

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JOSEPH LOPEZ,

Plaintiff,

v.

CITY OF CHICAGO, OFFICER GOMEZ, and
OTHER AS-YET-UNIDENTIFIED CHICAGO
POLICE OFFICERS,

Defendants.

JUDGE JOHN W DARRAH

01C 1823

JURY TRIAL DEMANDED

MAGISTRATE JUDGE
GERALDINE SOAT BROWN

MAR 16 2001

COMPLAINT

NOW COMES Plaintiff, JOSEPH LOPEZ, by his attorneys, LOEVY & LOEVY, and complaining of Defendants, CITY OF CHICAGO, OFFICER GOMEZ, and OTHER AS-YET UNIDENTIFIED POLICE OFFICERS (collectively, "Defendant Police Officers"), states as follows:

Introduction

1. This action is brought pursuant to 42 U.S.C. Section 1983 to redress the deprivation under color of law of Plaintiff's rights as secured by the United States Constitution.

2. By means of inhuman treatment, including shackling him to the wall for days and intentionally depriving him of sleep, the Defendant Police Officers attempted unlawfully to coerce Plaintiff to confess to a murder which he did not commit.

Jurisdiction and Venue

3. This Court has jurisdiction of the action pursuant to 28 U.S.C. § 1331. Venue is proper under 28 U.S.C. § 1391(b). On information and belief, all parties reside in this judicial district, and the events giving rise to the claims asserted herein all occurred within district.

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Background

4. On or about July 19, 2000, in the Humbolt Park neighborhood on the West side of Chicago, 27-year-old Miguel Figueroa stood in the sunroof of a moving Pontiac Bonneville and fired shots from a .38-caliber weapon at rival gang members.

5. A stray bullet struck 12-year old Miguel DeLaRosa, killing him.

6. Within a week, Miguel Figueroa confessed to the murder on videotape. He presently faces the death penalty for his crime.

The Parties

7. Plaintiff, Joseph Lopez, is an 18-year-old resident of the Humbolt Park neighborhood. He attended Clemente High School, and presently works at United Parcel Service.

8. Some time after the DeLaRosa shooting, Plaintiff was talking to a friend on the street when the two of them were approached by several Chicago police officers.

9. One of the officers was Officer Gomez, an officer known in Plaintiff's neighborhood as a dangerous and violent man.

10. Without any reasonable suspicion to believe Plaintiff had committed any wrongdoing, the officers handcuffed Plaintiff and placed him in their squad car.

11. Plaintiff was driven to an alley. Following a brief interrogation, Officer Gomez punched Plaintiff in the face.

12. The officers told Plaintiff they believed he was a witness to the shooting Miguel DeLaRosa. Plaintiff was then taken to the police station.

**The Chicago Police's Unlawful
Attempts To Coerce A Confession**

13. Upon his arrival at the police station, Defendants placed Plaintiff in a small room/cell and shackled his wrist to the wall with handcuffs.

14. Without charging him, the Defendant Police Officers proceeded to keep Plaintiff in custody for approximately four days while attempting unlawfully to coerce him into confessing to the DeLaRosa murder.

15. During this entire four days, Plaintiff remained in a small room/cell with his wrist handcuffed to a ring on the wall. The only human contact permitted Plaintiff was when he was interrogated by various Defendant Police Officers who attempted to coerce him into confessing to the murder.

16. Plaintiff was unchained from the wall only for brief periods of time when he needed to use the bathroom.

17. The Defendant Police Officers kept Plaintiff shackled to the wall intending to deprive Plaintiff of sleep in an attempt to coerce his confession. Sleep in his position was very difficult, if not impossible.

18. During Plaintiff's entire four days in custody, Defendants refused to allow him to contact anyone, including members of his family.

19. Defendants also refused to accommodate attempts by Plaintiff's relatives to contact Plaintiff.

20. Plaintiff's mother, for example, attempted to locate her son without success. After being sent by the police

to various different police stations around the City, she was later told she would not be permitted to speak to her son until after he was charged.

