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Attorney for Dimieari T. Halliday

FEB 17 2015

DIMIEARI T. HALLIDAY,
Plaintiff,

v.

BOROUGH OF LINDENWOLD,
LINDENWOLD BOROUGH POLICE
DEPARTMENT, STATE OF NEW
JERSEY DEPARTMENT OF
CORRECTIONS BUREAU OF PAROLE,
CAMDEN COUNTY DEPARTMENT OF
CORRECTIONS, NEW JERSEY
DEPARTMENT OF THE TREASURY,
and JOHN DOE and JANE DOE I-X,
Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-CAMDEN COUNTY
DOCKET NO. *L-634-15*

Civil Action

VERIFIED COMPLAINT AND JURY
DEMAND

Plaintiff DIMIEARI T. HALLIDAY, residing in the Township of
Winslow, in the County of Camden; by way of complaint, does say:

COUNT ONE

1. On or about July 20, 2013, plaintiff DIMIEARI T. HALLIDAY
was arrested and charged with unlawful possession of a
controlled dangerous substance by members of defendant
LINDENWOLD BOROUGH POLICE DEPARTMENT, an agency operated under
the authority of defendant BOROUGH OF LINDENWOLD.
2. On or about July 26, 2013, and as a result of the arrest as
alleged in paragraph 1, plaintiff was charged with violation of

parole by defendant NEW JERSEY DEPARTMENT OF CORRECTIONS BUREAU OF PAROLE. He was lodged in the Camden County Correctional Facility operated by defendant CAMDEN COUNTY DEPARTMENT OF CORRECTIONS on that day, without bail.

3. Plaintiff remained incarcerated in the Camden County Correctional Facility until on or about September 25, 2013.

4. On or about February 5, 2014, the said charge of unlawful possession of a controlled dangerous substance was dismissed with prejudice by the Hon. Nicholas Trabosh, J.M.C.

5. Plaintiff was unlawfully arrested, charged and incarcerated based upon the conduct of representatives of defendants JOHN DOE AND JANE DOE I-X, BOROUGH OF LINDENWOLD, LINDENWOLD BOROUGH POLICE DEPARTMENT, NEW JERSEY STATE DEPARTMENT OF CORRECTIONS BUREAU OF PAROLE, and CAMDEN COUNTY DEPARTMENT OF CORRECTIONS.

WHEREFORE, plaintiff demands judgment against the said defendants for false arrest and unlawful detention, in violation of his rights under the United States Constitution and the New Jersey State Constitution, as well as New Jersey statutory and common law, and for costs of suit and attorneys' fees.

COUNT TWO

6. Plaintiff repeats and incorporates by reference the allegations contained herein in paragraphs 1 through 5.

7. Plaintiff lost his part-time job as a result of being incarcerated for 61 days.

8. As a result of having lost his employment caused by his unlawful detention, he suffered a loss of income of approximately \$2,800.

WHEREFORE, plaintiff demands judgment against defendants BOROUGH OF LINDENWOLD, LINDENWOLD BOROUGH POLICE DEPARTMENT, NEW JERSEY STATE DEPARTMENT OF CORRECTIONS BUREAU OF PAROLE, and CAMDEN COUNTY DEPARTMENT OF CORRECTIONS for his loss of income, as well as costs of suit and attorneys' fees.

COUNT THREE

9. Plaintiff repeats and incorporates by reference the allegations contained herein in paragraphs 1 through 8.

10. Plaintiff never admitted to, nor did he commit, the crime for which he was charged on July 20, 2013, and therefore, he was unlawfully detained.

11. Pursuant to N.J.S.A. 52:4C-1 et seq., plaintiff is entitled to compensation from the State of New Jersey for \$20,000 for each year of his illegal incarceration. The period of his unlawful detention was 61 days.

WHEREFORE, plaintiff demands judgment against defendant
STATE OF NEW JERSEY DEPARTMENT OF TREASURY, for statutory
damages based upon a calculation of an award of \$20,000 per year
of incarceration, or approximately \$3,500, plus costs of suit
and attorneys' fees.

Dated: February 5, 2015


Jennifer L. Gottschalk, Esq.
Law Office of Richard Sparaco
Attorney for plaintiff

DESIGNATION OF TRIAL COUNSEL

Please take notice that pursuant to R. 4:25-4, Jennifer L.
Gottschalk, Esq., is hereby designated as trial counsel.

