

DANSKY | KATZ | RINGOLD | YORK
A PROFESSIONAL CORPORATION

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Attorneys for Plaintiffs

RAYMOND-GOLDEN STEWART, by his	:	SUPERIOR COURT OF NEW JERSEY
Guardian Ad Litem JAMIE STEWART	:	CAMDEN COUNTY
	:	LAW DIVISION
Plaintiff,	:	
	:	DOCKET NO. L-2685-13
v.	:	
	:	
KEVIN SLOAN,	:	
BOROUGH OF SOMERDALE,	:	Civil Action
SOMEDALE POLICE DEPARTMENT,	:	
JOHN DOE(S) 1-5 (Fictitious Names),	:	
and ABC CORPORATION(S) 1-5	:	
(Fictitious Names), i/j/s/a,	:	
	:	
Defendants	:	SUMMONS
	:	

From the State of New Jersey to the Defendant(s) named above: **BOROUGH OF SOMERDALE**

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 \$135.00 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.


JENNIFER M. PEREZ
Clerk of the Superior Court

Dated: June 8, 2013

Name of Defendant to be served:	Borough of Somerdale
Address of the Defendant to be served:	105 Kennedy Boulevard
	Somerdale, NJ 08083

LAW OFFICES OF ROBERT I. SEGAL, P.A.

ATTORNEYS AT LAW

Robert I. Segal *
W. Robb Graham*

All attorneys are Members of NJ & PA Bar
*Certified by the Supreme Court of New Jersey
as a Civil Trial Attorney

71 NORTH MAIN STREET
MEDFORD, NEW JERSEY 08055-8802

TEL: (609) 953-1200
FAX: (609) 953-8262

1210 South Main Street
Pleasantville, New Jersey 08232

Please reply to Medford Office

File No.: 15-1822

Via Certified & Regular Mail, R.R.R.

Somerdale Police Department
105 Kennedy Boulevard
Somerdale, NJ 08083

Via Certified & Regular Mail, R.R.R.

Borough of Somerdale
105 Kennedy Boulevard
Somerdale, NJ 08083

Via Certified & Regular Mail, R.R.R.

County of Camden
520 Market Street
City Hall, Room 419
P.O. Box 95120
Camden, New Jersey 08101-5120

RE: Johnny Willis

Date of Incident: 12/15/2014

Location: Kennedy Boulevard & Cedar Avenue, Somerdale, NJ

Dear Sir/Madam:

Please accept this correspondence as formal **NOTICE OF CLAIM** pursuant to N.J.S.A. 59:8-4 with regard to the captioned matter.

1. The name and address of the claimant is:

**Johnny Willis
218 E. Somerdale Road
Somerdale, NJ 08083**

2. The address to which the persona presenting the claim desires notices to be sent is:

**Robert I. Segal, Esquire
Law Offices of Robert I. Segal, P.A.
71 North Main Street
Medford, New Jersey 08055**

3. The date, place and circumstance of the occurrence which gives rise to the claim asserted is:

On December 15, 2014, at approximately 10:00 pm, at the intersection of Kennedy Boulevard and Cedar Avenue, Mr. Willis was the operator of a bicycle and an unknown Somerdale Borough Police Officer was the operator of a

RE: Johnny Willis

Somerdale Borough Police vehicle. At this time and place, the unknown Somerdale Borough Police Officer so negligently operated his motor vehicle so as to cause Mr. Willis serious bodily injury.

4. A general description of the injury is:

Mr. Willis suffered injuries to his left knee as well as left and right ankle fractures.

5. The name of the public entity involved:

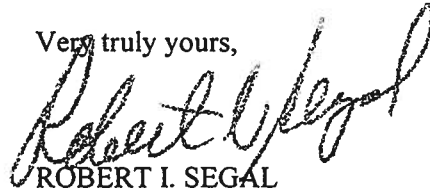
Somerdale Borough Police Department; Borough of Somerdale; and County of Camden

6. The amount claimed as of the date of presenting of the claim is:

To be supplied.

Should you require the completion of any additional documentation to perfect the Notice of Claim, please forward same to the undersigned at your convenience. Absent a written response from you to the contrary, we will assume that this Notice complies with N.J.S.A. 59:5-4 and additional requirements of the aforementioned public entity.

Very truly yours,



ROBERT I. SEGAL

RIS/jlf

cc: Mr. Johnny Willis

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

FILED
JUL 21 2015

Allegra Campbell,
Petitioner,

BY: **BY:**
CASE NUMBER: 1:15-CV-03585-RMB-JS.....
JUDGE

-vs-

SOMERDALE POLICE DEPT., et. al.,
Defendant,

EMERGENCY MOTION FOR
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION

COMES NOW Allegra Campbell (Hereinafter "Petitioner") and moves this Honorable Court to enter a temporary restraining order or preliminary injunction granting Petitioner the relief sought in this motion. In support of this motion, Petitioner alleges and states as follows:

1. As more fully set out in the Verified Complaint attached hereto and Incorporated by reference, Defendants have continued violate Petitioners rights. The Case was moved on May 28th, 2015 and according to **FRCP §1446. See Exhibit A**
2. Unless Defendants are temporarily and permanently enjoined from the acts set forth above, irreparable injury will be occasioned to Petitioner due to the nature and severity of Defendants' acts.
3. The interest of Petitioner in the procedure of the Circuit court outweighs the lower court.
4. The case in the lower court case number W-2015-000029-0431 was removed to this venue according to FRCP § 1446. Which states that the lower court procedures must stop. **See Exhibit B and C.** Yet, the evidence provides that the lower court has no respect for the Federal Rules or any laws.
5. At all times relevant to this matter, Defendants did not answer the complaint in a timely

matter as the summons states. Yet, asking for a motion to buy time to conspire to scramble for a cover up.

6. Petitioner has a likelihood of success on the merits of her suit and is entitled to equitable relief;
7. Issuance of injunctive relief against the Defendants will maintain the status quo between the parties.

