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Samuel Stango
Plaintiff *Pro Se*
30 Croydon Drive
North Cape May, N.J. 08204
(609) 886-5094

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CIVIL ACTION NO.

SAMUEL STANGO,

Plaintiff,

Civil Action

v.

COMPLAINT AND DEMAND
FOR JURY TRIAL

PB+P
TOWNSHIP OF LOWER, NEW
JERSEY, TOWNSHIP MANAGER MICHAEL
VOLL, LOWER TOWNSHIP
POLICE DEPARTMENT, RETIRED CHIEF
BRIAN MARKER, CHIEF WILLIAM MASTRIANA
LIEUTENANT MARTIN BIERSBACH, CAPE MAY
COUNTY PROSECUTORS OFFICE PROSECUTOR
ROBERT TAYLOR, ASSISTANT PROSECUTOR
MICHELLE DEWEESE, CAPTAIN LYNN FRAME,
LT. PAUL SKILL, DET. DAVID HOGAN
REGINA SHEETS

Defendants.

Plaintiff Samuel Stango residing in the County of Cape May, New Jersey
complaining against the Defendants says as follows:

JURISDICTION

This Complaint presents claims for which this Court has jurisdiction under 28
U.S.C.1331 and 42 U.S.C. 1983, and State laws for which this Court has

Indexed
7/31/14
see attached
MC

f supplemental jurisdiction under 28 U.S.C. 1367

VENUE

f Venue lies in the United States District Court, Camden County, NJ for Federal and State claims presented.

THE PARTIES

- f 1. Plaintiff, Samuel Stango, is an individual residing in North Cape May, NJ
- f 2. The Defendant, the Township of Lower is a municipality which has enacted by Ordinance a full time police department, known as The Lower Township Police Department. Address :2600 Bayshore Road Villas, NJ 08251
- f 3. The Defendant, Michael Voll, is the Manager of the Township of Lower and at all times relevant, was the appropriate authority and agent on behalf of the Township of Lower. Defendant Voll is sued in his individual capacity and his official capacity for acts asserted in this Complaint.
- f 4. The Defendant, retired Chief Brian Marker, was the Chief of Police during the time in question when the acts in this Complaint occurred. Defendant Marker is sued as an individual and his capacity as Chief of Police.
- f 5. The Defendant, Chief William Mastriana, is the current Chief, and was the Captain of Police during the time in question. Defendant Mastriana is sued individually and in his official capacity. Address: 405 Breakwater Road Erma, NJ 08204
- f 6. The Defendant, Lieutenant Martin Biersbach, is sued individually and in his

official capacity.

f 7. The Defendant, Cape May County Prosecutor Robert Taylor, is the chief law enforcement officer in the county. As such, he is responsible for the administration of justice and the uniform enforcement of criminal laws as well as the training and supervision of attorneys and employees. Defendant Taylor is sued in his official capacity.

f 8. The Defendant, Michelle DeWeese, is an assistant prosecutor. She is being sued individually and in her official capacity.

f 9. Defendants' Captain Lynne Frame, Lt. Paul Skill and Det. David Hogan are all investigators in the Cape May County Prosecutors Office. They are being sued in their official capacity. Address DN-110 4 Moore Road Cape May courthouse, NJ 08210

At all times relevant, the above named Defendants have acted under color of state law and in violation of state and federal laws.

f 10. The Defendant, Regina Sheets, resides at North Cape May NJ 08204. She is the Plaintiff's ex-girlfriend and is being sued individually.

STATEMENT OF FACTS

1.) The Plaintiff, Samuel Stango, (Stango), is a forty-six (46) year old male. He is

F the father of five (5) children, four (4) of which are dependant upon him for emotional and economic support.

F 2.) In 1991, Stango was hired as a full time police officer for the Township of Lower (LTPD).

F 3.) In 2000, Stango retired on a medical disability pension.

F 4.) During his service with LTPD, Stango received numerous letters of appreciation from citizens as well as a Sergeant's Commendation.

