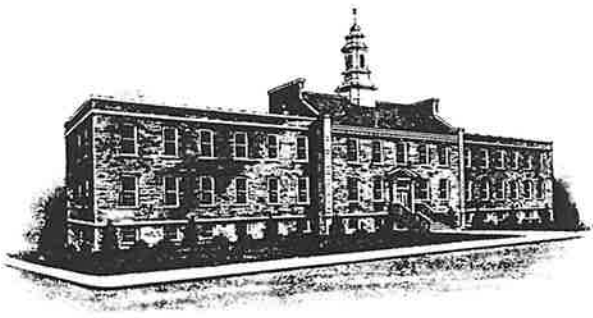




The Borough of Sayreville

MUNICIPAL CLERK'S OFFICE

167 MAIN STREET

SAYREVILLE, NEW JERSEY 08872

TEL. 732-390-7020 • FAX 732-390-0509

June 10, 2020

Taeho Kim

Opra+request-12904-17e8d764@requests.opramachine.com

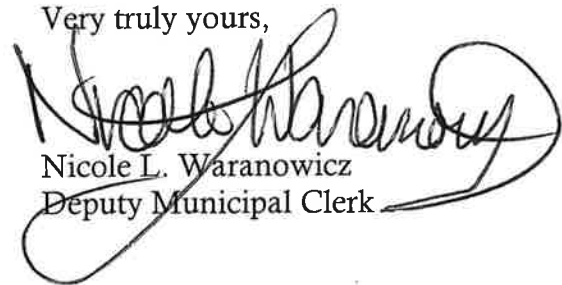
Re: Request for Access to Public Records

Dear Taeho Kim:

As requested pursuant to the Open Public Records Act, enclosed is the response from the Borough of Sayreville Personnel Director. We are still waiting on a response from our insurance company regarding settlements. I will forward that information to you when I receive it.

If I can be of any further assistance, please do not hesitate to call my office.

Very truly yours,



Nicole L. Waranowicz
Deputy Municipal Clerk

NW/jo

Succeed in Sayreville

Sayreville is an Equal Opportunity Employer

www.sayreville.com

TORT CLAIM NOTICE UNDER TITLE 59:1 et. Seq.
AGAINST THE BOROUGH OF SAYREVILLE

Borough of Sayreville
167 Main Street
Sayreville, New Jersey

1. Claimant Information

William F. Severino III
7 Hope Drive
Sayreville, New Jersey 08872

Ph. # [REDACTED]
DOB: Sept 26, 1971
SS#: not available

2. Incident Information

a. Type of Incident or Accident

Constitutional violations, Official Misconduct, Filing false police reports, slander, disobedience to the law
Refusing to enforce the law of the state of New Jersey. Gender discrimination, Conspiracy to kidnap minor.

b. Date and Time

April 28, 29, 30, 2018

c. Location of Incident

112 Washington Road/police station/ 7 Hope Drive

d. Description of Location

2 family house/police station

e. Give Detailed Description of Incident

On April 11, 2018 Ms. Souders' and myself had a custody hearing to address her refusal to produce our daughter for visits and custody time, sole custody hearing etc. On April 28-30 Ms. Souders' to avoid criminal prosecution, transfer of custody, and civil lawsuit. And additional criminal charges left the state of nj with the assistance of the Sayreville police department. Who refused to stop Ms. Souders' and allowed her to leave the jurisdiction of the state without a court order.

f. Were Police Called? Yes

g. State name(s) and Addresses(s) of all witnesses

3. PUBLIC ENTITY INFORMATION

a. Name and address of entity that you claim caused your damage

Sayreville Police Department
1000 Main Street
Sayreville, New Jersey 08872

b. Name of employee(s) who claim were at fault

Officer Novak , and Officer ????

c. State in Detail the Negligence or Wrongful acts of the public entity/employees

The action of these officers refusing to enforce the laws in regards to Mr. Severino is in retaliations for Mr. Severino excusing his 1st amendment right to be a political activist and report police corruption by the Sayreville Police Officers and the Borough of Sayreville. They have no problem answering Ms. Souders request for police action, oh yeah that'll give them an edge to harass Mr. Severino and make up false incident reports, where as Ptl. Novak denied that he was at Ms. Souders house till I pulled out the recording of it, of him conspiring with Mr. Souders to kidnap my daughter, refuse to enforce court orders and obeying the laws of the state of New Jersey

4. PERSONAL INJURY

a. Describe Your Injuries Resulting From This Incident

b. Do you Claim Permanent Disability From This Injury

Yes

c. If Yes, Describe The Injuries Believed To Be Permanent

Severe Psychological Damage

d. Name and Address Of All Treating Practitioners, Hospitals etc

f. If You Claim Loss Of Wages Or Income Due to The Injury's

5. PROPERTY DAMAGES

6. VEHICLE DAMAGE

7. GENERAL INFORMATION

I hereby certify that the foregoing statements made by me are true, that the attached statements, bills, reports, and documents are the only ones known to me to be in existence at this time. I am aware that there is no guarantee that the claim will be awarded. I am aware that if any statement made herein is willfully false or fraudulent, I am subject to punishment as provided by law

May 9, 2018

s/ William F. Severino

LAW OFFICES
JOHN R. PARKER, LLC

260 HWY 202/31
NORTH LIBERTY COURT SUITE 1100
FLEMINGTON NEW JERSEY 08822-1794

JOHN R. PARKER
CERTIFIED CIVIL TRIAL ATTORNEY

OF COUNSEL TO
GRAZIANO, PIASECKI
& WHITE LAW
GREEN BROOK NEW JERSEY

TEL 908 782 9458
FAX 908 782 4264

March 31, 2016

Rebecca Garbowski
Borough of Sayreville
167 Main St
Sayreville NJ 08872

Re: Severino vs Melendez
My File No: 80.60351
Docket No. 14-2454

Dear Ms. Garbowski:

The Court has denied Mr. Severino's request to file an appeal out of time. Here is a copy of Judge Shipp's Order [52563] denying the request for your records.

While this should end this suit, if you receive any other related communication from Mr. Severino, please let me know.

Otherwise, it was my pleasure to represent the Borough in this matter.

Very truly yours,



John R. Parker

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WILLIAM F. SEVERINO, III,

Plaintiff,

v.

BOROUGH OF SAYREVILLE, et al.,

Defendants.

Civil Action No. 14-2454 (MAS) (TJB)

ORDER

This matter comes before the Court on the correspondence of Plaintiff William F. Severino, III ("Plaintiff") requesting permission to file a late appeal of the Court's September 30, 2015 Order (ECF No. 14) (the "Order"). (ECF No. 15.) In his correspondence, Plaintiff appears to contend that he did not receive the motion papers in a timely fashion because the documents in this case "have been mailed to the wrong address." (*Id.*) Plaintiff alleges that the "clerk . . . change[d] [his] address for one case" but not for two other cases that Plaintiff has filed in this district. (*Id.*) Plaintiff does not, however, allege that he ever advised the Court as to his change of address in this action. (*Id.*) Plaintiff additionally alleges that he "just received the [O]rder." (*Id.*)

Defendant Borough of Sayreville ("Defendant") filed correspondence in opposition to Plaintiff's request arguing that Plaintiff's request is out of time under Federal Rule of Appellate Procedure 4(a)(5) and Plaintiff has not shown that he was not served with notice of the Order pursuant to Federal Rule of Civil Procedure 77(d) or when he did receive notice.¹ (ECF No. 16.) Further, Defendant argues that it would be prejudiced by reopening Plaintiff's time to appeal

¹ Defendants Ptl. Mader, Ptl. Popowski, Sgt. Connors, and Ptl. Teator filed correspondence joining in Defendant's arguments in opposition. (ECF No. 17.)

because Plaintiff is a serial filer, the costs of unnecessary legal work and maintaining files adds up, and it would encourage Plaintiff's behavior of ignoring the rules in the future. (*Id.*)

Under Rule 4(a)(6), the district court may reopen the time for a litigant to file an appeal only if the party establishes three conditions: (1) the party did not receive notice under Federal Rule of Civil Procedure 77(d) of the entry of the order sought to be appealed within 21 days after entry; (2) the motion is filed within 180 days of the entry of the order or within 14 days of the party's receipt of notice, whichever is *earlier*; and (3) the court finds that no party would be prejudiced. Fed. R. App. P. 4(a)(6). The Third Circuit has found that this rule establishes an outer time limit of 180 days, or 14 days after notice, within which a party may request a limited extension. See *Marcangelo v. Boardwalk Regency*, 47 F.3d 88, 90 (3d Cir. 1995); *Ash v. Phila. Prison Sys.*, 406 F. App'x 581, 583 (3d Cir. 2011). The failure of the moving party to comply with these time limits is jurisdictional. *Id.*