Dated: February 5, 2015


Jennifer L. Gottschalk

CERTIFICATION PURSUANT TO R. 4:5-1

I, Jennifer L. Gottschalk, of full age, do certify and say:

1. I am an attorney-at-law of the State of New Jersey and am
"Of Counsel" to the Law Offices of Richard Sparaco. I have
personal knowledge of the facts stated herein.
2. I am not aware of the names of any other persons or
prospective parties who should be joined in this action.
3. To my knowledge, the matter in controversy is not the
subject of any other action pending in any court or of a pending
arbitration proceeding, nor is there any other actions or
arbitration proceeding contemplated.

4. I certify that the foregoing statements made by me are true to the best of my knowledge, information and belief. I understand that I may be punished if I have made any false statement willfully.

Dated: February 5, 2016


Jennifer L. Gottschalk

VERIFICATION

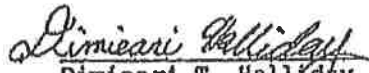
1. I am Dimieari T. Halliday, the plaintiff in the above matter.

2. I have read the foregoing complaint and on my own personal knowledge, I know that the facts set forth are true and they are incorporated in this certification by reference.

3. I certify that the above statements made by me are true.

I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 2/5/2015


Dimieari T. Halliday

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS) Use for Initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERKS OF COURT ONLY PAYMENT TYPE: ☐ CK ☐ CC ☐ CA CHA/CK NO.: _____ AMOUNT: _____ OVERPAYMENT: _____ BATCH NUMBER: _____
	ATTORNEY/PRO SE NAME Jennifer L. Gottschalk, Esq.	TELEPHONE NUMBER (856) 432-1885	COUNTY OF VENUE Camden
	FIRM NAME (if applicable) Law Offices of Richard Sparaco		DOCKET NUMBER (when available) L-634-15
	OFFICE ADDRESS 1920 Fairfax Avenue Cherry Hill, NJ 08003		DOCUMENT TYPE Complaint and Jury Demand JURY DEMAND ☒ YES ☐ NO
NAME OF PARTY (e.g., John Doe, Plaintiff) Dineen T. Halliday, Plaintiff		CAPTION Halliday v. Boro. of Lindenwold; Lindenwold Boro. Police Department; State of NJ Dept. of Corrections Bureau of Parole; Camden County Dept. of Corrections; State of NJ, Dept. of Treas., et al	
CASE TYPE NUMBER (See reverse side for listing) 99B	HURRICANE SANDY RELATED? ☐ YES ☒ NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT. IF YES, LIST DOCKET NUMBERS	
RELATED CASES PENDING? ☐ YES ☒ NO			
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ YES ☒ NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) ☐ NONE ☒ UNKNOWN	
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? ☒ YES ☐ NO		IF YES, IS THAT RELATIONSHIP: ☐ EMPLOYER/EMPLOYEE ☐ FRIEND/NEIGHBOR ☐ OTHER (explain) ☐ FAMILIAL ☐ BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? ☒ YES ☐ NO			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION This case involves allegations of false arrest and wrongful imprisonment. Plaintiff was on parole at the time of his arrest and incarceration, and was detained as a parole violator without bail based upon the criminal charge brought by the Lindenwold Police. That charge was ultimately dismissed.			
Do you or your client need any disability accommodations? ☐ YES ☒ NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
WILL AN INTERPRETER BE NEEDED? ☐ YES ☒ NO		IF YES, FOR WHAT LANGUAGE?	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE: <i>Jennifer L. Gottschalk</i>			

CAMDEN COUNTY
SUPERIOR COURT
HALL OF JUSTICE
CAMDEN

NJ 08103

COURT TELEPHONE NO. (856) 379-2200
COURT HOURS 8:30 AM - 4:30 PM

TRACK ASSIGNMENT NOTICE

DATE: FEBRUARY 19, 2015
RE: HALLIDAY VS LINDERHOLD BROUGH OF
DOCKET: CM L -000634 IS

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE RETRIAL JUDGE ASSIGNED IS: HON ROBERT G. MILLENTY

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 101
AT: (856) 379-2200 EXT 3060.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: JENNIFER L. GOTTSCHALK
RICHARD SPARACO
1926 FAIRFAX AVENUE
CHERRY HILL NJ 08003

JUDGTS