COMES NOW Allegra Campbell (Hereinafter "Petitioner") and moves this Honorable Court to enter a temporary restraining order or preliminary injunction granting Petitioner the relief sought in this motion. In support of this motion, Petitioner alleges and states as follows:

WHEREFORE, Petitioner moves this Court for the issuance of a temporary Restraining Order or, in the alternative, Preliminary Injunction, enjoining the Defendants, and the lower court of STATE SUPERIOR COURT OF NEW JERSEY, Judge Steven Polansky, their employees, Agents, Successors, or Assigns from moving forward and violating the rights of Petitioner again, and deems just and for such other and additional relief as the Court deems just and equitable, including a preliminary injunction at the earliest possible.

Respectfully submitted,



Allegra Campbell
[7936 Montgomery Avenue]
[Elkins Park, Pennsylvania]
North America
All Rights Reserved

RECEIVED
JUN 01 2015

SOMERDALE BOROUGH MUNICIPAL COURT

Allegra Campbell

W2015-000029-0431

CLERK
U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2015 MAY 27 P 2:53

BY:
Petitioner,

-vs.-

NOTICE OF REMOVAL
TITLE 28 USC 1446

SOMERDALE POLICE DEPT
Defendant, et. al.,

Now comes Petitioner, to give notice to all parties in this case a Notice of Removal. This removal is based on the Federal Statute Title 28 USC §1446. The removal is to the District Court

_____ moved on this _____ date of May 2015;

Respectfully submitted,

Allegra Campbell

Allegra Campbell, All Rights Reserved
7936 Montgomery Ave.
Elkins Park, Pennsylvania 19027

RECEIVED / FILED

5/28/15

SOMERDALE COURT

CLERK
U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2015 MAY 27 P 3:06
U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED

Allegra Campbell
Petitioner,

Case No.

-VS.-

VERIFIED COMPLAINT

SOMERDALE POLICE DEPT.

CONSTITUTIONAL VIOLATION

105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant KRISTOPHER AUSTIN,

TITLE 42 1983, 1985, & 1986
DENIAL OF DUE PROCESS
FRAUD
INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS
CONSPIRACY
MALICIOUS ABUSE OF
PROCESS
MAIL FRAUD
DISCRIMINATION

SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
c/o MAYOR GARY PASSANTE,

SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant ANTHONY CAMPBELL,

JURY TRIAL DEMANDED

SOMERDALE MUNICIPAL CLERK OF COURT
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant MICHELE D. MILLER,

SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant JAMES ABBOTT
and
SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant John and Jane Doe (1 thru 20)

RECEIVED / FILED

5/28/15
SOMERDALE COURT

JURISDICTION AND VENUE

1. Jurisdiction of this court arises under 28 U.S.C. §§ 1331, 1337, 1343(a) (civil rights and elective franchise), and 1367(a) (supplemental jurisdiction): 42 U.S.C. §§ 1983 (civil action for deprivation of rights), 1985(3) (conspiracy to interfere civil rights), 1986, and 1988 (proceedings in vindication of civil rights); and 18 U.S.C. §§ 1341, 1511; 1961 (and statutes cited therein) through 1967.
2. Jurisdiction of this court for the pendent claims is authorized by F.R.Civ.P. 1 and arises under the doctrine of pendent jurisdiction as set forth in United Mine Workers v. Gibbs, 383 U.S. 715 (1966).

Now comes the Allegra Campbell (Hereinafter Petitioner) to redress her grievances according to the 1st Amendment of the U.S. Constitution. The Petitioner resides in the STATE of Pennsylvania and the COUNTY Montgomery.

The Defendants are agents for a corporation upon information and belief are doing business in County Camden, State of New Jersey. Defendants are of an Ex parte Young allowing federal courts to enjoin the enforcement of unconstitutional state (or federal) statutes on the theory that "immunity does not extend to a person who acts for the state, but (who) acts for the state, but [who] acts unconstitutionally, because the state is powerless to authorize the person to act in violation of the Constitution."

CAUSE OF ACTION

On the evening of February 27, 2015 Petitioner was at the Aldi's grocery store located on 1102 North White Horse Pike in Stratford, New Jersey [08084]. Petitioner traveled onto a parking space pulling into the parking lot. Before Petitioner could get out of the car, an unmarked car pulled to the rear of her vehicle. Petitioner observed a Caucasian male approaching the driver door. Petitioner rolled her driver window down in order to communicate with the unidentified man. As soon as he approached the window and just stared at Petitioner for a moment in a strange way. Petitioner became apprehensive. The male finally said, "license and registration." Petitioner stated, "For the Record, do you understand that we aren't going to engage in doing business together?" The unidentified male stated, "I understand." The unidentified male stated, "license and registration." Petitioner stated, "Do you understand that I am traveling under God's law on this planet?" The unidentified male stated, "yes, I understand." The unidentified male restated, "license and registration."

Petitioner restated, "Do you understand that I am traveling under (The Most High)/God's Law on this planet?"

The unidentified male stated, "yes, I understand." Petitioner stated, that "do you understand that Aldi's closes in 15 minutes, and I have to get my grandmother some soup?" The unidentified male stated, "I understand; you'll be able to do that." The unidentified male walked back to his vehicle and radio someone. At this time he has never identified himself. The unidentified male walked back to the car and shined a flash light into Petitioner's traveling craft. The unidentified male was giving the vin number to a party via radio. Being an Indigenous National/Native to this land, after a total of 15 minutes, Petitioner was not in any contract nor obligatory agreement with the unidentified male. At this time Petitioner proceeded to exercise her Freedom of Movement and traveled away, leaving the parking lot of Aldi's. Affiant did not get her grandmother's soup as intended because Affiant was afraid for her life and felt

that the situation, based on how the unidentified male was staring at Affiant and behaving, was not safe and secure for her to be alone with him.