21. During this time, Defendants also denied Plaintiff access to an attorney.

22. Plaintiff was also interrogated without having received the required Miranda rights.

23. During this time, Defendants also denied Plaintiff the right to use the telephone. A detective told Plaintiff he would get a phone call "when pigs fly."

24. The reason the Defendants did not allow Plaintiff access to a telephone, his relatives, or an attorney was because Plaintiff had a right under Supreme Court precedent to be released from custody after 48 hours if not charged.

25. In this case, the Defendant Police Officers held Plaintiff approximately 96 hours without charging him, attempting unlawfully to coerce a confession.

26. In Plaintiff's sleep-deprived state and without the benefit of assistance of a lawyer, the Defendant Police Officers administered a lie detector test. The Defendants later falsely claimed the lie detector test proved Plaintiff was the killer.

27. One night during his detention, the Defendant Police Officers picked up Plaintiff's girl friend at 2:00 a.m. and brought her to the station, though they did not let the two of them speak. In an attempt to make him confess to the murder,

the Defendants lied to Plaintiff, telling him his "bitch" had already signed a confession.

28. The Defendant Police Officers also lied to Plaintiff in telling him that his friend Tyson had confessed that Plaintiff was the killer.

29. Plaintiff was also told (wrongfully) that other friends had already implicated Plaintiff in the shooting.

30. At no time, however, did Plaintiff confess to the murder, a murder he did not commit.

**Plaintiff Is Charged With
A Murder He Did Not Commit**

31. On July 24, 2000, the Chicago Police announced to the newspapers that Plaintiff was the killer.

32. That same day, Plaintiff was charged with first degree murder. Prosecutors told the judge they would seek the death penalty.

33. Extremely traumatized by the prospect of being put to death by the State despite his innocence, Plaintiff cried all night.

Plaintiff's Innocence

34. One hour after prosecutors announced they were seeking the death penalty against Plaintiff, police arrested Miguel Figueroa for the crime Plaintiff allegedly committed.

35. Thereafter, Figueroa (who, at age 28, is about ten years older than Plaintiff) gave a video-taped confession to the Chicago Police regarding the DeLaRosa shooting.

36. Thereafter, Plaintiff was released and the wrongful charges against him were dismissed.

37. Notwithstanding the decision to initiate and pursue Plaintiff's prosecution, the Defendant Police Officers had actual knowledge that Plaintiff was not the killer.

38. Some of the eye-witnesses to the shooting told the Defendant Police Officers that Lopez was not the man who shot DeLaRosa. The shooter had a different complexion than Plaintiff and longer hair. Plaintiff's head was shaved at the time.

39. The Defendant Police Officers intentionally and without justification ignored these eyewitnesses who attested to Plaintiff's innocence, and instead claimed to have relied upon the purported identification of Plaintiff by several gang members hostile to Plaintiff.

40. This line-up conducted by the Defendant Police Officers, supposedly resulting in the positive identification of Plaintiff who was bald and ten years younger than the longer-haired shooter, was deeply flawed. The Defendant Police Officers intentionally chose to ignore the eyewitnesses who claimed Plaintiff was innocent and instead only attempted line-up identifications from gang members hostile to Plaintiff.

41. The decision to conduct the flawed line-up referenced in the preceding paragraphs was undertaken intentionally to frame Plaintiff for a murder he did not commit.

COUNT I - 42 U.S.C. § 1983

Excessive Force

42. Plaintiff realleges each of paragraphs 1-41 as if fully stated herein.

43. As a result of Officer Gomez's unjustified and excessive use of force, Plaintiff suffered pain and injury, as well as emotional distress.

44. As a result of Officer Gomez's partner's failure to intervene to prevent Officer Gomez's excessive use of force, Plaintiff suffered pain and injury, as well as emotional distress. Officer Gomez's partner had a reasonable opportunity to prevent the harm had he been so inclined, but failed to do so.

45. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally with willful indifference to Plaintiff's constitutional rights.

46. The misconduct described in this Count was undertaken with malice, willfulness, and reckless indifference to the rights of others.