Here, even if this Court construes Plaintiff's correspondence as a motion to reopen, Plaintiff has not established that he did not receive notice under Rule 77(d), as the Clerk of Court mailed the Order to Plaintiff's last known address, as did Defendant. Pursuant to Local Civil Rule 10.1, litigants "must advise the Court of any change in their . . . address within seven days of being apprised of such change by filing a notice of said change with the Clerk." L. Civ. R. 10.1(a). Importantly, if a litigant has multiple matters before the Court, he must advise the Court of the change with respect to each matter. Plaintiff never informed the Court as to his change of address in regards to this matter. Additionally, although Plaintiff is within the 180 day period, he has not established that he is also within the 14 day notice window from when he received notice of the Order. Plaintiff states only that he "just received" the Order. Based on this statement, the Court cannot determine if Plaintiff received notice within the period allowed under Rule 4(a)(6). Lastly,

the Court finds that Defendant would be prejudiced if Plaintiff's request is granted as Plaintiff is a serial filer and Defendant has borne the cost of not only this litigation but two other lawsuits Plaintiff filed in state court arising from the same event. Accordingly,

IT IS on this 31st day of March 2015, **ORDERED** that:

1. The Clerk of Court shall reopen this action for the limited purpose of the Court deciding Plaintiff's request;
2. Plaintiff's request to file a late appeal of the Court's September 30, 2015 Order (ECF No. 15) is denied; and
3. The Clerk of Court shall close this case.

s/ Michael A. Shipp

MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

SUMMONS

Attorney(s) William F. Severino III
Office Address 131 Market St. Apt. 27
Town, State, Zip Code Perth Amboy, N.J. 08861
Telephone Number _____
Attorney(s) for Plaintiff Pro-Se

Superior Court of New Jersey

Middlesex ☒ COUNTY
CIVIL DIVISION

Docket No: MID-L- 5461-16

WILLIAM F. SEVERINO III

Plaintiff(s)

Vs.

BOROUGH OF SAYREVILLE, CHIEF ZEBROWSKI, LT,

JOHN DOW, PTL. CEBULSKI, PTL. JOHN DOW

Defendant(s)

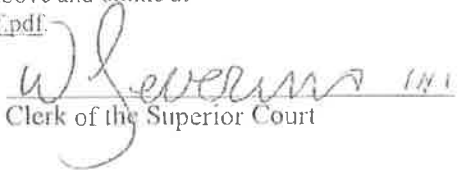
CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.


Clerk of the Superior Court

DATED: 10/13/2016

Name of Defendant to Be Served: Borough of Sayreville, Mayor's Office

Address of Defendant to Be Served: 167 Main Street, Sayreville, N.J. 08872

William F. Severino
131 Market St., Apt 27
Perth Amboy, New Jersey 08861
william.severinoiii@yahoo.com

WILLIAM F. SEVERINO III
PLAINTIFF
v.

SUPERIOR COURT OF NEW JERSEY
COUNTY OF MIDDLESEX

Docket No. _____

BOROUGH OF SAYREVILLE, CHIEF
ZEBROWSKI, LT. JOHN DOE, PTL.
CEBULSKI, PTL. JOHN DOE

CIVIL ACTION

In their individual and official capacity
DEFENDANTS

**COMPLAINT
WITH JURY DEMAND**

INTRODUCTION

1. This action is brought under the United State Constitution 1st, 4th, 5th and 14th Amendments pursuant to 42 U.S.C. §1983, §1985(2) (3), §1986 and §1988; Under the N.J. Constitution Article 1 par. 1, 2, and 7, Title 10 et. seq. New Jersey Tort Liability Statutes; under Title 59 et seq., and N.J. Common Laws for (a) failure to implement appropriate policies, customs and practices (b) false arrest (c) false imprisonment (d) malicious prosecution (e) abuse of process (f) intentional infliction of emotional distress (g) negligenc (h) negligent supervision and (i) retaliatory actions
2. While Officer Cebulski was acting in the scope of his employment and under color of state law, made an unlawful arrest, false imprisonment, malicious prosecution, abuse of process and retaliatory actions subsequent prosecution of Mr. Severino was, in part motivated by Ptl. Cebulski and the members of the Sayreville Police dept. personal malice, bias and /or revenge directed toward Mr. Severino for his political activities in reporting police corruption within their police department.
3. Action is also brought against the Borough of Sayreville and Chief Zebrowski for its failure to properly train and supervise the individual Defendants in the proper procedure of the Domestic Violence Act and its establishment of policies, procedures, practices, and customs regarding Mr. Severino, disciplinary procedures and handling of personal property.
4. Plaintiff is seeking all equitable relief, including compensatory and punitive damages sustained due to the deliberate, knowingly, multiple violations of federal and state constitutional provision, State regulations and statues including the deliberate conspiracy to violate these laws and regulation.

JURISDICTION

5. Middlesex County has original jurisdiction over this case and venue is proper all relevant events took place in Middlesex County and all parties are from New Jersey.

THE PARTIES

6. Plaintiff, William F. Severino, is a citizen of the United States and resides in New Jersey.
7. Defendant, Borough of Sayreville is a municipal corporation, organized and existing under the laws of the State of New Jersey. Borough of Sayreville has established or delegated to Defendant Chief Zebrowski the responsibility for establishing and implementing policies, practices, procedures, and customs used by law enforcement officers employed by Borough of Sayreville.
8. Defendant, Chief Zebrowski was at all times material to the allegations in this Complaint, employed as the Chief of Police by the Sayreville Police Department and is responsible for the supervision and training of the Defendants, further, responsible for making and/or implementing policies and practices used by law enforcement officers.
9. Defendant, Lt. John Doe was at all times material to the allegations in this Complaint, employed as a Lt. by the Sayreville Police Department and is responsible for the supervision and the orderly running of the police station as station commander.
10. Defendant, Officer Cebulski is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Police Officer employed by the Borough of Sayreville and was acting under color of state law.
11. Defendant, Officer John Doe is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Police Officer employed by the Borough of Sayreville and was acting under color of state law.

COMPLAINT

COUNT ONE -General Allegations

12. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint.
13. In committing the acts complained of herein, Defendants acted under the color of the law to deprive Plaintiff of certain constitutionally protected rights but not limited to: (a) Failure to Implement Appropriate Policies, Customs and Practices (b) False Arrest (c) False Imprisonment (d) Malicious Prosecution (e) Abuse of Process (f) Intentional infliction of Emotional Distress (g) Negligence (h) Negligent Supervision and (i) Retaliatory Actions

14. In violating Mr. Severino's rights as set forth above and other rights to be proven at trial, Defendants acted under the color of the law and conducted an unlawful detainment and deprivation of liberty without due process in violation of Mr. Severino's Constitutional and common law rights under the First, Fourth, Fifth, and Fourteenth Amendments of the United States Constitution.
15. Defendants' acts were willful, wanton, malicious, oppressive and done with conscious disregard and deliberate indifference for Mr. Severino's rights. Borough of Sayreville policies, practices, conduct and acts alleged herein have resulted and will continue to result in irreparable injury to the Plaintiff.

COUNT TWO -Failure to Implement Appropriate Policies, Customs, and Practices

16. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint.
17. On or about November 1, 2014, Defendants did violate Mr. Severino's Constitutional rights and did so pursuant and custom to a de-facto pattern and practice of the defendant's deliberate indifference to the Constitutional rights of Mr. Severino's. Def. Borough of Sayreville and Sayreville Police Dept. implicitly and explicitly adopted and implemented careless and reckless policies, customs, or practices that included among other things displaying a pattern and practice of retaliatory acts, reasonable training in the domestic violence act, and in such a way as to cause injuries to citizens' without lawful justification and write false and misleading police reports and filing false charges against Mr. Severino and failing to have disciplinary procedures.
18. The failure of Borough of Sayreville and Sayreville Police Dept to adequately train and supervise Ptl. Cebulski, Chief Zebrowski and John Does, amounts to deliberate indifference to the civil rights of Mr. Severino.

COUNT THREE - False Arrest

19. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint in extensor
20. On November 1, 2014 in the Borough of Sayreville the def. Ptl. Cebulski maliciously and without probable cause commenced an action against the plaintiff in the Borough of Sayreville, upon a complaint in which he falsely alleged that Mr. Severino had assaulted his brother John Severino under the domestic violence act.
21. On said date Officer Cebulski made an affidavit and complaint in which he falsely and maliciously averred that Mr. Severino committed the act of simply assault under the domestic violence act against John Severino. Thereupon presented the same to the honorable Judge Weber the Judge of said court and demanded thereon the complaint and arrest of this plaintiff.
22. The unlawful arrest detention and incarceration of Mr. Severino was caused by defendant in that he knowingly caused the issues of an arrest warrant on the basis of intentional false

statements thereby deceiving the issuing authority for the purpose of obtaining judicial authority to enforce the processes of the law and thereafter though the presentation of false testimony and fabricated evidence, did knowingly cause plaintiff Mr. Severino to be incarcerated and held to bail in the amount of 5,000 dollars.

