

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RECEIVED
8/26/14
11:00
CLERK
JERSEY COUNTY

G.H.,
Plaintiff

V.

SUMMONS IN A CIVIL CASE

SALEM HIGH SCHOOL, ET AL.,
Defendant

CASE NUMBER: 1:14-CV-05200-JEI-AMD

TO: (Name and address of Defendant):

Salem City Police Department
129 West Broadway
Salem, New Jersey 08079

RECEIVED
SEP 08 2014
BY: J. Alvarado

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

WILLIAM T. WALSH

CLERK

Brian D. Kemner

(By) DEPUTY CLERK



ISSUED ON 2014-08-20 15:14:03.0, Clerk
USDC NJD

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾		DATE
NAME OF SERVER <i>(PRINT)</i>		TITLE
Check one box below to indicate appropriate method of service		
☐ Served personally upon the defendant. Place where served: _____ _____ ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. ☐ Name of person with whom the summons and complaint were left: _____ ☐ Returned unexecuted: _____ _____ ☐ Other (specify) : _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. Executed on _____ Date _____ Signature of Server _____ Address of Server _____		

RECEIVED
SEP 08 2014
BY: J. A. Peluatti

ROBERT N. AGRE, ESQUIRE

Attorney ID#018951794

AGRE & JENSEN

4 Kings Highway East

Haddonfield, NJ 08033

(856) 428-7797

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ATTORNEY FOR PLAINTIFF, G.H., a minor, by and through her mother and natural guardian,

Leslie Douglas

G.H., a minor, by and through her mother and natural guardian, Leslie Douglas,

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

PLAINTIFF,

CIVIL ACTION NO.

vs.

SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA McCOY-CUFF, JOHN DOES 1-25 (fictitious names), ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n), jointly, severally and/or in the alternative,

COMPLAINT AND DEMAND FOR JURY TRIAL

DEFENDANTS.

Plaintiff, G.H., a minor by and through her mother and natural guardian, Leslie Douglas [hereinafter "Plaintiff"], a resident of the County of Salem and State of New Jersey, by way of Complaint against the Defendants, says as follows:

PREAMBLE

1. This is an action for damages and other appropriate relief stemming from tortious conduct and civil rights constitutional violations committed against the Plaintiff by the

Salem High School, the Salem City Police Department and their employees, agents and/or servants.

2. Defendants, who were in a position of supervision and superiority to the Plaintiff, a minor student enrolled in the Salem High School, committed intentional, reckless, deliberate and/or negligent constitutional, statutory and common law violations against the Plaintiff.
3. The misconduct and failures of the Defendants occurred during the time that the Plaintiff was a student at the Salem High School in the Salem City School District.

JURISDICTION

1. This action arises under the United States Constitution, particularly under the provisions of the Fifth, Eighth and Fourteenth Amendments to the Constitution of the United States, and under federal law, particularly the Civil Rights Act, Title 42 of the United States Code § 1983, and under the New Jersey Constitution, the New Jersey Tort Claims Act and New Jersey common law.
2. This Court has jurisdiction of this federal question case under and by virtue of Title 28 of the United States Code § 1331 and § 1343.
3. Plaintiff also invokes supplemental jurisdiction pursuant to 28 United States Code § 1367 over Plaintiff's state claims against the Defendants for state constitutional violations and statutory and common law claims that form part of the same case or controversy.
4. Venue lies in the United States Federal District Court for the District of New Jersey pursuant to 28 U.S.C.A. § 1391.

PARTIES

1. Plaintiff, G.H., was born in the year 1997 and is now seventeen (17) years old. Her full identity and address are not disclosed because of her status as a minor. At the time of the

subject incident, Plaintiff was a student at the Salem High School. She is a citizen of the United States of America and a resident of the County of Salem and State of New Jersey.

2. Defendant, Salem High School, is a public entity and educational institution, which Plaintiff believes and therefore avers, receives federal financial assistance, and which maintains its offices and principal place of business at 219 Walnut Street, in the City and County of Salem and State of New Jersey.
3. Defendant, Salem City School District, is a public entity and educational institution, which Plaintiff believes and therefore avers, receives federal financial assistance, and which maintains its offices and principal place of business at 205 Walnut Street in the City and County of Salem and State of New Jersey.
4. Defendant, Jonathan L. Price, is an adult individual who, at times relevant to this Complaint, was employed by the Salem High School and/or the Salem City School District as a vice-principal.
5. Defendant, Alfreda Mc-Coy Cuff, is an adult individual who, at times relevant to this Complaint, was employed by the Salem High School and/or the Salem City School District in an administrative staff capacity.
6. Defendant, Amiot Patrick Michel, is an adult individual who, at times relevant to this Complaint, was employed by the Salem City School District as superintendent.
7. Defendant, Gregory H. Dunham, is an adult individual who, at times relevant to this Complaint, was employed by the Salem High School and/or the Salem City School District as a high school principal.
8. Defendant, Salem City Police Department, is a public entity and law enforcement agency which maintains its offices and principal place of business at 129 West Broadway in the City and County of Salem and State of New Jersey.