47. The misconduct described in this Count was undertaken pursuant to the policy and practice of the Chicago Police Department in that:

a. As a matter of both policy and practice, the Chicago Police Department directly encourages, and is thereby the moving force behind, the very type of excessive force at issue here by failing to adequately train, supervise and control its officers, such that its failure to do so manifests deliberate indifference;

b. As a matter of both policy and practice, the Chicago Police Department facilitates the very type of excessive force at issue here by failing to adequately punish and discipline prior instances of misconduct, thereby leading Chicago Police Officers to believe their actions will never be scrutinized and, in that way, directly encouraging future abuses such as those affecting Plaintiff;

c. Generally, as a matter of widespread practice so prevalent as to comprise municipal policy, officers of the Chicago Police Department use excessive force against citizens in a manner similar to that alleged by Plaintiff in this Count on a frequent basis, yet the Chicago Police Department makes findings of wrongdoing in a disproportionately small number of cases;

d. Municipal policy-makers are aware of (and condone and facilitate by their inaction) a "code of silence" in the Chicago Police Department, by which officers fail to report misconduct committed by other officers, such as the misconduct at issue in this case; and

e. The City of Chicago has failed to act to remedy the patterns of abuse describe in the preceding subparagraphs, despite actual knowledge of the same, thereby causing the types of injuries alleged here.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against Defendants, CITY OF CHICAGO and OFFICER GOMEZ, awarding compensatory damages and attorneys' fees, along with punitive damages against Defendant OFFICER GOMEZ in his individual capacities, and any other relief this Court deems just.

COUNT II - State Law Claim

Assault and Battery

48. Plaintiff realleges each of paragraphs 1-47 as if fully stated herein.

49. As described more fully in the preceding paragraphs, Plaintiff was attacked by Defendant Officer Gomez without justification or provocation.

50. The actions of Defendant Officer Gomez constituted an offensive physical contact, undertaken willfully and wantonly, proximately causing Plaintiff's injuries.

51. The misconduct described in this Count was undertaken with malice, willfulness, and reckless indifference to the rights of others.

52. As a result of the offensive touching, Plaintiff sustained bodily injuries, including but not limited to a reasonable apprehension of great bodily harm.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against Defendant OFFICER GOMEZ, awarding compensatory damages and punitive damages, as well as any other relief this Court deems just and appropriate under the circumstances.

COUNT III - State Law Claim

Intentional Infliction of Emotional Distress

53. Plaintiff realleges each of paragraphs 1-52 as if fully stated herein.

54. As described more fully in the preceding paragraphs, Defendant Gomez and the other Chicago Police Officers

engaged in extreme and outrageous conduct with respect to Plaintiff, to wit, the Defendants used violence (punch in the face) and unlawful methods to attempt to coerce Plaintiff into confessing to a murder he did not commit.

55. This misconduct described in this Count was rooted in an abuse of power or authority.

56. The misconduct described in this Count was undertaken with intent or knowledge that there was a high probability that the conduct would inflict severe emotional distress and with reckless disregard of that probability.

57. The misconduct described in this Count was undertaken with malice, willfulness, and reckless indifference to the rights of others.

58. As a proximate result of this misconduct, Plaintiff suffered severe emotional distress and anguish.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against Defendant OFFICER GOMEZ, awarding compensatory damages, punitive damages, and any other relief this Court deems just and appropriate under the circumstances.

Count IV - 42 U.S.C. § 1983

Unlawful Detention

59. Plaintiff realleges each of paragraphs 1-58 as if fully stated herein.

60. As described more fully above, Defendants held Plaintiff for more than 48 hours without charging him with a crime and without permitting him access to an attorney.

61. As described more fully above, Defendants also interrogated Plaintiff without the benefit of full Miranda rights.

62. The misconduct described in this Count was undertaken with malice, willfulness, and reckless indifference to the rights of others.

63. As a result of this misconduct, Plaintiff sustained serious emotional injuries.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against the Defendant Police Officers, awarding compensatory damages, punitive damages, and any other relief this Court deems just and appropriate under the circumstances.