COUNT FOUR - False Detention and Confinement

23. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

24. Def. Ptl. Cebulski breached a duty of care owed to Mr. Severino so as not to deprive him of his personal liberty by intentionally, wrongfully and unlawfully detaining and confining, him without probable cause and without a warrant from the Court.

25. Mr. Severino alleges that such acts directed towards him were malicious and belligerent and the acts were done with a conscious disregard for his right to be free from such tortuous behavior such as to constitute oppression and malice behavior.

26. On Nov. 1, 2014 the Mr. Severino was taken from the township of Sayreville where he resides to the Middlesex County Jail against his will and in the custody of the Sayreville Police Dept and was confined for 25 days before being released on ROR.

COUNT FIVE - Malicious Prosecution

27. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

28. The actions of Ptl. Cebulski as described in this Complaint constitute a deprivation of Mr. Severino's constitutional rights to be free from malicious prosecution, malicious abuse of process, and unlawful seizure and incarceration.

29. Ptl. Cebulski arrested Mr. Severino without probable cause and commenced prosecution with malice and for a personal vendetta of the Sayreville Police Dept. The defendants caused there to be prosecution of Mr. Severino for simply assault. Were Mr. Severino was required to take off work and represent himself and appear in court numerous times.

30. On 2015 Mr. Severino after trial was acquitted of simply assault under the domestic violence act.

COUNT SIX – Abuse of Process

31. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

32. Subsequent to the acquittal of Mr. Severino, Borough of Sayreville, by and through its agents, servants, employees and/or workmen acting within the scope of their authority and the course of their employment, including but not limited to the individual defendants named herein knew of evidence of Mr. Severino's innocence which defendants disregarded and concealed for the purpose of causing Mr. Severino extreme depression, anxiety and mental anguish.

33. The defendants were improperly motivated in that said conduct was designed to attempt to deter Mr. Severino's politic activity in reporting police corruptions within their police department and corruption within the Borough of Sayreville.

COUNT SEVEN – Official Misconduct

34. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

35. the defendants throughout the period relevant hereto, individually and jointly did act or purport to act in an official capacity, and by taking advantage of such capacity, knowing that their conduct was illegal subjected Mr. Severino to arrest, detention, search, seizure, mistreatment, disposition and other infringement of his person and property rights, and did detain and impede Mr. Severino in the exercise and enjoyment of rights and privileges to which he is entitled.

36. The conduct of the defendants as described in this complaint is in violation of N.J.S.A. 2C:30-2, a criminal statute prohibiting official oppression which statute was in effect at all times relevant hereto.

37. N.J.S.A. 2C:30-2 was specifically enacted to prevent the type of acts committed by these defendants and to prevent the occurrence of the harm caused by them to Mr. Severino.

38. At all times relevant hereto defendants acted in concert with one another pursuant to an express or implied agreement to achieve the unlawful object described in this complaint.

COUNT EIGHT – Deprivation of Property without Due Process of Law

39. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

40. Ptl. Cebulski in concert with other defendants intentionally violated the civil rights of Mr. Severino by his malicious and wanton disregard for Mr. Severino's property rights. By illegally allowing a known burglar into his house amounted to the deprivation of property in violation of the Fifth and Fourteenth Amendments.

41. Specifically, the conduct of Ptl. Cebulski included the illegal entry of persons not permitted on or in Mr. Severino's property (house). At no time did John Severino have permission to be on the property or in the house.

42. By Defendants allowing John Severino onto the property and into the house were Mr. Severino's property was removed (stolen) by said person and damage to the house by removing copper piping and heating system from the house. The Sayreville Police Dept and the Borough of Sayreville refusing to investigate and file criminal charges against John Severino and the officers actually and proximately inflicted an outrageous violation of constitutional rights upon Mr. Severino, for which Defendants are liable.

43. Further due to the unlawful arrest Mr. Severino lost is job and was unable to make the mortgage payment arrangement to the mortgage company and therefore lost his house.

COUNT NINE – Conspiracy

44. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

45. It is unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or the laws of the United States, or because of his having exercised the same.

46. The Borough of Sayreville, Sayreville Police Dept. though its agents, servants, and/or employees acting within the scope of their authority and within the course of their employment including but not limited to the individual defendants named herein subsequently participated in a common design through a concert of actions to delay, obstruct and impair the investigation into the unlawful arrest of Mr. Severino, beginning with the decision to unlawfully detain and charge him without reason or cause, file false reports, allow unwanted persons to enter his house and engage in a malicious prosecution.

47. The defendants stand to gain by terrorizing, torturing, and preventing Mr. Severino from focusing on filing criminal and civil complaints against them for their violations of federal and state laws. The defendants did conspire with one another to cover-up the unlawful detention and charges. In furtherance of the plan to cover-up the incident the Defendants initiated a malicious prosecution against him to intimidate him to withdraw pending lawsuits and criminal charges against other members of the Sayreville police dept.

COUNT TEN - Retaliatory Actions

48. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

49. The aforesaid conduct constituted intentional, reckless, wanton and outrageous conduct which defendants engaged in for the purpose of causing and/or with knowledge that it would violated Mr. Severino's constitutionally protected rights to be free from retaliatory actions.

50. The Borough of Sayreville, Sayreville Police Dept. though its agents, servants, and/or employees acting within the scope of their authority and within the course of their employment including but not limited to the individual defendants named herein retaliated against Mr. Severino for exercising his First Amendment right to legitimately gathering information about police activities of misconduct, file civil and criminal charges against employees of the Borough of Sayreville and file complaints to State and Federal authorities by continually detaining, arresting and filing false charges against Mr. Severino in the last several years the Sayreville police dept has arrested Mr. Severino apx. 7 times, filed numerous false traffic tickets, filed false police reports, assaulted him and threaten him.

COUNT ELEVEN – Negligence /Negligent Supervision

51. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
52. Def. Chief Zebrowski, Lt. John Dow, Ptl. Cebulski , Ptl. John Dow were negligent in their performance and/or failure to perform duties undertaken in the course of their employment, including but not limited to failure to use due care at or about the times of the afore - mentioned incident. In committing the aforementioned acts and/or omissions, each Defendant negligently breached said duty to use due care.
53. Def. Borough of Sayreville, Sayreville Police Dept., and Chief Zebrowski through its agents, servants and/or employees were negligent and otherwise reckless in that they failed to adequately train, supervise and properly control the Defendants and did negligently hire or continued to employ the Defendants creating an atmosphere of lawlessness within which officers perpetuated a violation of civil rights.
54. Def. Borough of Sayreville, Sayreville Police Dept., and Chief Zebrowski failed to properly instruct and supervise their subordinate police officers and prevent the negligent acts of their subordinates when, they knew or reasonably should have known of such acts and had the authority and responsibility to prevent these acts.
55. Acting under the color of the law, Def. Borough of Sayreville, Sayreville Police dept. and Chief Zebrowski negligently failed to instruct, supervise control, and discipline on a continuing basis the Defendants as to their duty to refrain from: (a) unlawfully and maliciously harassing a citizen by displaying a pattern, practice and policy of discrimination and/or deliberate indifference to the civil rights of Mr. Severino (b) unlawfully and maliciously arresting, detaining and confining Mr. Severino in retaliation for filing complaints/lawsuits against fellow officers (c) and otherwise depriving Mr. Severino of his constitutional and statutory rights, privileges, and immunities.
56. Def. Borough of Sayreville, Sayreville Police dept. and Chief Zebrowski directly and indirectly under the color of the law, approved or ratified the unlawful 'deliberate, reckless, and wanton conduct of Chief Zebrowski and the other Defendants.

COUNT TWELVE - Intentional Infliction of Emotional Distress

57. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
58. Defendants intentionally and deliberately inflicted emotional distress on Mr. Severino by outrageous and extreme display pattern, practice, and discrimination and deliberate indifference and by abusing the lawful process by unlawful purposes by violating his constitutional rights. Defendants' conduct was extreme and outrageous, beyond all possible bounds of decency.
59. At the time of the incidents alleged herein and before, Mr. Severino was emotionally and physically healthy, active, and fully capable of engaging in normal day-to-day activities. Since the time of the false detention, charges, abuse and others. Mr. Severino's ability to

perform and enjoy his usual activities, including family and work-related activities, has been impaired. In addition, Mr. Severino has suffered severe emotional distress and mental anguish affecting his psychological well-being.

60. Mr. Severino is entitled to compensation for the constitutional harms that the Defendants inflicted upon him.

COUNT THIRTEEN- Violation of Civil Rights under N.J.S.A. 10:6-1

61. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

62. Def. Borough of Sayreville and Sayreville Police Dept. through its agents servants and/or employees violated the civil rights of Mr. Severino under the New Jersey Civil Rights Act, N.J.S.A. 10:6-1 et seq. by falsely detaining him, filing false charges, and retaliating against him for exercising his first amendment rights to file grievances. Def. Chief Zebrowski, Lt. John Dow, Ptl. Cebulski, Ptl. John Dows for creating an atmosphere of lawlessness within which officers perpetuated a violation of civil rights based upon unlawful detention and confinement, discrimination/prejudice, deprivation of liberty, and others against Mr. Severino.