F 5.) During retirement, Stango had success as a NJ mortgage broker and a NJ Realtor. He was also active in the community, serving as an assistant football coach for several years.

F 6.) Prior to his service with Lower Township, Stango served a three (3) year tour of duty in the United States Marine Corps receiving multiple letters of appreciation, a Meritorious Mast and two (2) awards for good conduct. He was subsequently a corrections officer in the Cape May County Sheriff's Department for about three years.

RETURNING TO DUTY

F 7.) In January of 2012, Stango received notice from the NJ Board of Pensions, declaring him fit to return to active duty. New Jersey civil service and state case law prevent a municipality from challenging a decision of the Board of Pensions.

8.) During this time, PBA Local #59 was negotiating with the Township of Lower to hire three (3) new officers at a reduced salary. Stango was mandated by NJ

D Civil Service rule and NJ case law to return to duty at "top pay". This disrupted the Township of Lower, Voll and Chief Marker's plans.

D 9.) Stango was directed to attend a meeting with Township Manager Michael Voll (Voll) and Chief Brian Marker on January 17th, 2012 in Voll's office. Present at that meeting were Voll, Chief Marker, Eileen Kreis (Voll's secretary) and Stango.

Q 10.) Voll opened up the meeting with, "I'm familiar with why you retired". He went on to repeatedly ask Stango if he was ok and if he was sure he wanted to return to active duty. Voll's comments were outrageous and directed at a "perceived medical disability." He continued questioning Stango's motives for wanting to return "at this age" and if he had medical benefits. Ultimately Voll said, "you understand this is a young man's job, right?" Voll concluded the meeting by telling Stango that police training expires at two (2) years and he would be attending the entire police academy, should he decide to return.

F 11.) On February 2, 2012 Stango reported to Chief Marker for duty. Marker explained that a police academy class was starting Monday February 6, 2012 and Stango would be attending the entire curriculum in a police recruit uniform as well as living in the residential barracks with the police recruits. He reasoned that this was best for Stango to "succeed" and "get back in the police culture". He went on to state that officers "at this age" have difficulty rolling around with suspects, therefore Stango would also attend all physical training too.

12.) Stango proceeded to take care of various paperwork with then, Captain Mastriana. Mastriana expressed shock that Chief Marker was sending him to the

f entire academy and that if he was in charge, he wouldn't do that. Mastriana asked Stango if he would "voluntarily" turn over medical records. He was directed by Township labor attorney, William Blaney (Blaney) to ask for the records and that the Township wanted them. Stango politely declined.

f 13.) Stango is the third officer to return to duty from a medical disability. He is the only officer subjected to this training and treatment. Officer Brian Donahue returned eight months prior to Stango, after almost 9 years of retirement. Donahue simply had law updates and returned to duty. A new officer, Kevin Boyle Jr., was hired during Stango's return. Boyle was a "class II" officer in Lower Township with about one year of experience in 2009 or 2010. By Police Training Commission rules, Boyle was required to attend the police academy and Stango was not. Chief Marker applied for a "waiver of training" from the Police Training Commission (PTC) for Boyle, while simultaneously sending a veteran officer (Stango) to the entire academy.

f 14.) Stango contacted Cpl. Robert Hartman Jr. to inquire about overtime, since he was going to be residential at the academy. The union attorney, Bruce Leder, was contacted and had a conversation with Blaney regarding overtime.

o 15.) On February 3, 2012 Chief Marker retreated from his position and Stango would not be residential. Stango was also permitted to wear his police uniform. He was assigned a spare car to travel to class, however he had to pick it up and return it on a daily basis. All officers on extended training take spare cars home. This was designed to inconvenience and harass Stango.

16.) On February 6, 2012, Stango was not needed at the academy until 2pm.