Petitioner proceeded to leave the parking lot of Aldi's.

Petitioner proceeded onto Grant Avenue then made a right onto White Horse Pike Avenue going west bound (planet wise). Petitioner saw police vehicles coming down White Horse Pike but did not think they were there for her because she did not commit any crime. Petitioner proceeded forward and at this time noticed a gang of police cars were stopped in the middle of the highway. Petitioner was never aware of that the barricade was for her. Petitioner turned left on another street named near Burnt Mill Rd. then Petitioner traveled onto Oak Avenue. Petitioner then proceeded onto Grant Avenue and was barricaded without just cause. Petitioner put the car in park, another unidentified Officer was pointing a gun at the driver side of the window. Another unidentified Police Officer broke out the window. Two other Officers pulled Petitioner out of the car through the broken window. Petitioner received cuts and bruises on her arms and legs from the broken glass. The two men slammed her on the ground at this time Petitioner has blacked out. Petitioner has no memory of the duration of time that Petitioner was out. When Petitioner came to slight body consciousness, a dog was biting and ripping Petitioner's hair out. Petitioner, was attempting to defend herself, however, her human hands were no match for the sharp teeth of the gnarling dog, who was being egged on by another unidentified Albion male (*later at hospital identified as Anthony Campbell*) cheering, and saying, " whoooo yeah your resisting arrest!"

At no time was Petitioner resisting arrest. Petitioner was under siege and was being terrorized. Flashes of Petitioner's death were in her mind.

Petitioner was begging them to call off the dog. Petitioner was naturally protecting herself, caused by the dog ripping her hair from her scalp and biting her. Petitioner was bitten by the dog numerous times, unnecessarily. The dog continued to rip her hair out and bite her while she lay defenseless on the ground. The entire time, Petitioner was being attacked by the dog, the dog remained on a leash held by an unidentified male (*later at hospital identified as Anthony Campbell*). Petitioner was treated in an inhumane manner being kicked in her stomach pelvis area numerous times. Petitioner blacked out numerous times, waking up and realizing her face is on the concrete. There was an unidentified melanated man to whom the Petitioner called out and plead for help; he merely looked the other way and walked away; going back to his vehicle.

Petitioner did not see him again. Petitioner continued to be brutally pushed, shoved, thrown around, beat, and terrorized by the unidentified Albion males.

Further, there was an unidentified male sitting on Petitioner's back the entire time, causing her to be short of breath, preventing Petitioner from being able to move and protect herself from the dog bites. Petitioner could only wiggle, while blacking in and out of consciousness.

After an unknown amount of time of physical, emotional, spiritual and mental brutality and the highway men/bandits (unidentified Albion males) exhaustion from laughter at their inhumane and evil acts, Petitioner found herself on her feet; she was slammed against the truck and all over her belongings in her pockets were then placed on the truck. The unidentified males were slamming, pushing, the Petitioner in the vehicle, who was already unsteady due to her injuries to her brain, head and body and due to her traumas therein as well as to her spirit, mental and emotional body.

One of the Albion's, acting as a highway men/bandit, employed as a policy enforcer, when Petitioner was in the truck, told Petitioner that her grandmother is on her way and that all of her property would be returned to her.

Before they left the scene, (later identified in Somerdale borough's claimant warrant as) James Abbott [who was the only one who told Petitioner she'll be released on \$200,000 bail in full cash], acting as a highway man/bandit, employed as a policy enforcer, drove into drive way of the Private Property located on Grant Ave with a clear "No trespassing" sign while, (later identified at hospital as) Anthony Campbell acting as a highway man/bandit, employed as a policy enforcer, checked the mail of that Private Property.

Petitioner was finally taken to Kennedy Hospital located in Stratford New, Jersey. At this time Petitioner was examined and wounds were not properly cleaned, and Petitioner did receive a tetanus shot at this time. After being there for an undetermined amount of time, Petitioner was taken to Somerdale Police Department and placed in a holding cell.

Petitioner over heard policy enforcer's talking about the claimant warrant. They asked why was "PTL D LANE" on the warrant as the claimant. Then one of the policy enforcer's wrote on it [after it already being signed by ALYSON HERIEGEL, DOING BUSINESS AS Judicial Officer, Administering Oath and Title] (later finding out when Petitioner was in jail: a policy enforcer wrote the name of "K. Austin" on there.)

Between the time of getting cuffed and taken to holding cell several unidentified

people, names continued unknown, told Petitioner her family can come pick her up, they told Petitioner her grandmother was on her way, and they would return all of her property and that they, themselves phoned her family and informed them of such and shall continue to, upon demand.

At no time was Petitioner ever allowed to call out to seek assistance, personally and privately, for herself, although an unidentified male, doing business as police officer asked Petitioner what to tell her family and she said that she's been assaulted by a gang and kidnapped and he said, "ok, I'll tell them that."

Petitioner's grandmother never arrived.

At no time was she issued her Miranda Rights (with the exception of unknown man, doing business as judge in the video court streaming in the jail).

At all times Petitioner was abused, terrorized, mistreated, violated, and provided with misleading and untrue information. Petitioner remained held against her will from Friday February 27, 2015 until March 3, 2015. The policy enforcer's transferred her to Camden County Jail in the midnight hours of Saturday February 28 and told her she'll be released by \$105,000 in full federal reserve notes. At all times, Petitioner was NEVER provided with Miranda Rights and NEVER provided with her phone call until after county jail booking.

Petitioner was released on bond March 3rd, 2015 for \$35,000 at 10% bond released in the amount of \$3500.00, on March 2nd, 2015. Petitioner was physically released in the midnight hour of March 3.

At all times relevant to this matter Petitioner, being an indigenous woman, was discriminated against. All acts by Official were totally in violation of all of the Officials oaths of Offices, in which they swore to uphold the Statutes of the United States Constitution.