63. Mr. Severino was unlawfully detained, charged, and incarcerated by members of the Sayreville Police Department inflicting psychological trauma, fear, and humiliation, all of which were done in the belief that such acts were justified by the Defendants' authority as police officers of the Borough of Sayreville and otherwise under the color of the law.

64. Mr. Severino alleges that such acts directed towards him were negligent and/or malicious and the acts were done in violation of Plaintiff's civil rights under the New Jersey Civil Rights Act, N.J.S.A. 10: 6-1 et. seq.

65. **AS A DIRECT AND PROXIMATE RESULT** [common to all counts] of the wrongful acts of the Defendants jointly, severally and/or individually as listed in this complaint had a deliberate indifference and unlawful violation of Mr. Severino's rights, committed under the color of the law. Mr. Severino suffered and continues to suffer physical, psychological and emotional distress/anguish, anxiety, embarrassment, loss of freedom/liberty, property and employment/salary, and inconvenienced and is entitled to relief under 42 U.S.C. § 1983, The New Jersey Tort Claim Act and the Common Laws of New Jersey.

DAMAGES

Wherefore, the Plaintiff demands judgment against the defendants for damages, together with interest and cost of suit.

A. Award compensatory damages in the following amounts;

- | | |
|---|--------------|
| 1. Economic Lost Salary | \$9,000.00 |
| 2. Lost property (stolon) | \$1,500.00 |
| 3. Lost Property (house) | \$230,000.00 |
| 3. Reasonable expenses incurred in this litigation, | |

B. Award punitive Damages in the following amount

1. In the amount of 1 million dollars (1,000,000.00 dollars) each defendant

C. Grant such other relief as it may appear that Plaintiff is entitled.

I hereby certify that the forgoing statements made by me are true and correct to the best of my knowledge and I'm aware that if any statement is willfully false Plaintiff is subject to fine and imprisonment.

Respectfully Submitted,


William F. Severino III

LAW OFFICES
JOHN R. PARKER, LLC

260 HWY 202/31
NORTH LIBERTY COURT SUITE 1100
FLEMINGTON NEW JERSEY 08822-1794

JOHN R. PARKER
CERTIFIED CIVIL TRIAL ATTORNEY

OF COUNSEL TO
GRAZIANO, PIASECKI
& WHITELAW
GREEN BROOK NEW JERSEY

TEL 908 782 9458
FAX 908 782 4264

September 30, 2015

Rebecca Garbowski
Borough of Sayreville
167 Main St
Sayreville NJ 08872

Re: Severino vs Melendez
My File No: 80.60351
Docket No. 14-2454

Dear Ms. Garbowski:

You may recall I have been defending the Borough in this federal court lawsuit.

I am pleased to advise you that Judge Shipp granted my motion to dismiss the case for failure to state a claim. As you may well know, Mr. Severino is litigious and he may appeal, so please continue to maintain any related files or documents.

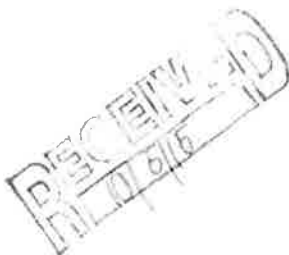
Enclosed is a copy of the Opinion [49607] and Order of Dismissal [49608]. You will see in Footnote 4 a reference to Chief Zebrowski. No Answer was filed for him as he was not served, but as explained the dismissal still applies to him so you may want to provide him with a copy of the Opinion and Order.

I was not involved with Councilman Ricci who did not file an Answer so I will not communicate with him myself, but I see no reason why he should not be advised of this development.

Very truly yours,



John R. Parker



NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WILLIAM F. SEVERINO, III,

Plaintiff,

v.

BOROUGH OF SAYREVILLE, et al.,

Defendants.

Civil Action No. 14-2454 (MAS) (TJB)

MEMORANDUM OPINION

SHIPP, District Judge

This matter comes before the Court on Defendant Borough of Sayreville's ("Sayreville") motion to dismiss Plaintiff William F. Severino, III's ("Severino") Complaint pursuant to New Jersey's Entire Controversy Doctrine. (ECF No. 8.) Severino filed opposition (ECF No. 12), and Sayreville replied (ECF No. 10). Defendants Ptl. Mader, Ptl. Popowski, Sgt. Connors, and Ptl. Teator (collectively, "Officers," and with Sayreville, "Moving Defendants") also move to dismiss Severino's Complaint joining in Sayreville's arguments. (ECF Nos. 9, 11.) The Court has carefully considered the parties' submissions and decides the matter without oral argument pursuant to Local Civil Rule 78.1.

Moving Defendants assert that all of Plaintiff's claims are barred by New Jersey's Entire Controversy Doctrine. "A federal court hearing a federal cause of action is bound by New Jersey's Entire Controversy Doctrine, an aspect of the substantive law of New Jersey . . ." *Rycoline Prods. Inc. v. C & W Unlimited*, 109 F.3d 883, 887 (3d Cir. 1997). The New Jersey Supreme Court has described the doctrine's purpose as threefold: (1) the need for "complete and final disposition of cases through avoidance of piecemeal decisions; (2) fairness to parties to an action and to others

with a material interest in it; and (3) efficiency and avoidance of waste and delay.” *Paramount Aviation Corp. v. Agusta*, 178 F.3d 132, 137 (3d Cir. 1999) (citing *DiTrollo v. Antiles*, 142 N.J. 253, 267 (1995)). The doctrine “compels the parties, when possible, to bring all claims relevant to the underlying controversy in one legal action. When the court finds that a claim not joined under the original action falls within the scope of the doctrine, that claim is barred.” *Coleman v. Chase Home Fin., LLC*, 446 F. App’x 469, 471 (3d Cir. 2011) (citing N.J. Ct. R. 4:30A). “New Jersey courts have held that the primary consideration in determining if successive claims are part of the same controversy is whether the claims ‘arise from related facts or from the same transaction or series of transactions.’” *Id.* at 471-72 (quoting *DiTrollo*, 142 N.J. at 267).

On April 2, 2014, Severino filed a complaint in the Superior Court of New Jersey, Middlesex County, against Sayreville, certain police officers, and others seeking relief for violations of his property rights stemming from the destruction of his property following an allegedly unlawful arrest.¹ (Certification of John R. Parker (“Parker Cert.”) 3-6, ECF No. 8-2.) Specifically, Severino alleges that on June 23, 2012, he was falsely arrested and incarcerated for forty-three days. (*Id.* at 4.) On April 16, 2014, Severino filed the Complaint *sub judice* against Sayreville and certain police officers for an alleged assault that occurred following an unlawful traffic stop and arrest. (*See generally* Compl., ECF No. 1.) Specifically, Severino alleges that on June 23, 2012, his vehicle was unlawfully stopped, he was put under arrest, he was assaulted by the police officers, and then he remained incarcerated for forty-two days. (*Id.* ¶¶ 12-18.) On June 13, 2014, Severino filed a second complaint in the Superior Court of New Jersey, Middlesex

¹ Moving Defendants request that this Court take judicial notice of the state-court complaints and orders. Severino does not object. Therefore, this Court will take judicial notice of the state-court documents that Sayreville attached to its motion. *See* Fed. R. Evid. 201; *Sands v. McCormick*, 502 F.3d 263, 268 (3d Cir. 2007).

County, against Sayreville and certain police officers seeking relief for constitutional violations following a June 17, 2012 traffic stop and June 23, 2012 arrest. (Parker Cert. 7-14.) On October 10, 2014, the Honorable Douglas K. Wolfson, J.S.C., sua sponte consolidated the two state court actions finding “that the two causes of action involve common questions of law and fact.”² (*Id.* at 15-16.)

Severino argues that the Entire Controversy Doctrine does not apply because the “[t]hree lawsuits deal with different events that don’t inter-relate with one another.”³ (Pl.’s Opp’n Br. 4, ECF No. 12.) The Court disagrees with Severino. The current action stems from the June 23, 2012 traffic stop of Severino by police officers from the Sayreville Police Department. Just because Severino brings different claims against essentially the same defendants, it does not mean the Entire Controversy Doctrine does not apply. Instead, New Jersey’s Entire Controversy Doctrine clearly applies to this matter because all three actions arise from the same event: the June 23, 2012 traffic stop and arrest.

² On June 23, 2015, the consolidated action was dismissed with prejudice by the state court. (Parker Cert. 17-19.)

³ In addition, Severino’s arguments applying New Jersey’s *res judicata* standard are misplaced, because *res judicata* is a different preclusion doctrine than that which Moving Defendants ask this Court to apply.