Q Prior to 2pm, Stango was forced to ride along in a patrol car and answer calls for service with other officers. He was in full police uniform and had no bullet-proof vest, weapon, baton, mace, or other mandatory equipment. This created an extremely dangerous situation.

Q 17.) These hostile actions, comments and disparate treatment were designed to force a resignation or separation of employment. Stango was told by unnamed officers that "they don't want you here". It was clear the Township was going to run him out of town at first chance.

18.) Nonetheless, Stango reported to the academy with a positive attitude. He also received compliments from Police Academy Director Anthony Saduk for setting a good example for the young police recruits, being "squared away" and outperforming half of the recruits during physical training. Stango completed all mandatory training to return to duty on February 13, 2012, yet he remained in the "basic course".

19.) After about four (4) weeks, Stango met with Chief Marker regarding training. He asked the Chief if he could have the training as the other two (2) officers that have returned from disability retirement. Stango said, "I don't want special treatment, just equal treatment." Marker denied the request.

Q a.) Stango had later made multiple written requests for the rules and regulations of the LTPD. They were withheld, then given in piecemeal fashion, placed on a CD disk and the "new" training order was "cherry-picked" out, specifically so Stango could not file a grievance. Stango did file, and

Marker

Voll and the Township denied it, claiming "it's beyond the 30 day limit"

b.) Stango made multiple request for his personnel file. When received, some letters of appreciation and his Sgt. commendation were "missing".

THE EX-GIRLFRIEND INCIDENT

D 20.) Stango had been dating a female, Regina Sheets, (Sheets) since February 2011. The last six months of the relationship are best described as "drama" filled.

D 21.) The issues, treatment and concerns regarding Stango's return to LTPD were shared with Sheets. She understood the hostile work situation and how he felt about it.

D 22.) They had several short "break-ups" in the last few months. The last one being on Tuesday March 20, 2012, when Stango told Sheets, he couldn't "take the drama" anymore.

~~23~~ F 23.) Later that evening, attempting to reconcile the relationship, Sheets sent several steamy, graphic sexual text messages to Stango and wanted to come over. Stango rejected that, basically "blowing her off." Sheets then went on a texting tirade, calling him a "homo" and ending with, "ok, pal. have it ur way, got it. see ya around."

24.) The following morning, March 21, 2012 she made multiple calls knowing

Stango was getting ready for work. They spoke for 35 minutes and he ultimately had to "hang up" on her. She placed four (4) more calls that went unanswered.

25.) She then showed up banging on his back slider door. He opened it to see what she wanted. She immediately ran past him into his bedroom. Sheets grabbed a framed picture of the two of them and smashed it on Stango's bedroom wall. Stango asked her to leave and she refused, wanting to discuss the "relationship". Stango walked away from her and into the kitchen. Moments later, she appeared in the kitchen, got a bag and went back and picked up the broken glass. She was again asked to leave and refused, continuing to discuss the relationship. Stango then picked up his cell phone and told Sheets he was calling the police. She was furious and said if he called the police on her, she would tell them he pointed his gun at her. Fearful of that allegation, Stango did not make the call. Sheets finally left and Stango went to work.

26.) About an hour later, while in class, Stango received a text from Sheets, "I have a lump on my head now, starting to turn into a bruise. Thank you. I hope ur proud of yourself". Stango ignored the text.

27.) About 10:30 Stango called Cpl. Robert Hartman Jr. (Hartman). Being retired for nearly 12 years and only back to work for six (6) weeks, Stango needed guidance on what to do. Stango explained the situation as outlined above. Hartman suggested getting a restraining order to keep her away and that he should report this to his immediate supervisor, Lieutenant Beeby, (now Captain Beeby), and the "on duty" Sergeant, Sgt. Greene, (now Lt. Greene).

28.) Stango went back to class. Angry that Stango did not respond, Sheets

began calling his friends, whom also ignored her.