On or about March 31st, 2015, Gary Passanante and Anthony Campbell received a Legal Notice of Official Corruption ; Judicial Notice According To The Law via Certified Mail #: **(USPS Tracking Number: EK 719336650 US (Attn: Gary Passanante) ; USPS Tracking Number: EK 719336663 US (Attn: Anthony Campbell)** which demanded recordings of the event, according to the FOIA. See **Exhibit a.**

On or about April 10th, 2015, Gary Passanante with the attention, also, to: Michele Miller, Kristopher Austin, Anthony Campbell, James Abbott and any other Public Servant involved in the event, of February 27th, 2015 against Petitioner, in which,

also, according to the FOIA, demanding Certified copies of Oath's of Offices from all involved in the event, as well as Somerdale's Risk Management Policy. Petitioner, also, demanded the return of her private international traveling plates for her moabELLA (traveling craft) which was commanded, to the public servants, for Petitioner's property to be returned within 7 days. See **Exhibit b. (USPS Signature Tracking #: 23061570000065680632).**

On or about April 20th, MICHELE D. Miller received a correspondence according to the FOIA, The Open Records Act via Certified USPS mail (**Tracking Number: 70142120000225435402; see Exhibit c).** The request of information was the Officials names, Oaths of Offices of each Officer, hospital reports, travelers international plates to the moabella(traveling craft), Petitioner's locks of hair. Defendant/Agent Miller did give Petitioner the Risk Management Insurance information of the City of Somerdale. This information, see **Exhibit d;** was sent to the Petitioner via USPS on or about May 7, 2015. In this packet of documents Defendant/Agent Miller requested that Petitioner please list the individuals that Petitioner was referring to and said that Petitioner must list specific names in order to the receive Certified Copy's of Oath of Offices yet Defendant/Agent Miller would not give Petitioner the names of those involved in the violation of Petitioner's Rights and Defendant/Agent Miller would not give Petitioner her private plates and sacred hair back nor would Defendant/Agent Miller produce neither the original nor certified copy of the hospital report from Kennedy. This particular information had already been requested in Petitioner's FOIA. Reference **Exhibit B:** WHEREFORE, the evidence provides that Michele Miller, Anthony Campbell, and Gary Passanante, was denying Petitioner due process of clearly establish law, pertaining to the FREEDOM OF INFORMATION ACT, In which at all times relevant to the procedure, Petitioners rights were violated by Michele Miller, Anthony Campbell, and Gary Passanante.

CIVIL COUNTS AND CHARGES

- (1) Violation of 42 U.S.C.§1983,
- (2) Violation of 42 U.S.C. §1983 and 1985(3): conspiracy,
- (3) Violation of 42 U.S.C. §1983: refusing or neglecting to prevent
- (4) Malicious abuse of process,
- (5) Title 18 U.S.C. Section 241 and 242 conspiracy,
- (6) Intentional infliction of emotional distress,
- (7) Mail Fraud
- (8) Discrimination

COUNT 1: VIOLATION OF 42 U.S.C. § 1983

1. At all times relevant herein, the conduct of all Defendants are subject to U.S.C. §§1983, 1985, 1986, and 1988.
2. Acting under the color of law, Defendants conspired to deny Petitioner rights privileges, and immunities secured by the United States Constitution and Federal Law.
3. Defendants conspired for the purpose of impeding and hindering the due course of justice, with the intent to deny Petitioner equal protection of laws. *Johnson v. Zerbst, 304 U.S. 458, 58 S Ct. 1019.*

WHEREFORE, Petitioner demands judgment for violation of 42 U.S.C. 1983 against Defendants in his/her Official capacity, for actual damages in the amount of \$100,000.00 and further demands judgment against each said Defendant jointly and severally, punitive damages in the amount of \$50,000.00 plus the costs of this action, and such other relief deemed to be just and equitable. Punitive damages are recoverable in §1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to plaintiff's federally protected rights). *Smith v. Wade, 461 U.S. 30, 50-51(1983)*

COUNT 2: 42 U.S.C. 1983 and 1985 (2) (3) Conspiracy,

At all times relevant, the conduct of all Defendant's was subject to U.S.C. § 1983 and 1985. Defendants have constantly obstructed justice according to law.

(2) Obstructing justice; intimidating party, witness, or juror clearly justice was obstructed through conspiracy.

(3) Plaintiff was deprived of rights and privileges. Two or more persons did go on to the property (moabella) removing the international plates, car, and Petitioner from the moabella.

WHEREFORE, Petitioner demands judgment for violation of 42 U.S.C. 1985 against all Defendants in his/her Official capacity, for actual, general, special, compensatory damages in the amount of \$100,000.00 and further demands judgment against each said Plaintiff's jointly and severally, punitive damages in the amount of \$50,000.00 plus the costs of this action, and such other relief deemed to be just and equitable. Punitive damages are recoverable in §1985 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to plaintiff's federally protected rights).

**COUNT 3: VIOLATION OF 42 U.S.C. 1983:
REFUSING OR NEGLECTING TO PREVENT**

4. At all times relevant to this Complaint Defendants/agents:
- (a) Conspired to violate the rights, privileges, and immunities guaranteed by the Constitution and laws of the United States and the laws of the State of New Jersey; and
 - (b) Otherwise depriving then defendant of her constitutional and statutory rights, privileges, and immunities.
 - (c) At all times relevant to the matter, defendants neglected to prevent an injury to Petitioner, knowing that they possessed no order to hinder, and impede on Petitioners rights.

WHEREFORE, Petitioner demands judgment against Defendants for actual, general, damages in the amount of \$100,000.00 and further demands judgment against said Official's in their personal capacity \$50,000.00.

COUNT 4: MALICIOUS ABUSE OF PROCESS

The Petitioner in this action alleges that the Defendant's are liable for abuse of process. There are two basic elements necessary to sustain the cause of action of abuse of process. They are (1) that the Defendant's made an improper, illegal and perverted use of the legal procedure, that is to say, his/her resort to the legal process was neither warranted nor authorized by law, and (2) that defendant had an ulterior motive in initiating the legal process. In other words, abuse of process is the misuse or misapplication of the legal procedure in a manner not contemplated by law.