9. Defendant, John Cyber, is an adult individual who, at times relevant to this Complaint, was employed by Defendant, Salem City Police Department as a police officer and served in a capacity as the school resource officer at the Salem High School.
10. At all times relevant to this Complaint, Defendants, JOHN DOES 1-25, were fictitious individuals and/or governmental or private entities who are liable to the Plaintiff for her damages. The identities of these fictitious individuals and/or entities are not presently known to the Plaintiff.
11. At all times relevant to this Complaint, Defendants, ADMINISTRATIVE DOES 1-25, were fictitious individuals who held administrative positions within the Salem City School District and/or the Salem City Police Department with responsibilities to ensure adequate training and supervision of and/or communication among Defendants for the safety and well-being of the Plaintiff. Said individuals are sued in their professional and personal capacities. The identities of these fictitious individuals are not presently known to the Plaintiff.
12. At all times relevant to this Complaint, Defendants, SUPERVISORY DOES 1-25, were fictitious individuals who held supervisory positions within the Salem City School District and/or the Salem City Police Department charged with the responsibility to supervise the Defendants' staff and were responsible for the safety and well-being of the Plaintiff. Said individuals are sued in their professional and personal capacities. The identities of these fictitious individuals are not presently known to the Plaintiff.

FACTS COMMON TO ALL COUNTS

1. On September 26, 2013, Plaintiff, G.H. was a student at the Salem High School within the Salem City School District.
2. On said date, Defendant, Amiot Patrick Michel [hereinafter "Michel"] was the

Superintendent of the Salem City School District and possessed all of the administrative, educational and supervisory duties and authorities of that office.

3. On said date, Defendant, Gregory H. Dunham [hereinafter "Dunham"], was the Principal of the Salem High School and possessed all of the administrative, educational and supervisory duties of that office.
4. On said date, Defendant, Jonathan Price [hereinafter "Price"], was the Vice-Principal of the Salem High School and possessed all of the administrative, educational and supervisory duties and authorities of that office.
5. On said date, Defendant, Alfreda McCoy-Cuff [hereinafter "McCoy-Cuff"], was an administrative assistant at the Salem High School and possessed all of the administrative, educational and supervisory duties and authorities of that position.
6. On said date, Defendant, John Cyber [hereinafter "Cyber"], was a police officer and/or school resource officer employed by the Defendant, Salem City Police Department and/or the Salem City School District and possessed all of the police duties and authorities of that position.
7. On said date, the Plaintiff, G.H., was told to present herself to the office of Salem High School Vice-Principal, Jonathan Price. Plaintiff complied.
8. On said date, Defendant, Jonathan Price, instructed Defendant, Alfreda McCoy Cuff, to conduct a strip search of the Plaintiff's body in his office located at the Salem High School in the presence of Defendant, John Cyber.
9. On said date, Plaintiff was instructed to remove her shirt and her bra in the presence of Defendants, Jonathan Price, Alfreda McCoy-Cuff and John Cyber.
10. Plaintiff was sixteen (16) years old at the time.
11. Plaintiff, pursuant to the instruction from school administration and School Resource

Officer John Cyber, removed her shirt and her bra in the presence of Defendants, Jonathan Price, Alfreda McCoy-Cuff and John Cyber.

12. Defendant, Alfreda McCoy-Cuff inspected the partially-nude body of the minor Plaintiff in the presence of Defendants, Jonathan Price and John Cyber.
13. A Notice of Claim was served upon the public entity Defendants in this matter pursuant to the New Jersey Tort Claims Act on or about October 14, 2011. More than six (6) months has elapsed since the Notice of Claim was served on the public entity Defendants.
14. As a school district, Salem City School District owes a heightened duty to ensure pupil safety from foreseeable harm, particularly those presented by the intentional acts of school personnel.
15. The Defendants, Salem High School, Salem City School District, Jonathan Price, Alfreda McCoy-Cuff and the fictitiously-named school personnel Defendants, herein stood *in loco parentis* relative to G.H. during the school day. G.H.'s mother transferred the power to act as G.H.'s guardians to school personnel during the school day.
16. All of the Defendants named in this lawsuit were acting under color of law at the time of the incident giving rise to the cause of action.

COUNT ONE
ABUSE/NEGLECT OF A CHILD

1. Plaintiff repeats the previous allegations of this Complaint as if the same were set forth fully herein.
2. On September 26, 2013, the child, G.H., was lawfully under the care and supervision of Defendants.
3. On said date, the conduct of the Defendants, Price, McCoy-Cuff and Cyber in

affirmatively and/or constructively causing the child to undress and expose her private area in their presence constituted abuse and/or neglect of the child, G.H.

4. Defendants, Salem High School, Salem City School District, Salem City Police Department, Michel and Dunham are liable for the conduct and actions of Defendants, Price, McCoy-Cuff and Cyber, on a theory of *respondeat superior*.
5. As a result of said unlawful conduct of the Defendants, Plaintiff sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA MCCOY-CUFF, JOHN DOES 1-25 (fictitious names), ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT TWO
INVASION OF PRIVACY

1. Plaintiff repeats the previous allegations of this Complaint as if the same were set forth fully herein.
2. On September 26, 2013, the conduct of the Defendants, Price, McCoy-Cuff and Cyber, constituted an invasion of the Plaintiff, G.H.'s, privacy.
3. Plaintiff, G.H., had a reasonable expectation of privacy in not being made to undress and expose her private areas to Defendants.
4. The conduct of said Defendants is an intrusion that would be highly offensive to a

reasonable person.