Accordingly, Moving Defendants' motions to dismiss are granted.⁴ An order consistent with this Memorandum Opinion will be entered.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

Dated: September 30, 2015

⁴ Defendants Chief Zebrowski and RICCI Melendez (collectively, with Moving Defendants, "Defendants") have not moved to dismiss this action. The claims asserted against Chief Zebrowski and RICCI Melendez are identical to those claims before the Court by way of Moving Defendants' motions to dismiss. A court dismissing claims against moving defendants may sua sponte dismiss identical claims against non-moving defendants. *See Michaels v. State of N.J.*, 955 F. Supp. 315, 331 (D.N.J. 1996). Therefore, the Court dismisses the claims against Chief Zebrowski and RICCI Melendez for the same reasons the claims against Moving Defendants are dismissed.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WILLIAM F. SEVERINO, III,

Plaintiff,

v.

BOROUGH OF SAYREVILLE, et al.,

Defendants.

Civil Action No. 14-2454 (MAS) (TJB)

ORDER

This matter comes before the Court on Defendant Borough of Sayreville's ("Sayreville") motion to dismiss Plaintiff William F. Severino, III's ("Plaintiff") Complaint pursuant to New Jersey's Entire Controversy Doctrine. (ECF No. 8.) Severino filed opposition (ECF No. 12), and Sayreville replied (ECF No. 10). Defendants Ptl. Mader, Ptl. Popowski, Sgt. Connors, and Ptl. Teator (collectively, with Sayreville, "Moving Defendants") also move to dismiss Plaintiff's Complaint joining in Sayreville's arguments. (ECF Nos. 9, 11.) The Court has carefully considered the parties' submissions and decides the matter without oral argument pursuant to Local Civil Rule 78.1. For the reasons set forth in the accompanying Memorandum Opinion,

IT IS on this 30th day of September 2015, **ORDERED** that:

1. Moving Defendants' motions to dismiss (ECF Nos. 8, 9) are GRANTED;
2. Plaintiff's Complaint is DISMISSED with prejudice; and
3. The Clerk of Court shall mark this case CLOSED.


MICHAEL A. SHIPF
UNITED STATES DISTRICT JUDGE

SUMMONS

Attorney(s) William F. Severino iii
Office Address 131 Market St. Apt. 27
Town, State, Zip Code Perth Amboy, N.J. 08861
Telephone Number _____
Attorney(s) for Plaintiff Pro-Se

Superior Court of New Jersey

Middlesex ☒ COUNTY
CIVIL DIVISION

Docket No: MID-L- 5461-16

WILLIAM F. SEVERINO III

Plaintiff(s)

Vs.
BOROUGH OF SAYREVILLE, CHIEF ZEBROWSKI, LT,
JOHN DOW, PTL. CEBULSKI, PTL. JOHN DOW

Defendant(s)

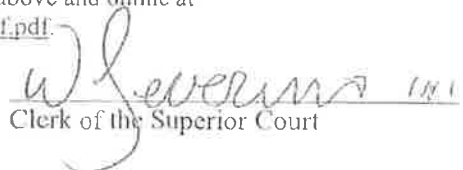
CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.


Clerk of the Superior Court

DATED: 10/13/2016

Name of Defendant to Be Served: Borough of Sayreville, Mayor's Office

Address of Defendant to Be Served: 167 Main Street, Sayreville, N.J. 08872

William F. Severino
131 Market St., Apt 27
Perth Amboy, New Jersey 08861
william.severinoiii@yahoo.com

WILLIAM F. SEVERINO III
PLAINTIFF

v.

BOROUGH OF SAYREVILLE, CHIEF
ZEBROWSKI, LT. JOHN DOE, PTL.
CEBULSKI, PTL. JOHN DOE

In their individual and official capacity
DEFENDANTS

SUPERIOR COURT OF NEW JERSEY
COUNTY OF MIDDLESEX

Docket No. _____

CIVIL ACTION

**COMPLAINT
WITH JURY DEMAND**

INTRODUCTION

1. This action is brought under the United State Constitution 1st, 4th, 5th and 14th Amendments pursuant to 42 U.S.C. §1983, §1985(2) (3), §1986 and §1988; Under the N.J. Constitution Article 1 par. 1, 2, and 7, Title 10 et. seq. New Jersey Tort Liability Statutes; under Title 59 et seq., and N.J. Common Laws for (a) failure to implement appropriate policies, customs and practices (b) false arrest (c) false imprisonment (d) malicious prosecution (e) abuse of process (f) intentional infliction of emotional distress (g) negligence (h) negligent supervision and (i) retaliatory actions
2. While Officer Cebulski was acting in the scope of his employment and under color of state law, made an unlawful arrest, false imprisonment, malicious prosecution, abuse of process and retaliatory actions subsequent prosecution of Mr. Severino was, in part motivated by Ptl. Cebulski and the members of the Sayreville Police dept. personal malice, bias and /or revenge directed toward Mr. Severino for his political activities in reporting police corruption within their police department.
3. Action is also brought against the Borough of Sayreville and Chief Zebrowski for its failure to properly train and supervise the individual Defendants in the proper procedure of the Domestic Violence Act and its establishment of policies, procedures, practices, and customs regarding Mr. Severino, disciplinary procedures and handling of personal property.
4. Plaintiff is seeking all equitable relief, including compensatory and punitive damages sustained due to the deliberate, knowingly, multiple violations of federal and state constitutional provision, State regulations and statues including the deliberate conspiracy to violate these laws and regulation.

JURISDICTION

5. Middlesex County has original jurisdiction over this case and venue is proper all relevant events took place in Middlesex County and all parties are from New Jersey.

THE PARTIES

6. Plaintiff, William F. Severino, is a citizen of the United States and resides in New Jersey.
7. Defendant, Borough of Sayreville is a municipal corporation, organized and existing under the laws of the State of New Jersey. Borough of Sayreville has established or delegated to Defendant Chief Zebrowski the responsibility for establishing and implementing policies, practices, procedures, and customs used by law enforcement officers employed by Borough of Sayreville.
8. Defendant, Chief Zebrowski was at all times material to the allegations in this Complaint, employed as the Chief of Police by the Sayreville Police Department and is responsible for the supervision and training of the Defendants, further, responsible for making and/or implementing policies and practices used by law enforcement officers.
9. Defendant, Lt. John Doe was at all times material to the allegations in this Complaint, employed as a Lt. by the Sayreville Police Department and is responsible for the supervision and the orderly running of the police station as station commander.
10. Defendant, Officer Cebulski is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Police Officer employed by the Borough of Sayreville and was acting under color of state law.
11. Defendant, Officer John Doe is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Police Officer employed by the Borough of Sayreville and was acting under color of state law.

COMPLAINT

COUNT ONE -General Allegations

12. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint.
13. In committing the acts complained of herein, Defendants acted under the color of the law to deprive Plaintiff of certain constitutionally protected rights but not limited to: (a) Failure to Implement Appropriate Policies, Customs and Practices (b) False Arrest (c) False Imprisonment (d) Malicious Prosecution (e) Abuse of Process (f) Intentional infliction of Emotional Distress (g) Negligence (h) Negligent Supervision and (i) Retaliatory Actions

14. In violating Mr. Severino's rights as set forth above and other rights to be proven at trial, Defendants acted under the color of the law and conducted an unlawful detainment and deprivation of liberty without due process in violation of Mr. Severino's Constitutional and common law rights under the First, Fourth, Fifth, and Fourteenth Amendments of the United States Constitution.
15. Defendants' acts were willful, wanton, malicious, oppressive and done with conscious disregard and deliberate indifference for Mr. Severino's rights. Borough of Sayreville policies, practices, conduct and acts alleged herein have resulted and will continue to result in irreparable injury to the Plaintiff.

COUNT TWO -Failure to Implement Appropriate Policies, Customs, and Practices

16. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint.
17. On or about November 1, 2014, Defendants did violate Mr. Severino's Constitutional rights and did so pursuant and custom to a de-facto pattern and practice of the defendant's deliberate indifference to the Constitutional rights of Mr. Severino's. Def. Borough of Sayreville and Sayreville Police Dept. implicitly and explicitly adopted and implemented careless and reckless policies, customs, or practices that included among other things displaying a pattern and practice of retaliatory acts, reasonable training in the domestic violence act, and in such a way as to cause injuries to citizens' without lawful justification and write false and misleading police reports and filing false charges against Mr. Severino and failing to have disciplinary procedures.
18. The failure of Borough of Sayreville and Sayreville Police Dept to adequately train and supervise Ptl. Cebulski, Chief Zebrowski and John Does, amounts to deliberate indifference to the civil rights of Mr. Severino.