WHEREFORE, Petitioner demands judgment against all of the Defendants of the State of New Jersey or actual, general, damages in the amount of \$100,000.00 and further demands judgment against said Official's in their personal capacity \$50,000.00.

COUNT 5: TITLE 18 241 & 242 Conspiracy

All Defendant's have conspired to deprived Petitioner of her Constitutional rights. A private party maybe considered to have acted under color of state law, however, when he engages in a conspiracy or acts in concert with state agents to deprive a Defendant of constitutional rights. *Tower v. Glover*, 467 U.S. 914, 920 (1984); *Fonda v. Gray*, 707 F.2d 435, 437 (9th Cir.1983). Counties may be liable for damages arising from civil rights violations if the alleged deprivation of rights resulted from an official policy, practice, or custom. *Monell v. New York Department of Social Services*, 436 U.S. 658,

WHEREFORE, Petitioner demands judgment against all Defendants for actual, general, damages in the amount of \$100,000.00 and further demands judgment against said Official's in their personal capacity \$50,000.00.

COUNT6: INTENTION OF EMOTIONAL DISTRESS

1. Officials acted intentionally or recklessly; and
2. Official's conduct was extreme and outrageous; and
3. Official's acts are the cause of the distress; and
4. Petitioner suffers severe emotional distress as a result of Officials conduct.

Some general factors that will persuade that the conduct was extreme and outrageous: (1)

There was a pattern of conduct, not just an isolated incident; (2) the plaintiff was vulnerable and the defendant knew it; (3) the Officials were in a position of power; (4) the defendant. Officials intentionally maliciously, harass, defame, and emotionally distress Petitioner.

WHEREFORE, Petitioner demands judgment against Defendants for actual, general, damages in the amount of \$100,000.00 and further demands judgment against said Official's in their personal capacity .

COUNT 7: MAIL FRAUD

Defendants intentionally sent correspondence via U.S. Mail to Petitioner, when they fraudulently sent mail pertaining false criminal charges. See **Exhibit e, f & g**. The use of the mail to defraud is a federal offense requiring the government to prove a knowing use of the mails to execute the fraudulent scheme. *U.S. Dondich (C.A.Cal.), 506 F.2d 1009*.

Elements of "mail fraud" are a scheme to defraud and the mailing of a letter for the purpose of executing the scheme. *U.S. v. Scoblick, D.C.Pa., 124 F. Supp. 881, 887. See 18 U.S.C.A. §§1341, 1342 See using mail to defraud*.

WHEREFORE, Petitioner demands judgment against all Defendants for actual, general, damages in the amount of \$100,000.00 further demands judgment against said Official's in their personal capacity \$50,000.00.

COUNT 8: FRAUD

At all times relevant to this matter, the Officials knew that the charges are fraudulent. Upon an astute observation of the procedure to arrest the Petitioner there was fraud in the factum. At all times relevant to this matter, Petitioner was fraudulently charged. The fraudulent concealment or suppression of a material fact or circumstance which the party is legally or morally bound to disclose. *Magee v. Insurance Co.*, 92 U.S. 93, 23 L.Ed.699; *Small v. Graves*, 7 Barb., N.Y., 578.

WHEREFORE, Plaintiff demands judgment against all Defendants for actual, general, damages in the amount of \$100,000.00 and further demands judgment against said Official's in their personal capacity \$50,000.00.

FACTS

Defendants have violated Title 18 U.S.C. 241, 242, obstructing of Justice. This is a violation of a Federal statute which is cognizable when the violation trammels a right secured by federal law.

Upon the preponderance of the evidence, facts, and exhibits a reasonable mind can determine a conspiracy against Petitioners rights. All of the Defendants are the "moving force" behind Petitioners deprivations *Monell*, 436 U.S. at 694. State Officials and Police Officers take an Oath of Office to uphold and protect the U.S. Constitution. Thereby definition federal, government, and State Officials, are to obey the U.S. Constitution, and statutes. To say otherwise, would leave out Defendants as having no responsibility to the Constitution and having no access to a Court for redress of grievances to hear violations of Plaintiff's Constitutional rights. Petitioner has a right to expect that government and court officials would do their duty to protect her and her property. Instead, the Defendant's engaged in conduct that was "arbitrary, or conscience shocking, in a constitutional sense". *Collins v. City of Harker Heights, Texas*, 503 U.S. 115, 128 (1992); *Rymer v. Douglas County*, 764 F..2d 796, 801 (11th Cir. 1985). In addition to providing a remedy for deprivations of constitutional rights, section 1983 also makes actionable violations of federal "Laws." *Maine v. Thiboutot*, 448 U.S. (1980).

**All of the Officials are not entitled to Official Immunity
For the following reasons and other issues**

The actions of the Defendants violated clearly established Constitutional rights which a reasonable person would have known and recognized. The Defendants took the described actions with the malicious intent to cause injury to Petitioner. State Official

lacked jurisdiction to seize the property of Petitioner, with no warrant. All of the Officials aided and abetted in a conspiracy to commit larceny. The issue is presented is thus clearly drawn. As preliminary matter let us consider two well-established legal doctrines pertinent in this case. First the corporation is liable for the tort of its agent when committed with the scope of the agent's authority and course of employment even though they did not authorize or ratify the tortuous acts. *Russell v. American Rock Crusher Co.*, 181, 894, 317 P.2d 847 (1957). A related rule of law states a principal is responsible for the torts of its agent where the tortuous acts are incidental to and in furtherance of the principal's business, even though outside the scope of the agent's authority. *Williams v. Community Drive-In Theater, Inc.*, 214 Kan. 359, 520 P.2d 1296(1974). Second punitive damages are appropriate when the elements of fraud, malice, gross negligence or oppression accompany the wrongful act. Such damages are awarded to punish the wrongdoer for his malicious, vindictive, willful or wanton invasion of the injured person's rights. They also serve as an example to restrain and deter others from the commission of such wrongs. *Augusta Bank & Trust v. Broomfield*, 231 Kan. 52, 63, 643 P.2d 100(1982); *Newton v. Hornblower, Inc.*, 224 Kan. 506, 525, 582 P.2d 1136 (1978).