5. Defendants, Salem High School, Salem City School District, Salem City Police Department, Michel and Dunham are liable for the conduct and actions of Defendants, Price, McCoy-Cuff and Cyber, on a theory of *respondeat superior*.
6. As a result of said unlawful conduct of the Defendants, Plaintiff sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA McCOY-CUFF, JOHN DOES 1-25 (fictitious names), ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT THREE
42 U.S.C. 1983 AND 1988

1. Plaintiff repeats the previous allegations of this Complaint as if the same were set forth fully herein.
2. This Count of the Plaintiff's Complaint is brought pursuant to 42 U.S.C. §§ 1983 and 1988; the Fourth and Fourteenth Amendments to the United States Constitution; and Article One, Paragraph One of the New Jersey State Constitution.
3. At all times when the Defendants maintained care, custody and control of the Plaintiff in school, Defendants had a special relationship with the Plaintiff which imposed upon the

Defendants an affirmative duty to care for and protect the Plaintiff from harm under the Fourteenth Amendment to the United States Constitution and Article One, Paragraph One of the New Jersey Constitution.

4. Defendants breached that duty. Defendants' actions and omissions were a substantial departure from the exercise of reasonable professional judgment, practice and standards and amounted to deliberate indifference to the Plaintiff's welfare and rights.
5. The conduct of Defendants, Price, McCoy-Cuff and Cyber constituted an unlawful search and seizure, conducted without a warrant, without probable cause, without reasonable suspicion and without procedural and substantive due process.
6. The strip search of the minor Plaintiff, G.H., was excessive.
7. Defendants failed to ensure the safety and well-being of the Plaintiff while she was a student and in the custody of the State, thus proximately causing her substantial and unnecessary physical, emotional, developmental, psychological and/or psychiatric harm.
8. The named and unnamed supervisory Defendants failed to implement appropriate policies to avoid the harm that was caused to the Plaintiff, failed to assure the adequate training of the school and police staff, and failed to ensure that school policies and procedures were interpreted and implemented in a consistent manner.
9. The special relationship created by the Plaintiff's enrollment in public school imposed affirmative duties upon the Defendants. Among those duties was the protection of the Plaintiff's constitutional rights, including but not limited to the right to be free from an unreasonable search and seizure, the right to protection from harm, the right not to be abused or physically, emotionally or developmentally harmed and the right to an adequate and appropriate education.
10. The foregoing actions and inactions of Defendants resulted in the Plaintiff being deprived

of constitutionally protected liberty interests without due process of law, which was a substantial factor leading to, and a proximate cause of the physical, emotional, developmental, psychological and psychiatric harm suffered by the Plaintiff.

11. Defendants arbitrarily and capriciously deprived the Plaintiff of her constitutional rights in the absence of any countervailing state interest.
12. Plaintiff's rights were clearly established constitutional rights at the time of Defendants' acts and omissions, and a reasonable individual would have known that their acts and omissions would violate these clearly established constitutional rights.
13. As a direct and proximate result of said constitutional violations, for which a remedy is provided in 42 U.S.C. 1983, on the part of the Defendants, Plaintiff sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA McCOY-CUFF, JOHN DOES 1-25 (fictitious names), ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT FOUR

42 U.S.C. 1983 (State-Created Danger-Substantive Due Process)

1. Plaintiff repeats the previous allegations of this Complaint as if the same were set forth fully herein.
2. This Count of the Plaintiff's Complaint is brought pursuant to 42 U.S.C. §§ 1983 and 1988;

the Fourth and Fourteenth Amendments to the United States Constitution; and Article One, Paragraph One of the New Jersey Constitution.

3. The Fourteenth Amendment to the United States Constitution and Article One, Paragraph One of the New Jersey Constitution guarantee the Plaintiff a substantive due process right to be free from state-created dangers.
4. Defendants violated this right by taking the affirmative steps of requiring the child, G.H., to remove her clothing and to expose herself in the presence of Defendants, Price, McCoy-Cuff and Cyber, which rendered the Plaintiff at imminent and foreseeable risk of danger and harm.
5. The physical, emotional, developmental, psychological and/or psychiatric harm that the Plaintiff suffered as a result was foreseeable and was directly and proximately caused by the Defendants' unconstitutional acts and omissions.
6. Defendants acted with deliberate indifference and callous disregard for the Plaintiff's safety and rights by conducting a strip search in the presence of Defendants, Price, McCoy-Cuff and Cyber.
7. At the time of the incident, Defendants and the Plaintiff had a special relationship since she was a student in the care, custody and control of the educational Defendants.
8. Defendants arbitrarily and capriciously deprived the Plaintiff of her due process rights in the absence of any countervailing state interest.
9. Plaintiff's substantive due process rights to be free from state-created dangers were clearly established constitutional rights at the time of Defendants' acts and omissions, and a reasonable individual would have known that their acts and omissions would violate these clearly established constitutional rights.
10. As a direct and proximate result of said constitutional violations, for which a remedy is

provided in 42 U.S.C. 1983, on the part of the Defendants, Plaintiff sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA McCOY-CUFF, JOHN DOES 1-25 (fictitious names), ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT FIVE
GROSS NEGLIGENCE

1. Plaintiff repeats the previous allegations of this Complaint as if the same were set forth fully herein.
2. Defendants maintained a duty to the Plaintiff, through common law, statutory law and regulatory law, to exercise reasonable care compatible with the standards set forth therein, to provide for the Plaintiff's health, safety, care and general well-being once the Plaintiff came under their custody and supervision; to guard, maintain and protect the Plaintiff once the Plaintiff came under their custody and supervision; to prevent incidents of child abuse and/or neglect insofar as the Plaintiff was concerned; to provide necessary services to the Plaintiff; and to prevent maltreatment, abuse or neglect to the Plaintiff.
3. Defendants were negligent, grossly negligent and/or reckless with regard to their duties aforesaid and breached the same when the child, G.H., was made to undress and expose herself in the presence of Defendants, Price, McCoy-Cuff and Cyber.

