

In the United States District Court for the \_\_\_\_\_ (*Name of District*)  
of \_\_\_\_\_ (*Name of State*) \_\_\_\_\_ (*Name of Division*)

\_\_\_\_\_  
(*Name of Plaintiff*)

PLAINTIFF

V.

CAUSE NO. \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(*Name of Defendant*)

DEFENDANT

### COMPLAINT

Comes now \_\_\_\_\_ (*Name of Plaintiff*), Plaintiff in the above-styled and numbered cause, by and through his attorney, and files this his Complaint against Defendant, \_\_\_\_\_ (*Name of Defendant*), and in support thereof would show unto the Court the following matters and facts:

1. Plaintiff, \_\_\_\_\_ (*name of Plaintiff*), is a citizen of the United States of America and a resident of \_\_\_\_\_ (*name of city*), \_\_\_\_\_ (*name of county*), \_\_\_\_\_ (*name of state*).

2. Defendant, \_\_\_\_\_ (*name of defendant*), is a police officer of the City of \_\_\_\_\_ (*name of city*), County of \_\_\_\_\_ (*name of county*), a municipal corporation and governmental subdivision of the State of \_\_\_\_\_ (*name of state*); Defendant is also a resident of said city and county.

3. This action arises under the United States Constitution, particularly under the provisions of the Fourth, Sixth, and Fourteenth Amendments to the Constitution of the United States (Art. IV, U.S. Constitution, Art. VI, U.S. Constitution, Amend XIV, U.S. Constitution), and under federal law, particularly the Civil Rights Act, Title 42 of the United States Code, § 1983 (42 U.S.C.A. § 1983).

4. This court has jurisdiction of this cause under Title 28 of the United States Code, § 1343 (28 U.S.C.A. § 1343).

5. Each of the acts of Defendant alleged in this complaint were done by Defendant under the color and pretense of the statutes, ordinances, regulations, customs, and usages of the State of \_\_\_\_\_ (*name of state*), the City of \_\_\_\_\_ (*name of city*), and the County of \_\_\_\_\_ (*name of county*), and under the authority of his office as a police officer for such city and county.

6. On or about \_\_\_\_\_ (*date of act*), at approximately \_\_\_\_\_ (*time*), Plaintiff was lawfully operating a \_\_\_\_\_ (*type of automobile*) in \_\_\_\_\_ (*name of city*), on \_\_\_\_\_ (*name of street*), driving in a \_\_\_\_\_ (*e.g., northerly*) \_\_\_\_\_ direction, approaching the intersection of \_\_\_\_\_ (*name of street*) and \_\_\_\_\_ (*name of street*), at which time and place Defendant was then, as a part of the regular and official employment as a police officer for the City of \_\_\_\_\_ (*name of city*), operating an automotive police patrol vehicle

owned and maintained by such city for the use of its police department. Defendant then signaled Plaintiff to stop his vehicle, which Plaintiff did, in response to the evident authority of Defendant who was at all times mentioned wearing an official uniform, insignia, and badge of the police department of said city.

7. Defendant left his police vehicle and approached Plaintiff in his vehicle. At Defendant's request, Plaintiff displayed his valid driver's license and certificate of automobile registration issued by the State of \_\_\_\_\_ (**name of state**), when Defendant, without any warrant or probable cause, ordered Plaintiff to get out of his car and submit to a search of his person. This search was conducted in a violent and abusive manner, during the course of which Defendant pulled, shoved, cuffed, and verbally assaulted and abused Plaintiff with the intent of humiliating and embarrassing Plaintiff in the presence of the public generally, and particularly the people present at the scene.

8. After searching Plaintiff's person as described above, which search did not reveal any incriminatory or dangerous article, Defendant required Plaintiff to abandon his vehicle and accompany said Officer to the jail of the City of \_\_\_\_\_ (**name of city**), State of \_\_\_\_\_ (**name of state**), where, at the direction of Defendant, Plaintiff was unlawfully detained without bail for \_\_\_\_\_ (**number**) days, all without warrant, probable cause, or any lawful cause whatever.

9. At the direction of Defendant, Plaintiff was booked on "open" charges, and compelled to submit to fingerprinting and photographing of his person by personnel in the employ of the police department of \_\_\_\_\_ (**name of city**), which such personnel were using facilities present at the jail of such city, which facilities were owned and maintained by the city for the use and benefit of its police department.

10. No criminal charges were ever preferred against Plaintiff in connection with the arrest, search, seizure, and imprisonment to which Plaintiff was subjected as set forth in this Complaint, and although Plaintiff demanded to be brought before a magistrate and notified of the criminal charges of which he was being held, and allowed to post bail. Plaintiff's demands were ignored by Defendant. During the time of Plaintiff's incarceration as set forth in Complaint, he was never taken before a magistrate and never allowed to post bail in order to effect his release from confinement.