If the servant has committed a tort within the scope of his employment so as to render the Corporation liable for compensatory damages, and if the servant's act is such as to render him liable for punitive damages. *Stroud v. Denny's Restaurant*, 271 Or. 430, 435, 532 P.2d 790 (1975). For Mens Rea it is necessary to prove that the purpose of the conspirators was to cause the victim economic loss" (per Lord Diplock vs. Scott) for the test of Dishonesty, see *R v Ghosh* (1982) 2 All ER

DAMAGES

As a direct and proximate result of the Officials conduct, Petitioner has continued to suffer, Physical and mental anguish and psychological and emotional distress, as well as injury to reputation and humiliation, and irreparable harm. Compensatory, punitive, exemplary, and financial damages are true and correct.

Because the Constitution does not directly provide for damages, Petitioner must proceed under one of the civil rights statutes that authorizes and award of damages, for alleged constitutional violations. *F.3d 1296 (6th Sanders v. Prentice-Hall Corp. Sys.* 178 *Cir. 1999*). Pleadings in this case are being held in Propria Persona, wherein pleadings

are to be considered without regard to technicalities. Propria, pleadings are not to be held to the same high standards of perfection as practicing lawyers. Haines v. Kerner 92 Sct 594, also See Power 914 F.2d 1459 (11th Cir 1990)

WHEREFORE, Plaintiff demand judgment against the Defendants in the State of New Jersey exceeding the Court's jurisdictional amount to be determined as well as the costs of pursuing this action. At all times defendants knew or should have known that they were acting in concert to violate clearly established law. Catz v. Chalker, 142 F.3d 279, 293 (6th Cir. 1998); see Tropf v. Fidelity National Title Insurance Co., 142 F.3d, 293 (6th Cir. 2002) If by your dishonor you fail to state a claim by which relief can be granted. Your acquiescence equates to agreement of fraud and cause of injury to Petitioner. Upon your acquiescence you agree to a free and clear deed of the subject property. The prayer amount for the injury caused to Petitioner 5.1 Million in U.S. Currency.

Respectfully submitted,

Allen Capital Name

All Rights Reserved

CERTIFICATE OF SERVICE

I certify that the original of the foregoing Complaint was sent to all of the

Defendants listed below. Sent this day 27 of May, 2015.

SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant KRISTOPHER AUSTIN,

SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
c/o MAYOR GARY PASSANTE,

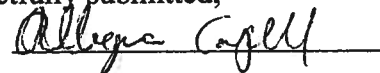
SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant ANTHONY CAMPBELL,

SOMERDALE MUNICIPAL CLERK OF COURT
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant MICHELE D. MILLER,
and

SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant JAMES ABBOTT

SOMERDALE POLICE DEPT.
105 KENNEDY BLVD.
SOMERDALE, NEW JERSEY 08083
Defendant John and Jane Doe (1 thru 20)

Respectfully submitted,



All Rights Reserved

BY:

and

1

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

Berlin Township
Municipality

192 Patton Avenue, West Berlin, New Jersey 08091
Exact location of the occurrence

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

On March 17, 2015, as a result of a history of verbal and physical abuse, Carol Bowne filled a Domestic Violence Civil Complaint and Temporary Restraining Order against Michael Eitel. On March 23, 2015, a Final Restraining Order was issued. On April 8, 2015, Somerdale Borough of Police Department were dispatched to investigate a criminal mischief report made by Carol Bowne. On April 21, 2015, Cherry Hill Police Department responded to a call placed by Ms. Bowne to document vandalism to her vehicle. On April 21, 2015, as a result of Michael Eitel's continual threats and harassment, Carol Bowne went to the Berlin Township Police Department to apply for a firearm. However, her application was not timely processed. On May 20, 2015, Michael Eitel violated the restraining order by posting provocative videos and pictures of Carol Bowne on the internet along with her private phone number. On June 3, 2015, Ms. Bowne contacted and/or spoke with Mary Ellen Murphy (Camden prosecutor) and Wayne Bonfiglio (Berlin investigator) about Michael Eitel. On the evening of June 3rd, Ms. Bowne was brutally attacked and murdered by Michael Eitel.

The individual and entities identified in this Notice were negligent and/or violated Carol Bowne's civil rights by failing to, inter alia: (1) thoroughly and properly investigate Ms. Bowne's claims regarding Michael Eitel; (2) protect Ms. Bowne from the foreseeable harm imminently posed by Michel Eitel; (3) timely arrest and/or detain Michael Eitel; (4) issue appropriate restraining orders; (5) timely process firearm application; and (6) otherwise protect Ms. Bowne from harm.

Claimant reserves the right to supplement this response.

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

See list attached as Exhibit "A", and all individuals directly and/or indirectly referenced in the documents provided with this Notice.

This matter is still under investigation and claimant reserves the right to supplement this response. The response to this question is not intended to be limited to only the individuals listed in this Notice. All individuals referenced in the records are included within this response.

This Notice is directed to, and intended to include, all individually named persons and entities, as well as all persons and entities referenced in the enclosed records.

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

This matter is still under investigation. See Response to 3(d). Claimant reserves the right to supplement this response.

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

See Responses to 3 (c) and 3(d), as well as documents produced.
Claimant reserves the right to supplement this response.

f. State the name and address of all witnesses to the accident, occurrence or event.

See Responses to 3(c) and 3(d), as well as the documents produced. Further, both Ms. Bowne and Mr. Eitel are deceased.

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

See Responses to 3(c) and 3(d), as well as the documents produced.