4. The named and unnamed supervisory Defendants failed to ensure that the individual Defendants were adequately trained and supervised and to otherwise protect the Plaintiff from harm in a manner that was consistent with the exercise of reasonable professional judgment, to the direct detriment of the Plaintiff.
5. The named and unnamed supervisory Defendants failed to adequately supervise staff that was responsible for ensuring the safety and protection of the Plaintiff.
6. Defendants' negligence, gross negligence and/or reckless was a proximate cause of the abuse, neglect and/or other tortious conduct endured by the Plaintiff, G.H.
7. The named and unnamed public entity Defendants are liable to the Plaintiff pursuant to N.J.S.A. 59:2-2 et seq.
8. As a direct and proximate result of said negligence, gross negligence and/or recklessness of the Defendants, the Plaintiff sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA McCOY-CUFF, JOHN DOES 1-25 (fictitious names), ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT SIX
NEGLIGENCE

1. Plaintiff repeats the previous allegations of this Complaint as if the same were set forth

fully herein.

2. Defendants maintained a duty to the Plaintiff, through common law, statutory law and regulatory law, to exercise reasonable care compatible with the standards of professionalism in the education and law enforcement.
3. The conduct of the Defendants in this case violated that duty of care.
4. Defendants were therefore negligent with regard to the Plaintiff, G.H.
5. Defendants, Price, McCoy-Cuff and/or Cyber's negligence was a proximate cause of the abuse and/or neglect of the child, G.H.
6. Defendants, Salem High School, Salem City School District, Salem City Police Department, Michel and Dunham are liable for the negligent conduct and actions of Defendants, Price, McCoy-Cuff and Cyber, on a theory of *respondeat superior*.
7. As a result of said unlawful conduct of the Defendants, Plaintiff sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA McCOY-CUFF, JOHN DOES 1-25 (fictitious names), ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT SEVEN
NEGLIGENT HIRING AND/OR SUPERVISION

1. Plaintiff repeats each and every allegation set forth in the previous Counts as if same were

repeated herein at length.

2. Defendants, Salem High School, Salem City School District, Salem City Police Department, Michel and Dunham were liable for the hiring and supervision of Defendants, Price, McCoy-Cuff and Cyber.
3. Defendants, Salem High School, Salem City School District, Salem City Police Department, Michel and Dunham failed to exercise due care in the hiring and/or supervision of Defendants, Price, McCoy-Cuff and Cyber.
4. As a result of said negligent conduct of the Defendants, Plaintiff sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT EIGHT
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS

1. The Plaintiff repeats the previous allegations of the within Complaint as if the same were set forth at length herein.
2. On the dates aforesaid, the conduct of Defendants, Price, McCoy-Cuff and/or Price was outrageous and extreme and it was foreseeable that emotional distress would result therefrom.

3. On the dates aforesaid, the said Defendants acted intentionally such that their conduct caused severe emotional distress to the Plaintiff.
4. As a direct and proximate result of said intentional conduct on the part of the Defendants, the Plaintiff is entitled to an award of punitive damages.
5. As a result of the Plaintiff's conduct, the Plaintiff has suffered extreme emotional distress, has been prevented from attending to her usual and ordinary activities, has sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.
6. Defendants, Salem High School, Salem City School District, Salem City Police Department, Michel and Dunham are liable for the negligent conduct and actions of Defendants, Price, McCoy-Cuff and Cyber, on a theory of *respondeat superior*.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA MCCOY-CUFF, ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT NINE
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

1. The Plaintiff repeats the previous allegations of the within Complaint as if the same were

set forth at length herein.

2. On the date and time aforesaid, the Defendants owed a duty of reasonable care to the Plaintiff and acted negligently such that their conduct caused severe emotional distress to the Plaintiff.
3. Emotional distress was a foreseeable consequence of the conduct.
4. As a result of the Plaintiff's conduct, the Plaintiff has suffered extreme emotional distress, has been prevented from attending to her usual and ordinary activities, has sustained damages of both an economic and non-economic nature, was humiliated and embarrassed, was prevented from attending to her ordinary and necessary affairs, was caused to suffer injury to her reputation and has otherwise been injured.
5. Defendants, Salem High School, Salem City School District, Salem City Police Department, Michel and Dunham are liable for the negligent conduct and actions of Defendants, Price, McCoy-Cuff and Cyber, on a theory of *respondeat superior*.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, SALEM HIGH SCHOOL, SALEM CITY SCHOOL DISTRICT, SALEM CITY POLICE DEPARTMENT, JONATHAN L. PRICE, AMIOT PATRICK MICHEL, GREGORY H. DUNHAM, JOHN CYBER, ALFREDA MCCOY-CUFF, ADMINISTRATIVE DOES 1-25 (f/n), SUPERVISORY DOES 1-25 (f/n) for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