29.) Between 12:15 and 12:30 , Stango received a series of texts from Sheets:

a.) "the **lump** on my head doesn't lie"

b.) " **btw...**, it's right on my forehead where I hit the keyrack when you slammed me into the wall"

c.) " Big man you are.....I think I will go file a complaint. **Anything to say before I do?**

d.) " I need to speak to u and I **believe it's in ur best interest**"

30.) Stango did not respond. He called Beeby at about 1pm to advise of the situation. He was in class and unable to answer. Stango then called Greene and advised him that his ex-girlfiend was threatening him with a bogus complaint.

31.) Stango then received a text from Beeby asking what was up? Stango responded with a text containing the content of what Sheets said and texted. Stango also advised that he notified the on duty Sergeant.

32.) Throughout the remainder of the day, Sheets relentlessly called and texted Stango while he was in class. Stango called Sheets' father in the evening.

33.) Sheets later sent another text saying, "you should really see what you did to my head". Stango responded by text, " I don't wanna see you or talk to you and don't want you at my house."

34.) The very next morning, Sheets returned to Stango's house, unannounced and uninvited, demanding entry and again wanting to talk about the "relationship". Stango was in full police uniform and armed, ready to leave for

F work. He refused entry, remained behind his locked door and repeatedly asked her to leave. When she refused, he took out his cell phone and video recorded. When Stango picked up the house phone to call police, she finally left.

INTERVIEW AND "INVESTIGATION"

F 35.) That same morning, March 21, 2012, Beeby advised Chief Marker of the text he received the day before. Marker proceeded to "chew him out" for not advising him immediately. Beeby cautioned the Chief, that he had met her before. Nonetheless, Marker ordered Mastriana and Biersbach to the police academy to interview Stango.

F 36.) Mastriana and Biersbach came to interview Stango about 11am. It lasted about 10 minutes.

F 37.) Stango was questioned about the text and what happened at his house.

F 38.) Stango clearly explained what Sheets had done at his house. He also explained that Sheets began to "manufacture" a case of assault thru text messages. Furthermore, that Sheets again came to his home demanding entry. He even explained her purpose:

a.) To "extort" Stango into calling her and staying in the relationship.

b.) To ensure Stango did not report her conduct to the police.

F 39.) Mastriana and Biersbach were told that she is on multiple medications to control her moods, and that she has been convicted in our own court for the very

same thing against her previous suitor.

F 40.) Mastriana said he "didn't need the whole history", cut Stango off and said, "I'm not going to call this a domestic, only an internal affairs investigation."

F 41.) Stango was ordered to write a "special report", #12-05. That was report was directed to the events of that morning at Stango's home.

F 42.) Mastriana and Biersbach left, called Sheets and asked her to come to the police station to be interviewed. She declined, saying she wanted nothing to do with this. Sheets said she thought she was being "set up". Mastriana told her if she didn't come to the station, he would go to her house. Not wanting the police at her door, she went to the station. Mastriana called it "protocol".

F 43.) Mastriana and Biersbach returned to the academy that afternoon. Stango gave them his "special report". They took it in the break room and read it. After that, they met in Director Saduk's office and seized Stango's service weapon. Mastriana said she had "signs of injury".

F 44.) Stango was adamant he did nothing to her and immediately asked to take a "polygraph". Mastriana declined and said the prosecutors office was handling it and he didn't know how they were going to proceed. It was 3pm and Stango was sent home for the day.

F 45.) Immediately thereafter, at about 3:30pm, Stango called Mastriana and had a six (6) minute phone conversation.