11. At the direction of Defendant, Plaintiff was forced, without his consent, to undergo a test for the purpose of determining (**e.g., addiction to narcotics**) \_\_\_\_\_, commonly referred to as the (**description of name of test**) \_\_\_\_\_, which was administered to Plaintiff by a person unknown to Plaintiff, but Plaintiff is informed and believes that such person was the health officer of such city and county.

12. Said test was performed in a medical laboratory at the jail. During the administration of the test, and without any previous physical examination having been made of Plaintiff, a foreign substance was injected by the use of a hypodermic syringe and needle into Plaintiff's body. The precise content and character of this foreign substance was not made known to Plaintiff, but Plaintiff is informed and believes that the substance consisted of (**description of foreign substance**) \_\_\_\_\_.

13. At the time of the administration of this test, Plaintiff was not suffering from any disease

or disability whatever, but a short while after Plaintiff was subjected to this test, he suffered **(describe symptoms)** \_\_\_\_\_. Plaintiff had not suffered exposure to any kind of substance, infectious or otherwise, or any kind of irritant that could have produced the above condition with the exception of the administration of such test as described above.

14. The condition of Plaintiff's **(e.g., face, neck, and upper body)** \_\_\_\_\_ was the direct and proximate result of the injection of such foreign substance into the body of Plaintiff or was directly and proximately the result of some substance unknown to Plaintiff contained in, on, or about or used in connection with the hypodermic syringe and injection made into the body of Plaintiff, all of which resulted in **(describe physical injuries and/or impairments)** \_\_\_\_\_.  
to Plaintiff's damage in the amount of \$\_\_\_\_\_.

15. By reason of the injuries resulting to Plaintiff from the above-mentioned hypodermic injection which was unlawfully administered to him, Plaintiff was required to and did obtain expert medical treatment and hospital care immediately after he obtained his release from jail under a writ of habeas corpus in proceedings described hereafter. Plaintiff necessarily incurred reasonable expenses for such medical and hospital care of \$ \_\_\_\_\_. Plaintiff is informed and believes that he will be required to incur necessary and reasonable medical and hospital expense in the future by reason of such injury of approximately \$\_\_\_\_\_.

16. Due to the illegal arrest of the Plaintiff and his unlawful detention and imprisonment, Plaintiff was required to and did employ legal counsel to secure Plaintiff's release on a writ of habeas corpus, in proceedings heard before the Honorable \_\_\_\_\_ **(name of judge)**, Judge of the \_\_\_\_\_ **(name of court)** on \_\_\_\_\_ **(date of act)**, where it was determined that the arrest and imprisonment of Plaintiff was without warrant, and without probable cause or other lawful authority. Pursuant to the order of the court, Plaintiff was released from jail by writ of habeas corpus on \_\_\_\_\_ **(date)**.

17. Plaintiff incurred reasonable attorney's fees of \$\_\_\_\_\_ in connection with the habeas corpus proceedings.

18. By reason of the conduct of Defendant, including Plaintiff's unlawful arrest and imprisonment and the injuries sustained as a result, Plaintiff was totally unable to attend to the duties of his profession as \_\_\_\_\_ **(name of occupation)** for a period of \_\_\_\_\_ **(period of time)**, and sustained damages for loss of earnings during such period of \$\_\_\_\_\_.

19. The conduct of Defendant deprived Plaintiff of the following rights, privileges and immunities secured to him by the Constitution of the United States:

A. The right of Plaintiff to be secure in his person and effects against unreasonable search and seizure under the Fourth and Fourteenth Amendments to the Constitution of the United States (Art. IV, U.S. Constitution, Amend XIV, U.S. Constitution).

B. The right of Plaintiff to be informed of the nature and cause of the accusation against him, secured to him under the Sixth and Fourteenth Amendments to the Constitution of the United States (Art. VI, U.S. Constitution, Amend XIV, U.S. Constitution); and

C. The right of Plaintiff not to be deprived of life, liberty, or property without due process of law, and the right to the equal protection of the laws, secured by the Fourteenth Amendment to the Constitution of the United States (Amend XIV, U.S. Constitution).

20. The acts of Defendant, were performed knowingly, intentionally, and maliciously, and therefore Plaintiff is entitled to an award of punitive damages of \$\_\_\_\_\_.

WHEREFORE, Plaintiff requests judgment for general, special, and punitive damages, in a sum that to this court may deem just and reasonable in the premises, for costs of suit and attorney's fees, and for such other relief as to the court may deem just and equitable.

Dated: \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_  
**(Name of Plaintiff)**

By: \_\_\_\_\_

**(Name of Plaintiff's Attorney)**

State Bar No. \_\_\_\_\_

Attorney for Plaintiff

OF COUNSEL:

\_\_\_\_\_  
**(Name of Plaintiff's Attorney)**

Post Office Box \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_  
City, State, Zip Code

Telephone: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_