COUNT THREE - False Arrest

19. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint in extensor
20. On November 1, 2014 in the Borough of Sayreville the def. Ptl. Cebulski maliciously and without probable cause commenced an action against the plaintiff in the Borough of Sayreville, upon a complaint in which he falsely alleged that Mr. Severino had assaulted his brother John Severino under the domestic violence act.
21. On said date Officer Cebulski made an affidavit and complaint in which he falsely and maliciously averred that Mr. Severino committed the act of simply assault under the domestic violence act against John Severino. Thereupon presented the same to the honorable Judge Weber the Judge of said court and demanded thereon the complaint and arrest of this plaintiff.
22. The unlawful arrest detention and incarceration of Mr. Severino was caused by defendant in that he knowingly caused the issues of an arrest warrant on the basis of intentional false

statements thereby deceiving the issuing authority for the purpose of obtaining judicial authority to enforce the processes of the law and thereafter though the presentation of false testimony and fabricated evidence, did knowingly cause plaintiff Mr. Severino to be incarcerated and held to bail in the amount of 5,000 dollars.

COUNT FOUR - False Detention and Confinement

23. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
24. Def. Ptl. Cebulski breached a duty of care owed to Mr. Severino so as not to deprive him of his personal liberty by intentionally, wrongfully and unlawfully detaining and confining, him without probable cause and without a warrant from the Court.
25. Mr. Severino alleges that such acts directed towards him were malicious and belligerent and the acts were done with a conscious disregard for his right to be free from such tortuous behavior such as to constitute oppression and malice behavior.
26. On Nov. 1, 2014 the Mr. Severino was taken from the township of Sayreville where he resides to the Middlesex County Jail against his will and in the custody of the Sayreville Police Dept and was confined for 25 days before being released on ROR.

COUNT FIVE - Malicious Prosecution

27. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
28. The actions of Ptl. Cebulski as described in this Complaint constitute a deprivation of Mr. Severino's constitutional rights to be free from malicious prosecution, malicious abuse of process, and unlawful seizure and incarceration.
29. Ptl. Cebulski arrested Mr. Severino without probable cause and commenced prosecution with malice and for a personal vendetta of the Sayreville Police Dept. The defendants caused there to be prosecution of Mr. Severino for simply assault. Were Mr. Severino was required to take off work and represent himself and appear in court numerous times.
30. On 2015 Mr. Severino after trial was acquitted of simply assault under the domestic violence act.

COUNT SIX – Abuse of Process

31. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
32. Subsequent to the acquittal of Mr. Severino, Borough of Sayreville, by and through its agents, servants, employees and/or workmen acting within the scope of their authority and the course of their employment, including but not limited to the individual defendants named herein knew of evidence of Mr. Severino's innocence which defendants disregarded and concealed for the purpose of causing Mr. Severino extreme depression, anxiety and mental anguish.

33. The defendants were improperly motivated in that said conduct was designed to attempt to deter Mr. Severino's politic activity in reporting police corruptions within their police department and corruption within the Borough of Sayreville.

COUNT SEVEN – Official Misconduct

34. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
35. the defendants throughout the period relevant hereto, individually and jointly did act or purport to act in an official capacity, and by taking advantage of such capacity, knowing that their conduct was illegal subjected Mr. Severino to arrest, detention, search, seizure, mistreatment, disposition and other infringement of his person and property rights, and did detain and impede Mr. Severino in the exercise and enjoyment of rights and privileges to which he is entitled.
36. The conduct of the defendants as described in this complaint is in violation of N.J.S.A. 2C:30-2, a criminal statute prohibiting official oppression which statute was in effect at all times relevant hereto.
37. N.J.S.A. 2C:30-2 was specifically enacted to prevent the type of acts committed by these defendants and to prevent the occurrence of the harm caused by them to Mr. Severino.
38. At all times relevant hereto defendants acted in concert with one another pursuant to an express or implied agreement to achieve the unlawful object described in this complaint.

COUNT EIGHT – Deprivation of Property without Due Process of Law

39. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
40. Ptl. Cebulski in concert with other defendants intentionally violated the civil rights of Mr. Severino by his malicious and wanton disregard for Mr. Severino's property rights. By illegally allowing a known burglar into his house amounted to the deprivation of property in violation of the Fifth and Fourteenth Amendments.
41. Specifically, the conduct of Ptl. Cebulski included the illegal entry of persons not permitted on or in Mr. Severino's property (house). At no time did John Severino have permission to be on the property or in the house.
42. By Defendants allowing John Severino onto the property and into the house were Mr. Severino's property was removed (stolen) by said person and damage to the house by removing copper piping and heating system from the house. The Sayreville Police Dept and the Borough of Sayreville refusing to investigate and file criminal charges against John Severino and the officers actually and proximately inflicted an outrageous violation of constitutional rights upon Mr. Severino, for which Defendants are liable.

43. Further due to the unlawful arrest Mr. Severino lost is job and was unable to make the mortgage payment arrangement to the mortgage company and therefore lost his house.

COUNT NINE – Conspiracy

44. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

45. It is unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or the laws of the United States, or because of his having exercised the same.

46. The Borough of Sayreville, Sayreville Police Dept. though its agents, servants, and/or employees acting within the scope of their authority and within the course of their employment including but not limited to the individual defendants named herein subsequently participated in a common design through a concert of actions to delay, obstruct and impair the investigation into the unlawful arrest of Mr. Severino, beginning with the decision to unlawfully detain and charge him without reason or cause, file false reports, allow unwanted persons to enter his house and engage in a malicious prosecution.

47. The defendants stand to gain by terrorizing, torturing, and preventing Mr. Severino from focusing on filing criminal and civil complaints against them for their violations of federal and state laws. The defendants did conspire with one another to cover-up the unlawful detention and charges. In furtherance of the plan to cover-up the incident the Defendants initiated a malicious prosecution against him to intimidate him to withdraw pending lawsuits and criminal charges against other members of the Sayreville police dept.

COUNT TEN - Retaliatory Actions

48. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

49. The aforesaid conduct constituted intentional, reckless, wanton and outrageous conduct which defendants engaged in for the purpose of causing and/or with knowledge that it would violated Mr. Severino's constitutionally protected rights to be free from retaliatory actions.

50. The Borough of Sayreville, Sayreville Police Dept. though its agents, servants, and/or employees acting within the scope of their authority and within the course of their employment including but not limited to the individual defendants named herein retaliated against Mr. Severino for exercising his First Amendment right to legitimately gathering information about police activities of misconduct, file civil and criminal charges against employees of the Borough of Sayreville and file complaints to State and Federal authorities by continually detaining, arresting and filing false charges against Mr. Severino in the last several years the Sayreville police dept has arrested Mr. Severino apx. 7 times, filed numerous false traffic tickets, filed false police reports, assaulted him and threaten him.

COUNT ELEVEN – Negligence /Negligent Supervision

51. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
52. Def. Chief Zebrowski, Lt. John Dow, Ptl. Cebulski , Ptl. John Dow were negligent in their performance and/or failure to perform duties undertaken in the course of their employment, including but not limited to failure to use due care at or about the times of the afore - mentioned incident. In committing the aforementioned acts and/or omissions, each Defendant negligently breached said duty to use due care.
53. Def. Borough of Sayreville, Sayreville Police Dept., and Chief Zebrowski through its agents, servants and/or employees were negligent and otherwise reckless in that they failed to adequately train, supervise and properly control the Defendants and did negligently hire or continued to employ the Defendants creating an atmosphere of lawlessness within which officers perpetuated a violation of civil rights.
54. Def. Borough of Sayreville, Sayreville Police Dept., and Chief Zebrowski failed to properly instruct and supervise their subordinate police officers and prevent the negligent acts of their subordinates when, they knew or reasonably should have known of such acts and had the authority and responsibility to prevent these acts.
55. Acting under the color of the law, Def. Borough of Sayreville, Sayreville Police dept. and Chief Zebrowski negligently failed to instruct, supervise control, and discipline on a continuing basis the Defendants as to their duty to refrain from: (a) unlawfully and maliciously harassing a citizen by displaying a pattern, practice and policy of discrimination and/or deliberate indifference to the civil rights of Mr. Severino (b) unlawfully and maliciously arresting, detaining and confining Mr. Severino in retaliation for filing complaints/lawsuits against fellow officers (c) and otherwise depriving Mr. Severino of his constitutional and statutory rights, privileges, and immunities.
56. Def. Borough of Sayreville, Sayreville Police dept. and Chief Zebrowski directly and indirectly under the color of the law, approved or ratified the unlawful 'deliberate, reckless, and wanton conduct of Chief Zebrowski and the other Defendants.

COUNT TWELVE - Intentional Infliction of Emotional Distress

57. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint
58. Defendants intentionally and deliberately inflicted emotional distress on Mr. Severino by outrageous and extreme display pattern, practice, and discrimination and deliberate indifference and by abusing the lawful process by unlawful purposes by violating his constitutional rights. Defendants' conduct was extreme and outrageous, beyond all possible bounds of decency.
59. At the time of the incidents alleged herein and before, Mr. Severino was emotionally and physically healthy, active, and fully capable of engaging in normal day-to-day activities. Since the time of the false detention, charges, abuse and others. Mr. Severino's ability to

perform and enjoy his usual activities, including family and work-related activities, has been impaired. In addition, Mr. Severino has suffered severe emotional distress and mental anguish affecting his psychological well-being.