COUNT TEN
CIVIL AND CRIMINAL CONSPIRACY

1. The Plaintiff repeats the previous allegations of the within Complaint as if the same were set forth at length herein.
2. Defendants, Price, McCoy-Cuff and Cyber acted in concert to deprive the Plaintiff of her constitutional rights.
3. Defendants' acts and declarations were taken in the furtherance of the conspiracy to deprive the Plaintiff of her constitutional rights.
4. Defendants, Price, McCoy-Cuff and Cyber, are liable for every act and declaration of each and all of the conspirators, done or made in the pursuance of the conspiracy.
5. Defendants are liable for the conduct of all the Defendants pursuant to N.J.S.A. 2C:2-6 wherein a person is an accomplice when there is a legal duty to prevent the commission of the offense and fails to make proper effort to do so.
6. As a result of the aforementioned acts Plaintiff sustained special damages resulting from Defendants' conspiratorial conduct.
7. As a direct, foreseeable, and proximate result of Defendants' intentional acts, Plaintiff sustained severe injuries and continues to suffer from humiliation, embarrassment, mental and emotional distress.
8. The conspiratorial acts, conduct, and behavior of Defendants, and each of them, were performed knowingly, intentionally and maliciously, by reason of which Plaintiff is entitled to an award of punitive damages.

WHEREFORE, Plaintiff demands judgment on this Count against Defendants, JONATHAN L. PRICE, JOHN CYBER, ALFREDA McCOY-CUFF, for such sums as would reasonably and properly compensate her in accordance with the laws of the United States and the

laws of the State of New Jersey, together with punitive damages, interest and the costs of suit.

DEMAND FOR TRIAL BY JURY

Please take notice that Plaintiffs hereby demand trial by jury as to all issues.

DESIGNATION OF TRIAL COUNSEL

Please take notice that pursuant R. 4-25-4, Robert N. Agre, Esquire, is hereby designated as trial counsel in this matter.

CERTIFICATION OF NO OTHER PROCEEDINGS

I hereby certify that, to the best of my knowledge, information and belief, this matter is not the subject of any other action or arbitration proceeding, and that, to the best of my knowledge, information and belief, no other action or arbitration proceeding is contemplated.

AGRE & JENSEN
ATTORNEYS FOR PLAINTIFF

s/ Robert N. Agre
BY: Robert N. Agre, Esquire

Dated: August 20, 2014

ROBERT N. AGRE
Certified Criminal
Trial Attorney
Email: attyagre@earthlink.net

Law Offices of
Agre & Jensen
4 Kings Highway East
Haddonfield, New Jersey 08033
T: (856) 428-7797
F: (856) 428-7772

ANNMARIE JENSEN
Bar Member of NJ & NY
NJ Superior Ct. R. 1:40 Qualified Mediator
Email: annmariejensen@comcast.net

October 14, 2013

CERTIFIED AND REGULAR MAIL

Salem City Police Department
129 West Broadway
Salem, NJ 08079

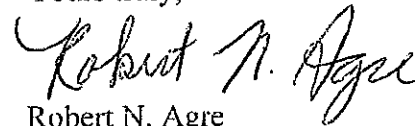
Re: C [REDACTED] E [REDACTED] minor, by and through her mother, Leslie
Douglas
D/I: September 26, 2013

Dear Sir or Madam:

Enclosed please find a Notice of Claim for Damages pursuant to N.J.S.A. 59:8-4 with
regard to the above-referenced minor Glennekqua Hayward.

Should you have any questions or need any additional information, please feel free to
contact me. Thank you for your attention to this matter.

Yours truly,



Robert N. Agre

/ade

Enc.

LAW OFFICES OF AGRE & JENSEN
4 KINGS HIGHWAY EAST
HADDONFIELD, NEW JERSEY 08033
(856) 428-7797
(856) 428-7772 (f)
attyagre@earthlink.net

NOTICE OF CLAIM FOR DAMAGES:

1. Claimant(s): [REDACTED] minor, by and through
her mother, Leslie Douglas
Street Address 31 York Street
City, State, Zip Code Salem, NJ 08079
D.O.B. [REDACTED]
Social Security No. [REDACTED]

2. If notices and correspondence in connection with this claim are to be sent to a person other than the claimant.

Name (Attorney): Robert N. Agre, Esquire
Address: 4 Kings Highway East
Haddonfield, NJ 08033
856-428-7797
attyagre@earthlink.net

Relationship to claimant: Attorney At Law (X)

- 3 a. The occurrence or accident which gave rise to this claim:

Date: 9/26/13

Time: During the school day at approximately 2:25 p.m.

- b. Describe the location or place of the accident or occurrence.

The office of (then) Vice-Principal Jonathan L. Price at the Salem City High School.

- c. Describe how the accident or occurrence happened: If a diagram will assist your explanation, please use the reverse side of this form.

Claimant is a student at Salem High School and was subjected to a strip search of her person in the office of (then) Vice-Principal Jonathan L. Price in his office, at his instruction and in the presence of Salem Police Officer John Cyber and school employee, Alfreda McCoy-Cuff.