46.) During that conversation, Stango asked him to come to his home and take pictures of the scene and again reiterated his request to take a "polygraph". Mastriana said "we don't need that", again saying the prosecutors office has it.

f Stango then requested to speak to whomever was investigating this at the prosecutors office. Mastriana would let him know.

f 47.) March 22nd thru 28th, 2012, Stango reported to the academy with no issue, and had not heard from any investigator.

f 48.) March 29, 2012 about 11am, Mastriana called Stango and asked if they could take pictures of his home. Stango agreed and met Mastriana and Biersbach about 11:30 at his residence.

f 49.) Stango took them through his residence and narrated everything that happened on the morning of March 21st. He showed them her path of travel, damage she caused in his bedroom and the "key rack". Multiple pictures were taken.

f 50.) Mastriana wanted a picture of the 'height' of the keyrack, but didn't bring a tape measure. Stango went to his shed and provided one.

f 51.) Stango then had Mastriana take pictures of text messages Sheets had sent.

f 52.) At no time did Mastriana or Biersbach ask any questions of Stango. Stango returned to the academy for the remainder of the day.

f 53.) At no time did anyone from the Cape May County Prosecutors Office ask any question to Stango or interview him or even request to interview him. Namely, Captain Lynne Frame (Frame), Lt. Paul Skill, (Skill) or Det. David Hogan, (Hogan).

f 54.) No investigator was interested in viewing Stango's video of Sheets returning to his home the very next morning.

ARREST AND "ADMINISTRATIVE" SUSPENSION

F 54.) About 5pm on March 29, 2012, Mastriana called Stango and said he needed him to stop by the station and meet in Chief Marker's office.

F 55.) Stango arrived about 5:10pm. In the office were: Chief Marker, Mastriana, Biersbach and Beeby.

F 56.) Stango was arrested. Mastriana had sworn out an arrest warrant for simple assault as follows:

"within the jurisdiction of this court, commit assault by purposely, knowingly or

recklessly causing bodily injury to Regina Sheets; specifically by grabbing her

by the back of the arms and pushing her head into a wall where she struck a keyholder causing bruising to the back of her arm and pain to her head"

F 57.) Stango was also charged by Mastriana on a summons for hindering as follows:

"within the jurisdiction of the court and with purpose to hinder his own detention, apprehension, investigation, prosecution, conviction or punishment, for an offense, give false information to law enforcement, specifically by texting to a

police lieutenant, words that were not true in an attempt to hinder an assault investigation"

F 58.) Stango was also served a Preliminary Notice of Disciplinary Action (PNDA), and given an administrative suspension without pay as signed by Mastriana and Twp. Manager Voll.

a.) Stango was charged with rules and regulations that were withheld from him by police administration and Township officials.

F 59.) Stango was effectively terminated in a mere seven weeks based on two (2) disorderly persons charges with no explanation, statement or evidence produced.

D 60.) The "administrative" suspension without pay was contrary and in violation of his rights and immunities pursuant to NJAC 4A:2-2.5, NJAC 4A:2-2.7, Title 40A:14-147, 40A:14-149.1 and the U.S. Supreme Court decision "Loudermill"

F 61.) In or about the second week of April 2012, Stango first saw the police reports, Sheets' video statement and multiple photographs of her forehead and arm.

F 62.) Remarkably, multiple pictures of Sheets' forehead showed no "lump" and no "bruise". It was a picture of nothing. A close up shot with a ruler was measuring absolutely nothing.

63.) Sheets said she didn't want to be there, and was not making any complaint. She did not want charges pressed or a restraining order. Quite the opposite, she

f was upset that Stango didn't return her calls or texts. She loved him and wanted to see him. She called the whole incident "ridiculous drama".

f 64.) Nevertheless, she claimed that Stango grabbed her around her right and left biceps and slammed her into the wall causing her forehead the strike a sharp metal "hook". Hanging from the hook are multiple sets of keys.

f 65.) Sheets has a bump and/or lump on her forehead from a pre-existing injury when she was hit by a car as a child. She explained that to Mastriana and Biersbach. According to Sheets, "Sam's lump and bruise" is right next to her pre-existing injury.

f 66.) Sheets lifted her right arm and pointed to a singular bruise on the "inside of her arm", up near the armpit. She said, "I just found this on my way in to see you guys" She claimed the singular interior bruise was caused by being grabbed around the right and left biceps.

f 67.) Sheets admitted destroying Stango's property because she was "mad". She also admitted returning to Stango's house the following morning and he refused entry.