60. Mr. Severino is entitled to compensation for the constitutional harms that the Defendants inflicted upon him.

COUNT THIRTEEN- Violation of Civil Rights under N.J.S.A. 10:6-1

61. Plaintiff re-alleges and incorporates herein paragraphs 1-64 of this Complaint

62. Def. Borough of Sayreville and Sayreville Police Dept. through its agents servants and/or employees violated the civil rights of Mr. Severino under the New Jersey Civil Rights Act, N.J.S.A. 10:6-1 et seq. by falsely detaining him, filing false charges, and retaliating against him for exercising his first amendment rights to file grievances. Def. Chief Zebrowski, Lt. John Dow, Ptl. Cebulski, Ptl. John Dows for creating an atmosphere of lawlessness within which officers perpetuated a violation of civil rights based upon unlawful detention and confinement, discrimination/prejudice, deprivation of liberty, and others against Mr. Severino.

63. Mr. Severino was unlawfully detained, charged, and incarcerated by members of the Sayreville Police Department inflicting psychological trauma, fear, and humiliation, all of which were done in the belief that such acts were justified by the Defendants' authority as police officers of the Borough of Sayreville and otherwise under the color of the law.

64. Mr. Severino alleges that such acts directed towards him were negligent and/or malicious and the acts were done in violation of Plaintiff's civil rights under the New Jersey Civil Rights Act, N.J.S.A. 10: 6-1 et. seq.

65. **AS A DIRECT AND PROXIMATE RESULT** [common to all counts] of the wrongful acts of the Defendants jointly, severally and/or individually as listed in this complaint had a deliberate indifference and unlawful violation of Mr. Severino's rights, committed under the color of the law. Mr. Severino suffered and continues to suffer physical, psychological and emotional distress/anguish, anxiety, embarrassment, loss of freedom/liberty, property and employment/salary, and inconvenienced and is entitled to relief under 42 U.S.C. § 1983, The New Jersey Tort Claim Act and the Common Laws of New Jersey.

DAMAGES

Wherefore, the Plaintiff demands judgment against the defendants for damages, together with interest and cost of suit.

A. Award compensatory damages in the following amounts;

- | | |
|---|--------------|
| 1. Economic Lost Salary | \$9,000.00 |
| 2. Lost property (stolon) | \$1,500.00 |
| 3. Lost Property (house) | \$230,000.00 |
| 3. Reasonable expenses incurred in this litigation, | |

B. Award punitive Damages in the following amount

1. In the amount of 1 million dollars (1,000,000.00 dollars) each defendant

C. Grant such other relief as it may appear that Plaintiff is entitled.

I hereby certify that the forgoing statements made by me are true and correct to the best of my knowledge and I'm aware that if any statement is willfully false Plaintiff is subject to fine and imprisonment.

Respectfully Submitted,


William F. Severino III

LAW OFFICES
JOHN R. PARKER, LLC

260 HWY 202/31
NORTH LIBERTY COURT SUITE 1100
FLEMINGTON NEW JERSEY 08822-1794

JOHN R. PARKER
CERTIFIED CIVIL TRIAL ATTORNEY

OF COUNSEL TO
GRAZIANO, PIASECKI
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GREEN BROOK NEW JERSEY

TEL 908 782 9458
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September 30, 2015

Rebecca Garbowski
Borough of Sayreville
167 Main St
Sayreville NJ 08872

Re: Severino vs Melendez
My File No: 80.60351
Docket No. 14-2454

Dear Ms. Garbowski:

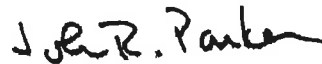
You may recall I have been defending the Borough in this federal court lawsuit.

I am pleased to advise you that Judge Shipp granted my motion to dismiss the case for failure to state a claim. As you may well know, Mr. Severino is litigious and he may appeal, so please continue to maintain any related files or documents.

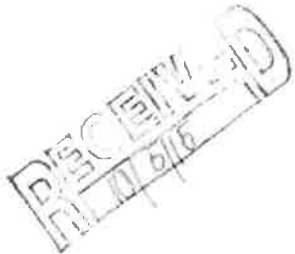
Enclosed is a copy of the Opinion [49607] and Order of Dismissal [49608]. You will see in Footnote 4 a reference to Chief Zebrowski. No Answer was filed for him as he was not served, but as explained the dismissal still applies to him so you may want to provide him with a copy of the Opinion and Order.

I was not involved with Councilman Ricci who did not file an Answer so I will not communicate with him myself, but I see no reason why he should not be advised of this development.

Very truly yours,



John R. Parker



NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WILLIAM F. SEVERINO, III,

Plaintiff,

v.

BOROUGH OF SAYREVILLE, et al.,

Defendants.

Civil Action No. 14-2454 (MAS) (TJB)

MEMORANDUM OPINION

SHIPP, District Judge

This matter comes before the Court on Defendant Borough of Sayreville's ("Sayreville") motion to dismiss Plaintiff William F. Severino, III's ("Severino") Complaint pursuant to New Jersey's Entire Controversy Doctrine. (ECF No. 8.) Severino filed opposition (ECF No. 12), and Sayreville replied (ECF No. 10). Defendants Ptl. Mader, Ptl. Popowski, Sgt. Connors, and Ptl. Teator (collectively, "Officers," and with Sayreville, "Moving Defendants") also move to dismiss Severino's Complaint joining in Sayreville's arguments. (ECF Nos. 9, 11.) The Court has carefully considered the parties' submissions and decides the matter without oral argument pursuant to Local Civil Rule 78.1.

Moving Defendants assert that all of Plaintiff's claims are barred by New Jersey's Entire Controversy Doctrine. "A federal court hearing a federal cause of action is bound by New Jersey's Entire Controversy Doctrine, an aspect of the substantive law of New Jersey . . ." *Rycoline Prods. Inc. v. C & W Unlimited*, 109 F.3d 883, 887 (3d Cir. 1997). The New Jersey Supreme Court has described the doctrine's purpose as threefold: (1) the need for "complete and final disposition of cases through avoidance of piecemeal decisions; (2) fairness to parties to an action and to others

with a material interest in it; and (3) efficiency and avoidance of waste and delay.” *Paramount Aviation Corp. v. Agusta*, 178 F.3d 132, 137 (3d Cir. 1999) (citing *DiTrollo v. Antiles*, 142 N.J. 253, 267 (1995)). The doctrine “compels the parties, when possible, to bring all claims relevant to the underlying controversy in one legal action. When the court finds that a claim not joined under the original action falls within the scope of the doctrine, that claim is barred.” *Coleman v. Chase Home Fin., LLC*, 446 F. App’x 469, 471 (3d Cir. 2011) (citing N.J. Ct. R. 4:30A). “New Jersey courts have held that the primary consideration in determining if successive claims are part of the same controversy is whether the claims ‘arise from related facts or from the same transaction or series of transactions.’” *Id.* at 471-72 (quoting *DiTrollo*, 142 N.J. at 267).

On April 2, 2014, Severino filed a complaint in the Superior Court of New Jersey, Middlesex County, against Sayreville, certain police officers, and others seeking relief for violations of his property rights stemming from the destruction of his property following an allegedly unlawful arrest.¹ (Certification of John R. Parker (“Parker Cert.”) 3-6, ECF No. 8-2.) Specifically, Severino alleges that on June 23, 2012, he was falsely arrested and incarcerated for forty-three days. (*Id.* at 4.) On April 16, 2014, Severino filed the Complaint *sub judice* against Sayreville and certain police officers for an alleged assault that occurred following an unlawful traffic stop and arrest. (*See generally* Compl., ECF No. 1.) Specifically, Severino alleges that on June 23, 2012, his vehicle was unlawfully stopped, he was put under arrest, he was assaulted by the police officers, and then he remained incarcerated for forty-two days. (*Id.* ¶¶ 12-18.) On June 13, 2014, Severino filed a second complaint in the Superior Court of New Jersey, Middlesex

¹ Moving Defendants request that this Court take judicial notice of the state-court complaints and orders. Severino does not object. Therefore, this Court will take judicial notice of the state-court documents that Sayreville attached to its motion. *See* Fed. R. Evid. 201; *Sands v. McCormick*, 502 F.3d 263, 268 (3d Cir. 2007).

County, against Sayreville and certain police officers seeking relief for constitutional violations following a June 17, 2012 traffic stop and June 23, 2012 arrest. (Parker Cert. 7-14.) On October 10, 2014, the Honorable Douglas K. Wolfson, J.S.C., sua sponte consolidated the two state court actions finding “that the two causes of action involve common questions of law and fact.”² (*Id.* at 15-16.)