- d. State the name and address of the Public Entity, or entities, that you claim caused your damage.

Salem City High School, 205 Walnut Street, Salem, NJ 08079
Salem City School District, 205 Walnut Street, Salem, NJ 08079
Salem City Police Department, 129 West Broadway, Salem, NJ 08079

- e. State the names of the employees whom you claim were at fault, including any information that will assist in identifying and locating them.

Former Salem City High School Vice-Principal, Jonathan L. Price
School employee, Alfreda McCoy-Cuff
Salem City Police Officer John Cyber

- f. State, in detail, the negligence or wrongful acts of the Public Entity and public employees which caused your damages.

The claimant, a sixteen-year old female student at the Salem City High School, was ordered to remove her shirt and bra and to expose herself pursuant to a search of her person in the presence of former Vice-Principal Jonathan L. Price, school employee, Alfreda McCoy Cuff and Salem City Police Officer John Cyber.

- g. State the name and address of all witnesses to the accident or occurrence.

Claimant, [REDACTED]
Former Salem City High School Vice-Principal, Jonathan L. Price
School employee, Alfreda McCoy-Cuff
Salem City Police Officer John Cyber

- h. State the names of all police officers and police departments who investigated the accident.

To the best of Claimant's knowledge, the Salem City High School and School District/Board of Education

4. a. Claim for Damages (check appropriate block)

(X) Personal Injury

() Property Damage

(X) Other - Explain in detail.

Claimant's civil rights were violated as a result of the unlawful and excessive search of her person.

b. If you claim personal injury:

Do you claim permanent disability resulting from this injury?
() Yes () No (X) Unknown

If yes, describe the injuries believed to be permanent.

For each hospital, doctor, or other practitioner rendering treatment, examination or diagnostic services, state:

To date, Claimant has obtained counseling from Ms. Jetter at the Salem City High School. It is anticipated that her psychological counseling treatment will continue, both inside and outside of the school environment.

Amount of Charges: **To be supplied.**

c. If you claim loss of wages or income as a result of the injury, state:

N/A

d. If you claim personal injury:

e. Describe whether the injuries resulting from the accident or occurrence have aggravated or exacerbated an existing or previous injury.

N/A

f. State the date and time when such existing or previous injury occurred and location and circumstances giving rise to the injury.

N/A

g. Regarding any existing or previous injury, give the name and address of each doctor who treated you for the condition as follows:

Name of hospital, doctor of other facility address	Dates of treatment or service	Amt. of charges to date	Amount paid or payable by other sources such as insur.
--	-------------------------------------	-------------------------------	--

N/A

5. a. Set forth any and all other losses or damages claimed by you.
b. If you claim property damage:
c. Describe the property damage.
d. The present location and time when the property may be inspected.
e. Date property acquired.
f. Cost of property.
g. Value of property at time of accident.
h. Description of damage.

N/A

6. a. Has the damage been repaired? If so, by whom, when and cost of repairs.
b. Attach each estimate of repair costs to this form.
c. Set forth, in detail, the loss claimed by you for property damage.
d. Set forth, in detail, all other items of loss or damages claimed by you and the method by which you made the calculation.
e. The amount of the claim.

N/A

7. Have you made a claim against anyone else for any of the losses or expenses claimed in this notice? If yes, set forth the name and address of all persons and insurance companies against whom you have made such claims.

No.

8. a. Are any of the losses or expenses claimed herein covered by any policy of insurance? For each such policy, state the name and address of the insurance company, policy number and benefits paid or payable.

No.

- b. If this claim involves an automobile, please state: N/A

- (1) The name of the insurance company covering the automobile.
(2) The name of your local agent.
(3) Your policy number and dates of coverage (if other than automobile).

- c. (1) State the name of your Homeowners', rental, or property insurance company.
(2) The name of your local insurance agent.
(3) Your policy number.

- d. If you have any other form or kind of liability insurance, please state:

- (1) The name or names of the insurance company.

- (2) Type of liability coverage.
- (3) The name of your local agent.
- (4) The policy number or numbers.

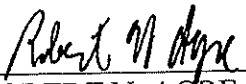
9. Have you received, or agreed to receive, any money from anyone for the damages claimed herein? If so, set forth the details of such agreement.

No.

10. The following items must be submitted with this notice, if applicable:

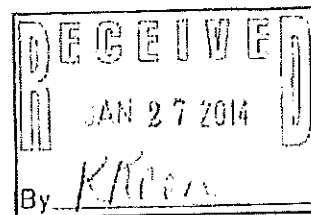
- (1) Copies of itemized bills for each medical expense and other losses and expenses claimed.
- (2) Full copies of all appraisals and estimates of property damage claimed by you.
- (3) Copies of all written reports of all expert witnesses and treating physicians.
- (4) A letter from your employer verifying your lost wages. If self-employed, a statement showing the calculation of your claimed lost income.