MUNICIPAL COURT TRIAL

f 68.) Trial commenced on June 13, 2012 in Cape May City before the Honorable Judge Louis Belasco. Beeby and Greene testified.

69.) Both confirmed that Stango was obligated by rules and regulations to report

f any incident, even if off duty.

f 70.) Beeby confirmed he did not know Stango's girlfriend by name and Stango usually referred to her as his "crazy girlfriend".

f 71.) Beeby confirmed the first time he ever met Sheets was September 2011, at the "Harborview" restaurant. He observed Sheets get "flagged" from the bar after getting into a shoving match with another female. Beeby commented that he wasn't sure what that incident had to do with anything or why it was being asked.

f 72.) July 3 and 11, 2012, testimony continued with Regina Sheets, Mastriana and Biersbach.

f 73.) Sheets confirmed she never made a complaint and didn't want to be in court.

f 74.) Sheets repeatedly testified that Stango grabbed her around the right and left biceps from behind, pushing her through the residence and into the kitchen. She then claimed Stango again grabbed her right and left biceps from the front, slamming her backwards, causing her head to spin, "back and to the right" resulting in a "lump" and "bruise" on her forehead from the key rack.

f 75.) Sheets admitted that she went to Stango's house and purposely destroyed his property because she was "mad". She admitted to calling and texting all day as well as returning to his home the next morning uninvited and unwelcome.

f 76.) When viewing the picture of her forehead, Sheets incredibly testified that the "lump and bruise" were plainly visible to her.

f 77.) Mastriana testified that based on his "training and experience", Sheets' injuries were "consistent with her story".

F 78.) When questioned what one might expect to see if someone's forehead was slammed into a key rack with metal hooks and keys protruding, he replied, "I don't know" "I don't know the level of force"

F 79.) Mastriana testified that based on the picture of Sheets' forehead, he observed "redness". When confronted with the photograph and obvious lack of any injury or discoloring whatsoever, he called it a "red blemish". He then conceded the picture shows nothing, but there was a problem with the "flash" and proclaimed he is "colorblind".

D E 80.) Mastriana suppressed the fact that Sheets had a conviction for "domestic violence" in his own court. He claimed he "was not aware of it". When confronted with a certified copy of conviction, Mastriana admitted the prosecutors office told him. He said that her conviction had "no bearing" on this case since it was a single incident and he "knew the guy-his character".

D 81.) Questioned about the "Harborview" incident, Mastriana claimed that Beeby approached him "prior to trial" and Beeby thought that might be brought up. That's not possible as Beeby himself was surprised at being questioned on the "Harborview" incident. Mastriana violated Judge Belasco's judicial order of sequestration.

F 82.) When questioned about Sheets destruction of Stango's property and if that is criminal mischief, he replied, "technically, but it was never reported". It was reported. In fact, it was the very first thing Stango told him. It's in his own report as well as Stango's "special report".

F 83.) Mastriana confirmed that Sheets had no injury on either right or left bicep.

F 84.) As to the charge of "hindering apprehension by texting false words to a police Lieutenant", Mastriana admitted there were "no false words in the text message" and Stango "did the right thing" by reporting the incident.

F 85.) Biersbach testified and confirmed that Sheets had no injury whatsoever on her forehead, except for the pre-existing injury.

F 86.) Stango testified to everything as described in this complaint.

F 87.) On July 18, 2012, Stango was found not guilty of all charges as charged. Judge Belasco issued his decision: He found Stango's text "ontirely true", and wasn't satisfied "in any way" that Stango was trying to hinder apprehension.

F 88.) Judge Belasco rejected Sheets entire story, finding it was impossible for Sheets forehead to even touch the key rack.

F 89.) Based on Sheets' conduct and "repeatedly refusing to leave", Judge Belasco *speculated* that Stango grabbed her arm to remove her from his property. He *thought* it was a "reckless assault" and found him guilty of evicting Sheets from his home.