64. The misconduct described in this Count was undertaken pursuant to the policy and practice of the Chicago Police Department in that:

a. As a matter of both policy and practice, the Chicago Police Department directly encourages, and is thereby the moving force behind, the very type of misconduct at issue here by failing to adequately train, supervise and control its officers, such that its failure to do so manifests deliberate indifference;

b. As a matter of both policy and practice, the Chicago Police Department facilitates the very type of misconduct at issue here by failing to adequately punish and discipline prior instances of misconduct, thereby leading Chicago Police Officers to believe their actions will never be scrutinized and,

in that way, directly encouraging future abuses such as those affecting Plaintiff;

c. Generally, as a matter of widespread practice so prevalent as to comprise municipal policy, officers of the Chicago Police Department unlawfully detain citizens in a manner similar to that alleged by Plaintiff in this Count on a frequent basis, yet the Chicago Police Department makes findings of wrongdoing in a disproportionately small number of cases;

d. Municipal policy-makers are aware of (and condone and facilitate by their inaction) a "code of silence" in the Chicago Police Department, by which officers fail to report misconduct committed by other officers, such as the misconduct at issue in this case; and

e. The City of Chicago has failed to act to remedy the patterns of abuse describe in the preceding subparagraphs, despite actual knowledge of the same, thereby causing the types of injuries alleged here.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against Defendants, awarding compensatory damages, punitive damages against the Defendant Police Officers in the individual capacities, and any other relief this Court deems just and appropriate under the circumstances.

Count V - 42 U.S.C. § 1983

Police Torture

65. Plaintiff realleges each of paragraphs 1-64 as if fully stated herein.

66. In attempting unlawfully to coerce Plaintiff to confess to a murder he did not commit, the Defendants employed such inhuman methods as shackling Plaintiff's wrist to the wall for excessive amounts of hours and intentionally depriving Plaintiff of sleep.

67. The misconduct described in this Count was undertaken with malice, willfulness, and reckless indifference to the rights of others.

68. As a result of this misconduct, Plaintiff sustained physical and emotional injuries.

69. The misconduct described in this Count was undertaken pursuant to the policy and practice of the Chicago Police Department in that:

a. As a matter of both policy and practice, the Chicago Police Department directly encourages, and is thereby the moving force behind, the very type of mistreatment at issue here by failing to adequately train, supervise and control its officers, such that its failure to do so manifests deliberate indifference;

b. As a matter of both policy and practice, the Chicago Police Department facilitates the very type of abuse at issue here by failing to adequately punish and discipline prior instances of misconduct, thereby leading Chicago Police Officers to believe their actions will never be scrutinized and, in that way, directly encouraging future abuses such as those affecting Plaintiff;

c. Generally, as a matter of widespread practice so prevalent as to comprise municipal policy, officers of the Chicago Police Department commit misconduct against citizens in a manner similar to that alleged by Plaintiff in this Court on a relatively frequent basis, yet the Chicago Police Department makes findings of wrongdoing in a disproportionately small number of cases;

d. Municipal policy-makers are aware of (and condone and facilitate by their inaction) a "code of silence" in the Chicago Police Department, by which officers fail to report misconduct committed by other officers, such as the misconduct at issue in this case; and

e. The City of Chicago has failed to act to remedy the patterns of abuse describe in the preceding subparagraphs, despite actual knowledge of the same, thereby causing the types of injuries alleged here.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against the Defendants, awarding compensatory damages, punitive damages against the Defendant Police Officers in the individual capacities, and any other relief this Court deems just and appropriate under the circumstances.

Count VI - 42 U.S.C. § 1983

Conspiracy

70. Plaintiff realleges each of paragraphs 1-69 as if fully stated herein.

71. As described more fully in the preceding paragraphs, which are expressly incorporated herein, Defendants, acting in concert with other known and unknown co-conspirators, reached an understanding to deprive Plaintiff of his Constitutional rights.

72. Plaintiff was deprived of his constitutional rights in the manner described in the preceding paragraphs.

73. In furtherance of the conspiracy, Defendants committed overt acts and were otherwise willful participants in joint activity with state actors acting under color of law.

