty thousand dollars in compensatory damages and \$75,000.00 and seventy five thousand dollars in punitive damages.

I declare under penalty of perjury that the foregoing is true and correct

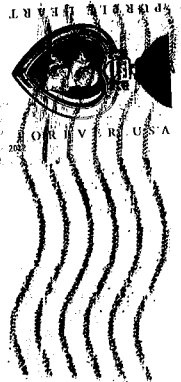
Signed this 9th day of May, 21016



Osiris Mosley
1600 Macombs Road
Bronx, New York 10452
929-281-9321

Osiris Mosley
1600 Macombs Rd.
Bronx NY 10450

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Hon. Loretta A Presta
United States District Judge (Chsret)
S.D.N.Y.
500 Pearl Street
New York, NY 10007



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