

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SO. DIST. OF N.Y.

JUL 16 PM 12:06

S.D. OF N.Y.

Angel Hernandez  
ANA Garcia

18CV6418

Write the full name of each plaintiff.

CV  
(Include case number if one has been assigned)

-against-

The City of New York  
2 UNKNOWN Police  
officers from 40th

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?

The event took place in  
the Southern District of  
New York

### 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, city of N.Y. unknown P.O.'s, is a citizen of the State of  
(Defendant's name)

From The 40th Pet Bx

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

New York

If the defendant is a corporation:

The defendant, city of N.Y., is incorporated under the laws of  
the State of New York

and has its principal place of business in the State of New York

or is incorporated under the laws of (foreign state)

and has its principal place of business in 138 Church Street

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.

Angel Hernandez  
First Name Middle Initial Last Name

593 E 141st Street APT 3A  
Street Address

Bronx N.Y. 10454  
County, City State Zip Code

(347) 981-0169  
Telephone Number

Ahernandez80956@yahoo.com  
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: City of New York  
 First Name Last Name

100 Church Street  
 Current Job Title (or other identifying information)

New York NY 10027  
 Current Work Address (or other address where defendant may be served)  
 County, City State Zip Code

Defendant 2: 40th Precinct  
 First Name Last Name

138th Street  
 Current Job Title (or other identifying information)

Bronx NY 10454  
 Current Work Address (or other address where defendant may be served)  
 County, City State Zip Code

Defendant 3: Two UNKNOWN Police Officer  
 First Name Last Name

from the 40th Precinct  
 Current Job Title (or other identifying information)

Bronx NY 10454  
 Current Work Address (or other address where defendant may be served)  
 County, City State Zip Code

Defendant 4:

Diego Beekman Housing  
First Name Last Name

Current Job Title (or other identifying information)  
699 E 141st Street

Current Work Address (or other address where defendant may be served)  
Bronx N.Y. 10454  
County, City State Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: 593 E 141st Street

Date(s) of occurrence: 29<sup>th</sup> OR 30<sup>th</sup> Day of March 2018

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.

me & wife Ana Garcia where assaulted by six individual 3 women & 3 men, where upon 2 UNKNOWN police officer from the 40th pdt came upon the scene, choose sides and falsley arrested me ~~me~~ while security for Diego Beekman Housing (HSD) watched and did not do anything. And it is all caught on their security camera for 593 E 141<sup>th</sup>

INJURIES:

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

my wife was 1<sup>st</sup> knocked-out  
a for me I was 1<sup>st</sup> knocked  
down Three Times

IV. RELIEF

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

I want Ten-Million (\$10,000,000.00) dollars for me a my wife

**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.

16 Day of July 2018  
 Dated Angel Hernandez  
 Plaintiff's Signature Hernandez

First Name Angel Middle Initial  Last Name Hernandez

Street Address 593 E 141th Street Apt 3A  
BRONX NY 10454

County, City (347) 981-0169 State NY Zip Code 10454

Telephone Number (347) 981-0169 Email Address (if available) Ahernandez80756@yahoo.com

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.