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

(x) Personal Injury () Property Damage

(x) Other - Explain in detail: all damages allowed by law

b. If you claim personal injury:

(1) Describe your injuries resulting from this accident or occurrence.

Ms. Bowne's heirs claim all injuries and damages pursuant to N.J.S.A. 2A:31-1, et. seq. (Wrongful Death) and N.J.S.A. 2A:15-3, et. seq. (Survival).

Claimant reserves the right to supplement this response.

(2) Do you claim permanent disability resulting from this injury?

(x) Yes () No

If yes, describe the injuries believed to be permanent.

See response to No. 3(c) above; death

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

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

Not applicable.

Claimant reserves the right to supplement this response.

(4) If you claim loss of wages or income as a result of the injury, state:

There is a claim for loss of wages and earning capacity. Claimant reserves the right to supplement this response.

NOTE: If your claimed loss of income arises from self-employment or other than wages, attach a calculation showing the basis of your calculation of lost income.

c. If you claim personal injury:

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

Not applicable.

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

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 insurance
--	-------------------------------------	-------------------------------	--

d. Set forth any and all other losses or damages claimed by you.

All other damages allowed by law.

e. If you claim property damage:

(1) Describe the property damage.

none

(2) The present location and time when the property may be inspected.

(3) Date property acquired.

(4) Cost of property.

(5) Value of property at time of accident.

(6) Description of damage. extent of damage to motorcycle unknown at this time

(7) Has the damage been repaired? If so, by whom, when and cost of repairs.

(8) Attach each estimate of repair costs to this form.

(9) Set forth, in detail, the loss claimed by you for property damage.

f. Set forth, in detail, all other items of loss or damages claimed by you and the method by which you made the calculation.

All other damages allowed by law

5. The amount of the claim. To be provided. Claimant reserves the right to supplement this response.

6. Have you made a claim against anyone else for any of the losses or expenses claimed in this notice?

Not yet. Claimant reserves the right to supplement this response.

If yes, set forth the name and address of all persons and insurance companies against whom you have made such claims.

Are any of the losses or expenses claimed herein covered by any policy of insurance? Unknown at this time.

For each such policy, state the name and address of the insurance company, policy number and benefits paid or payable.

Currently unknown.

a. If this claim involves an automobile, please state: Not applicable.

(1) The name of the insurance company covering the automobile.

(2) The name of your local agent:

(2) Your policy number and dates of coverage (if other than automobile).

b. If the claim involves property or other damage: Not applicable.

(1) State the name of your Homeowner's, rental, or property insurance company.

(2) The name of your local insurance agent.

(3) Your policy number.

c. If you have any other form or kind of liability insurance, please state: Not applicable.

(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 of 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:

- (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 wage. If self-employed, a statement showing the calculation of your claimed lost income.

Enclosed please find pertinent materials in Claimant's counsel's possession at this time.

11. Please specify, if known, whether the claim arises out of any of the following activities of:

- (1) Any construction project.
- (2) Any demolition project.
- (3) Any road or bridge project.
- (4) Other. See Response to No. 3 (c).

12. State whether the incident has occurred on a sidewalk, street or bridge and location. If incident occurred on a sidewalk, street or bridge, you must attach a diagram depicting same.

Not applicable.

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 if any statement made by me is willfully false, I am subject to punishment.

Dated:

8/7/15



JAMES J. WALDENBERGER, ESQUIRE
AUTHORIZED PERSON FILING ON BEHALF OF CLAIMANT

Carol M. Bowne, Deceased:

EXHIBIT A

State of New Jersey of New Jersey
Office of Attorney General
25 Market Street /Hughes Justice Complex
8th Floor
Trenton, NJ 08625

State of New Jersey
Tort and Contract Unit
Department of the Treasury
Bureau of Risk Management
P. O. Box 620
Trenton, NJ 08625

Superior Court of New Jersey Chancery Division,
Hall of Justice – Family Part
101 S. 5th Street
Camden, New Jersey 08102

Family County Court of Camden
23 W. Park Avenue
#104
Merchantville, NJ 08109

Camden County Family Division
Hall of Justice 2nd Floor
101 S. 5th Street
Camden, NJ 08103-4001

Joseph Ripa Camden County Clerk
Camden County Courthouse
Room 102
520 Market Street
Camden, New Jersey 08102

Somerdale Borough Police Department
105 Kennedy Blvd.
Somerdale, NJ 08083

Borough of Somerdale New Jersey;
105 Kennedy Blvd
Somerdale, NJ 08083

Camden Center For Victims
125 N. Broadway
Camden, New Jersey

Camden County Prosecutor's Office
25 N. 5th Street
Camden, NJ 08102

Cherry Hill Police Department
820 Mercer Street
Cherry Hill NJ 08002

Township of Cherry Hill New Jersey
820 Mercer Street
Cherry Hill New Jersey 08002
Attn: Legal Dept.

Berlin Township Police Department
135 Route 73 South
West Berlin, New Jersey 08091

Berlin Township of New Jersey
135 Route 73 South
West Berlin, New Jersey 08091

New Jersey State Police
1040 River Road
P.O. Box 7068
West Trenton, NJ 08628
IdentoGO (New Jersey Universal Fingerprint)
2850 Yorktowne Blvd,
Toms River, NJ 08753

Camden Center for Law & Social Justice
126 Broadway
Camden, New Jersey 08102

MorphoTrust USA
532 Raymond Blvd
Newark, NJ

Lieutenant Angel Nazario
Domestic Violence Department
Superior Court Of New Jersey Chancery Division,
Hall of Justice – Family Part
101 S. 5th Street
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Police Officer M. Tilton (#430)
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KLINE & SPECTER
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
1525 LOCUST STREET
PHILADELPHIA, PENNSYLVANIA 19102
WWW.KLINESPECTER.COM

JAMES J. WALDENBERGER

JIM.WALDENBERGER@KLINESPECTER.COM

215-772-1000
FAX: 215-735-5883

August 7, 2015

Via Hand Delivery

State of New Jersey of New Jersey
Office of Attorney General
25 Market Street /Hughes Justice Complex
8th Floor
Trenton, NJ 08625

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256 N. 5th Street

Camden, New Jersey 08102

County Administrator of Camden County
Angilella Ross
520 Market Street
16th Floor
Camden, New Jersey 08102

Re: *The Estate of Carol Bowne*

To Whom It May Concern:

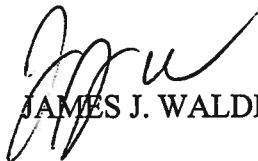
Please be advised this firm represents the Estate of Carol Bowne arising from her injuries and death on June 3, 2015.