Claimant or Person Filing on Behalf of the Claimant
ROBERT N. AGRE, ESQUIRE
Attorney for Claimant



ROBERT N. AGRE

Dated: October 14, 2013



John Christie
Governor

Richard Codey
Lieutenant Governor

STATE OF NEW JERSEY
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION ON CIVIL RIGHTS
TRENTON, NJ 08625-0000

Jeffrey S. Lefkowitz
ATTORNEY GENERAL

Craig S. Smith
DIRECTOR

January 17, 2014

Mayor Charles Washington, Jr.
17 New Market Street
Salem, New Jersey 08079

Re: Robert Brown v. City of Salem
Docket No.: ES12RM-64302
EEOC No.: 17E-2014-00159

Dear Mr. Washington:

Enclosed is a formal complaint setting forth alleged discriminatory practices in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1, et seq., which is served upon you in accordance with N.J.A.C. 13:4-2.8 of the Division on Civil Rights' Rules of Practice and Procedure.

N.J.A.C. 13:4-3 Service, Form and Content of Answers

The Rules of Practice and Procedure require that the respondents serve upon the Division on Civil Rights a written explanatory answer to the complaint within twenty (20) days after receipt of the verified complaint (N.J.A.C. 13:4-3.1). The respondent shall serve a copy of the answer on the complainant(s) within three days of filing of the answer (N.J.A.C. 13:4-3.3).

The answer to the verified complaint shall fully and completely advise the parties and the Division as to the nature of the respondent's defenses to each claim asserted, and shall admit or deny the allegations set forth in the verified complaint. Denials shall fairly meet the substance of the allegations denied. A respondent who intends in good faith to deny only part of an allegation shall specify so much of it as is true and material and deny only the remainder. The respondent may not generally deny all the allegations but shall make the denials as specific denials of designated allegations. Any answer setting forth an affirmative defense to an allegation shall be taken as denying the allegation (N.J.A.C. 13:4-3.2). Correspondence should be directed to the attention of the Regional Manager at the office from which the complaint emanated.

ADDRESS REPLY TO

Bureau of Enforcement

☒ Atlantic City Office
1325 Boardwalk
Tennessee Ave. & Boardwalk
Atlantic City, NJ 08401
609-441-3100

☐ Camden Office
One Port Center
2 Riverside Drive
Suite 402
Camden, NJ 08103
856-614-2550

☐ Newark Office
P.O. Box 46001
Newark, NJ 07102
973-648-2700

☐ Trenton Office
PO Box 906
Trenton, NJ 08625-0090
609-292-4505

☐ Housing Investigations Unit
PO Box 980
Trenton, NJ 08625-0080
609-292-4605

Bureau of Prevention, Outreach
Public Education

P.O. Box 959
Trenton, NJ 08625-0059
609-292-2918

Office of the Director

☐ P.O. Box 46001
Newark, NJ 07102
973-648-2700

☐ Conciliation Unit
P.O. Box 46001
Newark, NJ 07102
973-648-2700

☐ Mediation Unit
P.O. Box 46001
Newark, NJ 07102
973-648-2700



WWW.NJCIVILRIGHTS.GOV

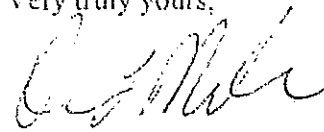
NEW JERSEY IS AN EQUAL OPPORTUNITY EMPLOYER • PRINTED ON RECYCLED PAPER AND RECYCLABLE

CIVIL RIGHTS

Inquiries should be directed to Ron White, Customer Service Specialist, at telephone number (609) 441-3573 between the hours of 8:30a.m. and 4:30 p.m. Monday through Friday.

Thank you for your prompt attention in this matter.

Very truly yours,



Diane L. Miller
Regional Manager

C046

Enc: (X) Verified Complaint
(X) Document and Information Request
(X) EEOC Service Letter
(X) Method of Service of Pleadings

Certified Mail # 7012 3460 0001 4320 9301

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION ON CIVIL RIGHTS
DOCKET NUMBER: ES12RM-64302
FEDERAL CHARGE# 17E-2014-00159

ROBERT BROWN,
COMPLAINANT,

-v-

CITY OF SALEM,
RESPONDENT.

)
)
) Verified Complaint
) Received and Recorded
) Date:01/13/2014
) Department of Law and Public Safety
) Division on Civil Rights
) By: BEM
)
)
)

1. The Complainant resides at:

ROBERT BROWN
19 CROSSLAND AVENUE
SALEM NJ 08079
SALEM COUNTY

2. To the best of Complainant's knowledge and belief, Respondent is known as: CITY OF SALEM
and is located at

CITY OF SALEM
17 NEW MARKET STREET
SALEM NJ 08079
SALEM COUNTY

7. Said acts of discrimination occurred in the County of SALEM in the State of New Jersey.

8. The Complainant requests whatever relief is provided by law including, but not limited to, compensatory damages for economic loss, humiliation, mental pain and suffering.

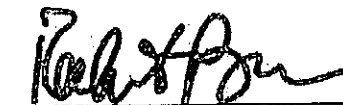
9. The Complainant has not instituted action in any court, either criminal or civil, regarding this matter.


ROBERT BROWN
COMPLAINANT

STATE OF NEW JERSEY

COUNTY OF SALEM)

ROBERT BROWN of full age, hereby certifies that he is the Complainant herein; that he has read the foregoing Complaint and knows the content thereof; and that to the best of his knowledge, information and belief, the facts alleged therein are true.


ROBERT BROWN
COMPLAINANT

B. DOCUMENT REQUEST (continued)

2. All applications, resumes, interview notes, tests, rating sheets or otherwise received or completed in connection with the position sought by the Complainant and Douglas Hogate, Sr.