Severino argues that the Entire Controversy Doctrine does not apply because the “[t]hree lawsuits deal with different events that don’t inter-relate with one another.”³ (Pl.’s Opp’n Br. 4, ECF No. 12.) The Court disagrees with Severino. The current action stems from the June 23, 2012 traffic stop of Severino by police officers from the Sayreville Police Department. Just because Severino brings different claims against essentially the same defendants, it does not mean the Entire Controversy Doctrine does not apply. Instead, New Jersey’s Entire Controversy Doctrine clearly applies to this matter because all three actions arise from the same event: the June 23, 2012 traffic stop and arrest.

² On June 23, 2015, the consolidated action was dismissed with prejudice by the state court. (Parker Cert. 17-19.)

³ In addition, Severino’s arguments applying New Jersey’s *res judicata* standard are misplaced, because *res judicata* is a different preclusion doctrine than that which Moving Defendants ask this Court to apply.

Accordingly, Moving Defendants' motions to dismiss are granted.⁴ An order consistent with this Memorandum Opinion will be entered.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

Dated: September 30, 2015

⁴ Defendants Chief Zebrowski and RICCI Melendez (collectively, with Moving Defendants, "Defendants") have not moved to dismiss this action. The claims asserted against Chief Zebrowski and RICCI Melendez are identical to those claims before the Court by way of Moving Defendants' motions to dismiss. A court dismissing claims against moving defendants may sua sponte dismiss identical claims against non-moving defendants. *See Michaels v. State of N.J.*, 955 F. Supp. 315, 331 (D.N.J. 1996). Therefore, the Court dismisses the claims against Chief Zebrowski and RICCI Melendez for the same reasons the claims against Moving Defendants are dismissed.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WILLIAM F. SEVERINO, III,

Plaintiff,

v.

BOROUGH OF SAYREVILLE, et al.,

Defendants.

Civil Action No. 14-2454 (MAS) (TJB)

ORDER

This matter comes before the Court on Defendant Borough of Sayreville's ("Sayreville") motion to dismiss Plaintiff William F. Severino, III's ("Plaintiff") Complaint pursuant to New Jersey's Entire Controversy Doctrine. (ECF No. 8.) Severino filed opposition (ECF No. 12), and Sayreville replied (ECF No. 10). Defendants Ptl. Mader, Ptl. Popowski, Sgt. Connors, and Ptl. Teator (collectively, with Sayreville, "Moving Defendants") also move to dismiss Plaintiff's Complaint joining in Sayreville's arguments. (ECF Nos. 9, 11.) The Court has carefully considered the parties' submissions and decides the matter without oral argument pursuant to Local Civil Rule 78.1. For the reasons set forth in the accompanying Memorandum Opinion,

IT IS on this 30th day of September 2015, **ORDERED** that:

1. Moving Defendants' motions to dismiss (ECF Nos. 8, 9) are GRANTED;
2. Plaintiff's Complaint is DISMISSED with prejudice; and
3. The Clerk of Court shall mark this case CLOSED.



MICHAEL A. SHIFF
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WILLIAM F. SEVERINO, III,
Plaintiff

V.

SUMMONS IN A CIVIL CASE

BOROUGH OF SAYREVILLE, ET AL.,
Defendant

CASE
NUMBER: 3:14-CV-02454-MAS-TJB

TO: (Name and address of Defendant):

Pat. Popowski

15 FEB 20 PM 3:16

RECEIVED BY CLERK

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

Melissa M. Haneke
(By) DEPUTY CLERK



ISSUED ON 2014-12-12 14:47:06, Clerk
USDC NJD

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WILLIAM F. SEVERINO, III,
Plaintiff

V.

SUMMONS IN A CIVIL CASE

BOROUGH OF SAYREVILLE, ET AL.,
Defendant

CASE
NUMBER: 3:14-CV-02454-MAS-TJB

TO: (Name and address of Defendant):

PTI. Mader

15 FEB 20 PM 3:16

CLERK

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

Melissa M. Haneke

(By) DEPUTY CLERK



ISSUED ON 2014-12-12 14:47:06, Clerk
USDC NJD

AO 240A (Rev. 01/09; NJ 05/13) Order to Proceed Without Prepaying Fees or Costs

UNITED STATES DISTRICT COURT

for the
DISTRICT OF NEW JERSEY

WILLIAM F. SEVERINO, III,

Plaintiff(s),

v.

BOROUGH OF SAYREVILLE, et al.

Defendant(s).

ORDER ON APPLICATION
TO PROCEED WITHOUT
PREPAYMENT OF FEES

Civil Action No. **14-2454 (MAS)**

Having considered the application to proceed without prepayment of fees under 28 U.S.C. §1915, **IT IS ORDERED** the application is:

- ☒ **GRANTED**, and
- ☒ The clerk is ordered to file the complaint,
- ☒ **IT IS FURTHER ORDERED**, the clerk issue a summons and the U.S. Marshal serve a copy of the complaint, summons and this order upon the defendant(s) as directed by the plaintiff(s). All costs of service shall be advanced by the United States.
- ☐ **DENIED**, for the following reasons:
- ☐ **IT IS FURTHER ORDERED**, the clerk is ordered to close the file. Plaintiff(s) may submit payment in the amount of **\$400** within **14** days from the date of this order to reopen the case without further action from the Court.

ENTERED this 12 day of December 2014.

s/ *Michael A. Skipp*
Signature of Judicial Officer

Michael A. Skipp, U.S. D.J.
Name and Title of Judicial Officer

William F. Severino III
2 Guilfoyle Terrace
Sayreville, N.J. 08872
[REDACTED]

RECEIVED

APR 16 2014

APR 16 8:30 AM
WILLIAM F. SEVERINO III
CLERK

WILLIAM F. SEVERINO III
PLAINTIFF

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
VINTAGE OF TRENTON

v.

Docket No. 14-2454

BOROUGH OF SAYREVILLE,
CHIEF ZEBROWSKI, PTL. MADER,
PTL POPOWSKI, SGT. CONNORS
PTL. TEATOR, RICCI MELENDEZ

CIVIL ACTION

In their individual and official capacity
DEFENDANTS

**COMPLAINT
WITH JURY DEMAND**

INTRODUCTION

This action is brought pursuant to 42 U.S.C. §1983, §1985(2) (3), §1986 and §1988 and the First, Fourth, Eighth, and Fourteenth Amendments to the United State Constitution. under the New Jersey Constitution Title 10 et seq. New Jersey tort liability statutes; under Title 59 et seq., and under New Jersey common laws for (a) failure to implement appropriate policies, customs and practices, (b) false arrest; (c) false imprisonment; (d) malicious prosecution; (e) intentional infliction of emotional distress; (f) negligence; (g) negligent supervision; (h) negligent hiring and retention (i) assault and battery/excessive force (j) civil conspiracy.

While the individual Defendants were acting in the scope of their employment and under color of state law, they made an unlawful stop of Plaintiff's vehicle that resulted in an assault against the Plaintiff. The Defendants' actions caused permanent injury to the Plaintiff and the destruction of his personal property.

Action is also brought against the Borough of Sayreville for its failure to properly train and supervise the individual Defendants in the proper use of force and its establishment of policies, procedures, practices, and customs regarding assault -excessive force, disciplinary procedures and handling of personal property.

Plaintiff is seeking all equitable relief, including compensatory and punitive damages sustained due to the deliberate, knowingly, multiple violations of federal and state constitutional provision, State regulations and statues including the deliberate conspiracy to violate these laws and regulations.

JURISDICTION

1. The United States has original jurisdiction over this case under 42 U.S.C. §1983, §1985(2) (3), §1986, §1988 42, U.S.C., Section 14141 and 28 U.S.C. 1331(a)
2. Court as supplemental jurisdiction pursuant to 28 U.S.C. §1367 over the state law claims
3. Venue in the United States District Court is Proper all relevant events took place in New Jersey and all parties are from New Jersey.

THE PARTIES

4. Plaintiff, William F. Severino, is a citizen of the United States and resides in New Jersey.
5. Defendant, Borough of Sayreville, is responsible for the training and supervision of Defendants, Borough of Sayreville has established or delegated to Defendant Zebrowski the responsibility for establishing and implementing policies, practices, procedures, and customs used by law enforcement officers employed by Borough of Sayreville.
6. Defendant, Chief Zebrowski was at all times material to the allegations in this Complaint, employed as the Chief of Police by the Sayreville Police Department and is responsible for the supervision and training of the Defendants, further, responsible for making and/or implementing policies and practices used by law enforcement officers regarding arrests and the use of force.
7. Defendant, Sgt. K. Connors is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Police Officer employed by the Borough of Sayreville and was acting under color of state law.
8. Defendant, Ptl. Popowski is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Police Officer employed by the Borough of Sayreville and was acting under color of state law.
9. Defendant, Ptl. Mader is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Police Officer employed by the Borough of Sayreville and was acting under color of state law.
10. Defendant, Ptl. Teator is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Police Officer employed by the Borough of Sayreville and was acting under color of state law.
11. Defendant, Councilman Ricci Melendez is a citizen and resident of New Jersey and was at all times material to the allegations in this Complaint, acting in his capacity as a Councilman of the Borough of Sayreville and was acting under color of state law.