F 90.) Stango motioned for acquittal based on defense of property and defense of premises.

F 91.) Michelle DeWeese (DeWeese) Assistant Prosecutor, motioned for Forfeiture of office and against defense of property and premises.

F 92.) On September 26, 2012, Stango's attorney argued that one is permitted to remove someone from your home who destroys your property and refuses to leave.

F 93.) DeWeese argued you cannot remove a trespasser from your home, you must call the police and the criminal mischief, "if there was one" had ended.

f 94.) November 19, 2012 Judge Belasco denied both motions by letter.

f 95.) In denying Stango's motion, Belasco *changed his factual findings* and now proclaimed Sheets was "in the process of leaving", not a trespasser and Stango should have called police to remove her.

f 96.) An appeal was taken to Superior Court in Atlantic County. March 6, 2013 Judge Mark Sandson heard argument and reserved decision.

f 97.) On March 8, 2013, Judge Sandson deferred all findings of Belasco and upheld the "reckless assault" conviction. He further added, "use of force is not permitted against a defiant trespasser".

① 98.) DeWeese, under the direction and supervision of Prosecutor Robert Taylor, continues to prosecute Stango, mislead Judges and manipulate NJ law. The prosecutors duty is not to prosecute, it is to "seek justice". Stango is forced to the NJ Appellate Division to overturn Judge Belasco's *"imaginary scenario that even if true is not against the law, and specifically permitted by law"*.

VIOLATIONS OF NJ ATTORNEY GENERAL GUIDELINES

f 99.) If an officer is involved in "potential" criminal issue, no interview is to be taken. The prosecutors office must be called first.

f 100.) If an interview is conducted, the officer must be advised if he is a victim,

witness or suspect. No special reports are to be ordered. No miranda warning or "garrity rule" was given.

101.) There was no complaint being made. They "recruited" Sheets to tell a story.

102.) Investigators must recognize that some complaints are contrived and maliciously pursued. Complaints must be investigated. In the police video neither Mastriana nor Biersbach asked any questions. She simply told an incredible story that went unchallenged

103.) Stango met none of the criteria for an unpaid suspension.

104.) Weapon seized in violation of Directive 2000-3 and 2000-4. Mastriana had no factual basis to believe Stango's service weapon posed a risk of "serious bodily injury" to Sheets.

105.) Even with the erroneous weapon seizure, Chief Marker was **mandated** to do an immediate background investigation to determine what conditions if any Stango could have his service weapon. That was never done. No fitness for duty exam was ever ordered.

A.) During this time period, Lower Township has allowed two (2) officers to continue to work "light duty" after having their weapons seized pursuant to "domestic violence". Both officers were also recommended to have no duty weapon per a "fitness for duty exam"

106.) Investigators should have interviewed Stango consistent with AG Directive 2006-2. (using an audio or video recording)

107.) Video statements start when the interviewee enters the interview room and

concludes when they leave. Sheets' video statement is abruptly cut off at a most critical point. As Sheets is seen "questioning her own credibility" to Biersbach, the tape inexplicably ends.

108.) During Stango's "10 minute" interview, Mastriana and Biersbach took no notes of what Stango was telling them and wrote their police reports eight days later, after Stango's arrest and suspension.

COUNT ONE

HOSTILE WORK ENVIRONMENT, NEW JERSEY LAW AGAINST DISCRIMINATION (NJLAD) N.J.S.A. 10:5-12

The above paragraphs are repeated as if set forth at length herein. The above described acts by Defendants constitute a violation of the NJLAD based on a "perceived" disability and age discrimination with purpose to harass, intimidate, bully and cause resignation and/or termination. Selective enforcement of work rules for Plaintiff.

