

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAYHEEM LILLY

Write the full name of each plaintiff.

18^{cv}CV4390

(Include case number if one has been assigned)

-against-

CITY OF NEW YORK; NEW YORK CITY
POLICE OFFICERS JOHN DOES 1-X

COMPLAINT

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you need more space, 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 II.

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. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ Federal Question

☐ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

42 U.S.C. § 1983 (First, Fourth, and Fourteenth Amendments)

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, _____, is a citizen of the State of _____
(Plaintiff's name)

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of _____
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

If the defendant is a corporation:

The defendant, _____, is incorporated under the laws of the State of _____

and has its principal place of business in the State of _____

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

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

<u>Kayheem</u>	<u>K.</u>	<u>LILLY</u>
First Name	Middle Initial	Last Name
<u>21 Schaefer St.</u>		
Street Address		
<u>Brooklyn</u>	<u>NY</u>	<u>11208</u>
County, City	State	Zip Code
<u>646-244-7556</u>	<u>smithkairo3@gmail.com</u>	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. 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 the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:	<div style="border-bottom: 1px solid black; padding-bottom: 5px;"> City of New York </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> First Name Last Name </div>		
	Current Job Title (or other identifying information)		
	Current Work Address (or other address where defendant may be served)		
	County, City	State	Zip Code
Defendant 2:	<div style="border-bottom: 1px solid black; padding-bottom: 5px;"> NYC Police Officers John Does 1-X </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> First Name Last Name </div>		
	Current Job Title (or other identifying information)		
	Current Work Address (or other address where defendant may be served)		
	County, City	State	Zip Code
Defendant 3:	<div style="border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> First Name Last Name </div> </div>		
	Current Job Title (or other identifying information)		
	Current Work Address (or other address where defendant may be served)		
	County, City	State	Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: 95 Lenox Ave, New York, NY 10026Date(s) of occurrence: March 4 and Oct. 20, 2017

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

Incident #1: While ^{leaving} ~~at~~ friend's apartment at 95 Lenox Ave, Apt. 6A, NY, NY, eight police officers surrounded me in the hallway, searched me, used excessive force, demanded identification, threatened me with incarceration, while ignoring Hispanic and white men who were with me, all without any probable cause. These police officers issued me a summons on March 4, 2017 ~~for~~ purportedly for "consumption of alcohol on street-open container. This summons was dismissed on June 13, 2017.

Incident No. 2: On October 20, 2017, while ~~outside~~ on street outside 95 Lenox Ave, NY, NY two police officers detained me with excessive force, demanded identification, and issued a summons for "yelling and screaming at unreasonable level in a residential area." I was not yelling and screaming, but rather was in a group protesting the death of a young kid in the neighborhood. This summons was dismissed because the summons was defective on March 19, 2018.

INJURIES:

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

Post-traumatic stress syndrome/emotional distress.
Treatment by medical doctor and psychiatrist.

IV. RELIEF

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

\$250,000 for emotional distress.
\$250,000 for punitive damages.

V. 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 agree to notify the Clerk's Office in writing of any changes to my mailing 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.

5-16-2018
 Dated
 Plaintiff's Signature
 Kayheem K Lilly
 First Name Middle Initial Last Name
 21 Schaefer street # 40
 Street Address
 Brooklyn NY 10026
 County, City State Zip Code
 646-244-7556
 Telephone Number
 Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☒ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.