74. The misconduct described in this Count was undertaken with malice, willfulness, and reckless indifference to the rights of others.

75. As a proximate result of Defendants' conspiracy, Plaintiff suffered damages, including severe emotional distress and anguish.

76. The conspirators committing the misconduct described in this Count were motivated by personal bias in terms of their own self-interest in furthering their careers by receiving credit for catching the DeLaRosa shooter.

77. The misconduct described in this Count was undertaken pursuant to the policy and practice of the Chicago Police Department in that:

a. As a matter of both policy and practice, the Chicago Police Department directly encourages, and is thereby the moving force behind, the very type of police abuse at issue here by failing to adequately train, supervise and control its

officers, such that its failure to do so manifests deliberate indifference;

b. As a matter of both policy and practice, the Chicago Police Department facilitates the very type of excessive force at issue here by failing to adequately punish and discipline prior instances of misconduct, thereby leading Chicago Police Officers to believe their actions will never be scrutinized and, in that way, directly encouraging future abuses such as those affecting Plaintiff;

c. Generally, as a matter of widespread practice so prevalent as to comprise municipal policy, officers of the Chicago Police Department utilize unlawful methods of interrogation against citizens in a manner similar to that alleged by Plaintiff in this Count on a frequent basis, yet the Chicago Police Department makes findings of wrongdoing in a disproportionately small number of cases;

d. Municipal policy-makers are aware of (and condone and facilitate by their inaction) a "code of silence" in the Chicago Police Department, by which officers fail to report misconduct committed by other officers, such as the misconduct at issue in this case; and

e. The City of Chicago has failed to act to remedy the patterns of abuse describe in the preceding subparagraphs, despite actual knowledge of the same, thereby causing the types of injuries alleged here.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against

the Defendants, awarding compensatory damages, punitive damages against the Defendant Police Officers in their individual capacities, and any other relief this Court deems just and appropriate under the circumstances.

COUNT VII - State Law Claim

Civil Conspiracy

78. Plaintiffs reallege each of paragraphs 1-77 as if fully stated herein.

79. As described more fully in the preceding paragraphs, Defendants, acting in concert with other known and unknown co-conspirators, conspired by concerted action to accomplish an unlawful purpose by an unlawful means.

80. In furtherance of the conspiracy, Defendants committed overt acts and were otherwise willful participants in joint activity.

81. The misconduct described in this Count was undertaken with malice, willfulness, and reckless indifference to the rights of others.

82. As a proximate result of Defendants' conspiracy, Plaintiff suffered damages, including severe emotional distress and anguish.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against the Defendants, awarding compensatory damages, punitive damages against the Defendant Police Officers in the individual capacities, and any other relief this Court deems just and appropriate under the circumstances.

COUNT VIII - State Law Claim: Respondeat Superior
DEFENDANT CITY OF CHICAGO

83. Plaintiff realleges each of paragraphs 1-82 as if fully stated herein.

84. In committing the acts alleged in the preceding paragraphs, the Defendant Police Officers were members of, and agents of, the Chicago Police Department acting at all relevant times within the scope of their employment.

85. Defendant CITY OF CHICAGO is liable as principal for all torts committed by its agent.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against Defendant, CITY OF CHICAGO, in an amount equal to any award against the Defendant Police Officers, as well as any other relief this Court deems just and appropriate under the circumstances.

COUNT IX - State Law Claim: Indemnification

86. Plaintiff realleges each of paragraphs 1-83 as if fully stated herein.

87. Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

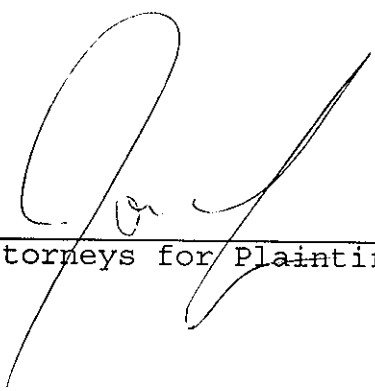
88. The Defendant Police Officers are or were employees of the City of Chicago who acted within the scope of their employment in committing the misconduct described herein.