WHEREFORE, Plaintiff demands Judgment against Defendants Lower Township, Lower Township Police Department, Michael Voll and Police Officers Marker, Mastriana and Biersbach as follows:

- A. Compensatory damages;
- B. Punitive Damages;
- C. Interest and costs of suit;
- D. An Order returning Plaintiff to his position in the Lower Township

Police Department

- E. Termination of Michael Voll ; Termination of William Mastriana
- F. Removal of LTPD's "accreditation" status
- G. Any other relief that the Court deems equitable and just.

COUNT TWO

FALSE ARREST, MALICIOUS PROSECUTION, VIOLATIONS OF NEW
JERSEY ATTORNEY GENERAL GUIDELINES, U.S.C. 1983, NEW
JERSEY PUBLIC POLICY

The above paragraphs are repeated as if set forth at length herein. Defendants maliciously filed and pursued charges without any factual or legal basis and without any probable cause to belief Plaintiff committed any offense whatsoever.

I+O The charges were filed intentionally with reckless disregard of Plaintiff's rights. Filing and pursue charges of "hindering apprehension/prosecution" when Plaintiff was following police rules and regulations and confirmed by the State's own witnesses. Continue to prosecute for conduct that is specifically permitted

by NJ law. Violating New Jersey Court Rules by placing Plaintiff on an arrest warrant. Violations of NJ Constitution Article I, Section 1, Section 5, Section 7, and Section 22. Violations of U.S. Constitution , Amendment IV, Article XIV Section 1.

Plaintiff was a victim of crime as defined in the New Jersey Criminal Code and the New Jersey Constitution, Article I Section 22. Specifically: burglary, criminal mischief, trespassing, criminal coercion, harassment, stalking, false reports, false swearing and perjury

WHEREFORE, Plaintiff demands Judgment against Defendants Lower Township, Lower Township Police Department, Manager Voll, police officers Marker, Mastriana, Biersbach, Prosecutors Office: Taylor, DeWeese, Frame, Skill and Hogan as follows:

- A. Compensatory damages;
- B. Punitive Damages;
- C. Interest and costs of suit;
- D. Removal from office of Voll, Mastriana and DeWeese
- E. Removal of LTPD's "accreditation" status
- F. Require training in NJ Attorney General Guidelines, Constitutional and New Jersey law.
- G. Any other relief that the Court deems equitable and just.

COUNT THREE

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

I + O
The above paragraphs are repeated as if set forth at length herein. Defendants took a known "domestic violence" convict from their own court (engaging in the same extreme and outrageous conduct), with self proclaimed "mental health" issues and recruited her to tell a story that no person of reasonable intelligence could possibly believe. The acts of defendants were intentionally or recklessly engaged in. The conduct, actions and false allegations of Sheets herself were extreme and outrageous and beyond all bounds of human decency. Defendants have proximately caused Plaintiff to suffer severe and continuing emotional distress and disturbance to the extent that no similarly situated person could or should be expected to endure and tolerate.

WHEREFORE, Plaintiff demands Judgment against Defendants Lower Township, Voll, Marker, Biersbach, Taylor, DeWeese, Frame, Skill, Hogan and Sheets for:

- A. Compensatory damages;
- B. Punitive damages;
- C. Interest and costs of suit; and
- D. Any other relief the Court deems equitable and just.

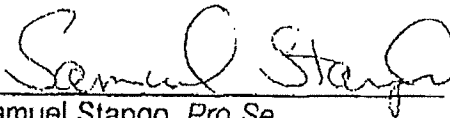
RULE 4:5-1 CERTIFICATION

Pursuant to R. 4:5-1, I hereby certify that to the best of my knowledge, information and belief, the matter in controversy is not the subject of any other action pending in any Court or arbitration proceedings, and no other action is contemplated. I know of no other parties that should be joined herein.

JURY DEMAND PURSUANT TO R. 1:8-1(b) and R. 4:35-1

Plaintiff, Samuel Stango, hereby requests trial by jury as to all issues herein.

SAMUEL STANGO, PRO SE


Samuel Stango, Pro Se

Dated: 3/28/14

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