3. Job Description for the following position:

a) Sergeant and acting Sergeant

4. Company Personnel Policy Manual, specifically section(s) relating to hiring or promotional procedures.

5. EEO-1 Reports for the past two (2) years.

C. INFORMATION REQUEST (continued)

8. If the position for which Complainant applied was advertised/posted, indicate the source and date(s) of the advertisement/job posting. Attach a copy of the advertisement/job posting.

9. Submit a list of all applicants for the position for which Complainant applied or was considered and include copies of their application(s). Identify each by a) name b) race c) date of application d) date of rejection and e) reason for non-selection.

10. Did Complainant ever complain about receiving discriminatory treatment on the job? If so, specify the nature of the complaint(s), date(s) of complaint(s), the person(s) involved and explain what was done pursuant to the complaint(s).

11. Provide Respondent's proper business or corporate name and the name and address of Respondent's Registered Agent.

N O T I C E

METHOD OF SERVICE OF PLEADINGS

PLEASE BE ADVISED OF THE FOLLOWING RULES GOVERNING SERVICE OF PLEADINGS IN MATTERS PENDING BEFORE THE DIVISION ON CIVIL RIGHTS.

The Division on Civil Rights' rules of practice and procedure provide that:

(a) Prior to transmittal to OAL, unless otherwise instructed by the Director, every order and subsequent pleading to the original complaint, every motion and every written notice, brief or memorandum of law shall be served by mailing copies to all parties, by registered or certified mail, return receipt requested, within three days of said filing.

(b) Such document shall not be deemed served until an affidavit of mailing to all other parties is filed with the Division at the time of or subsequent to filing the pleading.

(c) When any party has appeared through or is represented by an attorney, service upon such attorney shall be deemed valid service upon the party in all cases unless timely written notice of withdrawal or substitution of such attorney is served upon the Director and all other parties.

N.J.A.C. 13:4-7.1. Pleadings include "complaints, answers, amendments to complaints and answers, motions and orders of the Director." N.J.A.C. 13:4-5.1.

Therefore, all parties, upon filing with the Division any complaint, answer, amendment to a complaint and answer, motion, brief or memorandum of law, must adhere to the above service requirements, including but not limited to mailing copies to all parties to the proceedings by registered or certified mail. In the interest of justice, including when a party is unrepresented by counsel, these requirements may be relaxed. N.J.A.C. 13:4-1.2(b).

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Thomas L. Minter Sr

(Enter above the full name of the plaintiff in this action)

COMPLAINT

V.

Officer Robert Brown
of Salem City Police Dept.

Civil Action No. _____

(To be supplied by the Clerk of the Court)

(Enter the full name of the defendant of defendants in this action)

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☐ 42 U.S.C. §1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

1b. Indicate whether you are a prisoner or other confined person as follows:

☐ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☐ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☒ Other: (please explain) Arrested on another burglary by Officer Robert Brown. Do to individual leak like me.

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

b. Court and docket number: _____

c. Grounds for dismissal: ☐ frivolous ☐ malicious
☐ failure to state a claim upon which relief may be granted

d. Approximate date of filing lawsuit: _____

e. Approximate date of disposition: _____

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? Salem County Correctional Facility

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff: Mr. Thomas Lee Minter Sr.

Address: 229 G. bbons St Salem New Jersey 08079

Inmate#: 17884

b. First defendant:

Name: Officer Robert Brown

Official position: Police Officer of Salem City

Place of employment: Salem Police Station 129 West Broadway

Salem, New Jersey 08079

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

This officer has arrested me 8 accounts just harassing and incarcerating me because he has the authority. Also I was assaulted by banding my fingers because couldn't get fingerprints. Targeted - Any theft that occur first person questioned is me then arrest. Sit in jail then until dismissed.

c. Second defendant: Chief of Salem police refuse to investigate incident.

Name: _____

Official position: _____

Place of employment: _____

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

☒ Yes ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

Talked to chief of police in Salem, and he stated his officers do no wrong and refuse to investigate. Spoke to judge about situation told to file complaint. Internal Affairs does nothing because Robert Brown is their officer.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

Officer Robert Brown consistently pulls up on me arrest me pertaining to an incident give me tickets & police charges and all. Once I'm placed into incarceration and all charges are dismissed he starts again. This year 6 to 8 different times. Chief of police always denies his officer does any wrong, without an investigating.

Internal Affairs from the same police station does not investigate situations and doesn't perform their duties to the fullest. Without this court's help I will continuously be harassed, arrested, and assaulted by officer Robert Brown.

7. Relief

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

I want to receive \$350,000.00 for loss of job time and time taken from my life which can't be made up for. I want this officer to not bother me again without true fact and proof for any situation. I want this court to let

KNOW
the chief of police also there are proper procedures
in which his officers must follow.

I want officer Brown, Robert to know there are
legal procedures to arrest an individual, not just
because he has a badge and authority.

All 8 incidents and date will be present
during court date.

Respectfully Yours,

[Signature]

Mr. Thomas Lee Harper Sr.

8. Do you request a jury or non-jury trial? (Check only one)

() Jury Trial (X) Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 12 day of August, 2016

[Signature]

Signature of plaintiff*

(*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT
HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF.
REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).