WHEREFORE, Plaintiff, JOSEPH LOPEZ, respectfully requests that the Court enter judgment in his favor and against Defendant CITY OF CHICAGO in the amounts awarded to Plaintiffs against Defendant Police Officers as compensatory damages, attorneys' fees, punitive damages, and any other relief this Court deems just and appropriate under the circumstances.

JURY DEMAND

Plaintiff, JOSEPH LOPEZ, hereby demands a trial by jury pursuant to Federal Rule of Civil Procedure 38(b) on all issues so triable.

RESPECTFULLY SUBMITTED,



Attorneys for Plaintiff

Arthur Loevy
Jon Loevy
Danielle Loevy
LOEVY & LOEVY
434 West Ontario
Suite 400
Chicago, IL 60610
(312) 274-1700

JS 44
(Rev. 12/96)

U.S. District Court
CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Joseph Lopez MAGISTRATE JUDGE
GERALDINE SOAT BROWN

DEFENDANTS

*City of Chicago, Officer Gomez and
As Yet Unidentified Chicago Police
Officers*

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF *Cook*
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

MAR 16 2001

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

*Loeuy & Loeuy
434 West Ontario, Suite 400
Chicago, IL 60610*

ATTORNEYS (IF KNOWN)

01C 1823

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN

- (PLACE AN "X" IN ONE BOX ONLY)
- 1 Original Proceeding
 - 2 Removed from State Court
 - 3 Remanded from Appellate Court
 - 4 Reinstated or Reopened
 - 5 Transferred from another district (specify)
 - 6 Multidistrict Litigation
 - 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions	
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark		
		LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

42 U.S.C. § 1983

VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ _____ CHECK YES only if demanded in complaint JURY DEMAND: YES NO

VIII. This case is not a refiling of a previously dismissed action. is a refiling of case number _____, previously dismissed by Judge _____

DATE *3/15/01* SIGNATURE OF ATTORNEY OF RECORD *[Signature]*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

JUDGE JOHN W. LARKIN

In the Matter of

Joseph Lopez v. City of Chicago et al.

MAGISTRATE JUDGE
GERALDINE SOAT BROWN

Case Number:

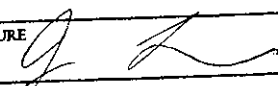
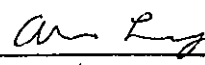
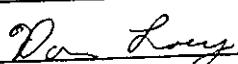
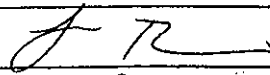
01C 1823

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

Joseph Lopez

MAK 10 2001

U.S. DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO, ILLINOIS

(A)		(B)	
SIGNATURE 		SIGNATURE 	
NAME Jon Loewy		NAME Arthur Loewy	
FIRM Loewy + Loewy		FIRM Same	
STREET ADDRESS 434 West Ontario, Suite 400		STREET ADDRESS	
CITY/STATE/ZIP Chicago, IL 60610		CITY/STATE/ZIP	
TELEPHONE NUMBER 312.274.1700	FAX NUMBER 312.274.1701	TELEPHONE NUMBER	FAX NUMBER
E-MAIL ADDRESS		E-MAIL ADDRESS	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	
MEMBER OF TRIAL BAR?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR?	YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY?	YES <input type="checkbox"/> NO <input type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL?		DESIGNATED AS LOCAL COUNSEL?	
YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>	
(C)		(D)	
SIGNATURE 		SIGNATURE 	
NAME Danielle Loewy		NAME Jon Rosenblatt	
FIRM Same		FIRM SAME	
STREET ADDRESS		STREET ADDRESS	
CITY/STATE/ZIP		CITY/STATE/ZIP	
TELEPHONE NUMBER	FAX NUMBER	TELEPHONE NUMBER	FAX NUMBER
E-MAIL ADDRESS		E-MAIL ADDRESS	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	
MEMBER OF TRIAL BAR?	YES <input type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR?	YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY?	YES <input type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY?	YES <input type="checkbox"/> NO <input type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL?		DESIGNATED AS LOCAL COUNSEL?	
YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>	

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