

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RECEIVED  
SDNY DOCKET UNIT

2017 MAY 17 PM 3:25

MICHAEL CONNER

No. **17CV3743**

(To be filled out by Clerk's Office)

Write the full name of each plaintiff.

-against-

**COMPLAINT**  
(Prisoner)

THE CITY OF NEW YORK, et.al

Sgt. JOSEPH CUERVO shield#27083, Sgt. Edwin SOTO

Do you want a jury trial?  
 Yes  No

Shield#5614, P.O. MICHAEL ALFANO Shield#6172,

Assistant District Attorney JENNIFER ABREU

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: FALSE ARREST, FABRICATION OF EVIDENCE, MALICIOUS PROSECUTION

II. PLAINTIFF INFORMATION

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

MICHAEL N CONNER  
First Name Middle Initial Last Name

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.

310-16-00353

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)

RNBC1C-74 RIKERS ISLAND

Current Place of Detention

11-11 HAZEN STREET

Institutional Address

EAST ELMHURST

N.Y. 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:	THE CITY OF NEW YORK / JENNIFER ABREU		
	First Name	Last Name	Shield #
	ASSISTANT DISTRICT ATTORNEY		
	Current Job Title (or other identifying information)		
	1 HOGAN PLACE		
	Current Work Address		
	NEW YORK	N.Y.	10007
	County, City	State	Zip Code
Defendant 2:	Sgt. JOSEPH CUERVO		27083
	First Name	Last Name	Shield #
	N.Y.P.D. SGT.		
	Current Job Title (or other identifying information)		
	233 WEST 10th STREET		
	Current Work Address		
	NEW YORK, N.Y.	N.Y.	
	County, City	State	Zip Code
Defendant 3:	Sgt. EDWIN SOTO		5614
	First Name	Last Name	Shield #
	233 N.Y.P.D. SGT.		
	Current Job Title (or other identifying information)		
	233 WEST 10th STREET		
	Current Work Address		
	NEW YORK	N.Y.	
	County, City	State	Zip Code
Defendant 4:	MICHAEL ALFAÑO		5172
	First Name	Last Name	Shield #
	N.Y.P.D. POLICE OFFICER		
	Current Job Title (or other identifying information)		
	233 WEST 10th STREET		
	Current Work Address		
	NEW YORK	N.Y.	
	County, City	State	Zip Code



STATEMENT OF FACTS

On August 16, 2015 I was arrested by Joseph Cuervo shield#27083 of the 6th pct. for the charge of criminal possession of a weapon in the third degree.

The initial inquiry was in regards to an alleged argument between a panhandler who thrust a cup in my face asking for money and myself.

I smacked the cup out of my face whereupon Sgt. Cuervo came over and asked what is going on he then proceeded to ask me for I.D. which I handed over to him, but he never asked the panhandler for any I.D. nor never asked his name.

he stated at trial that he arrested me before on another case.

That statement went to the profiling of myself due to a prior arrest, and he took my work I.D. and did a warrant check which alerted him that I had a public urination summons warrant that I was told was vacated when I was being released from Mid-State Correctional Facility in February 2016.

In the Pre-Trial hearing that was held Judge Ward stated that he had no probable cause for the I.D. check or any other action, but since I had the warrant she would allow the probable cause.

Sgt. Cuervo proceeded at trial to fabricate evidence and lied on the stand thereby perjuring himself while ADA Jennifer Abreu acted in concert with this malicious prosecution of myself.

I was acquitted on January 23, 2017 of all charges.

This statement of facts is in regards to the Ind# 4594-15 case that the 6th pct. arrested me for on bleecker and Thompson Streets

STATEMENT OF FACTS

On February 28, 2016 **I** was arrested for Grand Larceny in the 4th degree. The issue at hand is the Sgt. Edwin Soto alleges that he saw me take a purse off of the victims's shoulder which is what is stated in the Felony complaint, but at the Grand Jury he changed his statement to be able to cover the elements of the charged crime thereby lying and fabricating evidence.

At trial we could not use the felony complaint nor could we use the pending litigation against him for the same issues stated herein. The arrest was false as well as the evidence along with the videotape that was used to convict myself.

My appeal is pending for the improprieties perpetrated against myself.

**I** also had filed a complaint against Sgt. Soto at the onset of this matter under case# 03744-2016 which has never been addressed.

**I** filed a complaint with the CCRB who then sent it to the Office of The Chief of the Dept. under the above-mentioned case #.

**I** was targeted by the officers of the 6th pct. and had evidence and arrests against my fabricated as well as being lied upon at hearings and trial by both of these officers as well as their fellow co-workers at the 6th pct. ie. MICHAEL ALFANO

**I** even had ADA Jennifer Abreu assist and direct in this miscarriage of justice and malicious prosecution.

All of the paperwork generated by the officers and the D.A's office will prove the above-mentioned statements of facts.

This information is under Ind# 00970-2016 which **I** was found guilty (appeal pending)

SEE AATACHED:

**INJURIES:**

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

NO MEDICAL TREATMENT, BUT INJURY IS MENTAL ANGUISH,  
LOSS OF WAGES FROM EMPLOYMENT, MALICIOUS PROSECUTION,  
FALSE ARREST, FABRICATION OFFEVIDENCE, PRISON SENTENCE DUE  
OFFICERS LYING ON STAND THEREBY COMMITTING PERJURY, ETC.

**VI. RELIEF**

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

I AM SEEKING TO HAVE DEFENDANTS IN THIS MATTER BROUGHT UP ON  
CHARGES FOR PERJURY AS WELL AS TERMINATION OF THEIR EMPLOYMENT  
DUTIES. I AM ALSO SEEKING MONETARY DAMAGES IN THE AMOUNT OF \$10,000,  
000.00 DOLLARS FOR PAIN AND SUFFERING AND VIOLATING MY CONSTITUTIONAL  
RIGHTS.

**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.

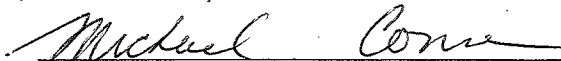
I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

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.

MAY 13, 2017



Dated

Plaintiff's Signature

MICHAEL

N

CONNER

First Name

Middle Initial

Last Name

11-11 HAZEN STREET

Prison Address

EAST ELMHURST, N.Y. 11370

County, City

State

Zip Code

Date on which I am delivering this complaint to prison authorities for mailing:

MAY 13, 2017



MR MICHAEL CONNER 310-16-00353  
11-11 HAZEN STREET  
EAST ELMHURST, N.Y. 11370

RECEIVED  
SONY DOCUMENT UNIT

2017 MAY 17 PM 3:26

THE DANIEL PATRICK MONTGOMERY UNITED STATES COURTHOUSE  
500 PEARL STREET, ROOM 200  
NEW YORK, N.Y. 10007-1312  
PRO-SE CLERKS OFFICE

SDNY  
SDNY  
SDNY

1000781312 0014