Enclosed please find a copy of the Notice of Tort Claim in accordance with N.J.S.A. 59:1-1, et seq. Service of this Notice upon you is intended to provide notice to you of potential claims against you, your institution and/or entity in its own right. Service of this Notice upon you is also intended to provide notice to all persons named in the Notice and all persons referenced in the enclosed records.

Kindly permit this to confirm that this has satisfactorily provided the notice required pursuant to N.J.S.A. 59:1-1, et seq. If you disagree, or require additional information, advise, in writing, within ten days.

With the Notice, I also enclose a compact disc including: New Jersey Domestic Violence Civil Complaint and Temporary Restraining Order; Final Restraining Order; New Jersey Victim Notification Form; Victim Notice Violation of Restraining Orders; Subpoena issued April 8, 2015; Somerdale Bough Police Department Investigation Report; State of New Jersey Application for Firearms Purchaser Identification Card and/or Handgun Purchase Permit; New Jersey Universal Fingerprint Form; Cherry Hill Police Department Incident Report; Subpoena issued April 29, 2015; Subpoena issued May 4, 2015; Victim Notice Violation of Restraining Orders; Berlin Township Police Department Report; Superior Court of New Jersey, Family Part Camden County Motion & Order.

Very truly yours,



JAMES J. WALDENBERGER

JJW/cp

Encl.

Cc: Allen S. Zeller, Esquire
 Stuart Platt, Esquire

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JAMES J. WALDENBERGER

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215-772-1000
FAX: 215-735-5883

August 19, 2015

RECEIVED
AUG 20 2015

State of New Jersey of New Jersey
Office of Attorney General
25 Market Street /Hughes Justice Complex
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Trenton, NJ 08625

State of New Jersey
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Department of the Treasury By:
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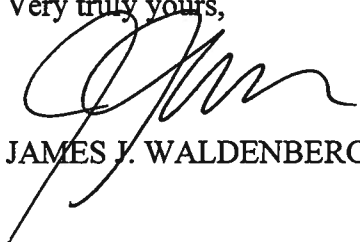
County Administrator of Camden County
Angilella Ross
520 Market Street
16th Floor
Camden, New Jersey 08102

Re: *The Estate of Carol Bowne*

To Whom It May Concern:

You were previously served with a Notice of Tort Claim on or about August 7, 2015. As a supplement to the documentation already provided, enclosed please find tax documentation, pay stub and a payroll report from Ms. Bowne's employer.

Very truly yours,



JAMES J. WALDENBERGER

JJW/cp

Encl.

Cc: Allen S. Zeller, Esquire



Certified by the Supreme
Court of New Jersey as a
Criminal Trial Attorney

THOMAS J. GOSSÉ
ATTORNEY AT LAW
126 WHITE HORSE PIKE
HADDON HEIGHTS, NJ 08035

Member New Jersey and
Pennsylvania Bars

Telephone: (856) 546-6600
Fax: (856) 546-4711
Email: tom@gosselaw.com

January 14, 2019

Clerk
Borough of Magnolia
438 West Evesham Road
Magnolia, NJ 08049

TORT CLAIMS NOTICE PURSUANT TO NJSA 59:8-4

Please be advised that this office represents the interests of JOSE A. LAFOSSE, who is presenting this claim against the public entity and /or entities in accordance with the applicable statutes.

1. Name and address of Claimant:

Jose A. LaFosse
309 North White Horse Pike
Apartment #302
Somerdale, NJ 08083

Date of Birth: 06/04/1994
Social Security No.: 144-96-2705

2. Notices should be sent to:

Thomas J. Gossé, Esquire
126 White Horse Pike
Haddon Heights, NJ 08035

3. Date, place and other circumstances of the occurrence are as follows:

On October 20, 2018, Claimant, Jose A. LaFosse was walking from the Walmart Supercenter located at 1 Coopertowne Plaza in Somerdale to his apartment at White Horse Manor Apartments located behind the Walmart Supercenter in

Somerdale. Mr. LaFosse was stopped by Sergeant James Parker, Badge #2331 of the Magnolia Borough Police Department for allegedly taking the shopping cart from the nearby Walmart Supercenter. Subsequently, he was arrested by Patrolman Matthew Wolf, Badge #2380 at or near the White Horse Manor Apartments in Somerdale. At that time, Lieutenant Abbott and Patrolman Manning, of the Somerdale Police Department, arrived at the scene and assisted with the arrest.

During the arrest, Mr. LaFosse was thrown to the ground resulting in serious and permanent physical and psychological injuries. The stop, arrest and pursuit were unconstitutional and the force used inappropriate and excessive. In addition to Sergeant James Parker, Patrolman Matthew Wolf, Lieutenant Abbott and Patrolman Manning, it is believed that there were other Magnolia and/or Somerdale Police personnel who contributed and/or assisted in the unconstitutional and otherwise tortious treatment of Claimant.

4. General description of the injury, damage or loss incurred thus far is:

(a) Type of Injury, damage or loss (check where appropriate):

☒ Bodily Injury	☒ Medical/hospital expenses
☐ Income Loss	☐ Damage to Real Property
☐ Damage to Personal Property	☐ Loss of Profits
☒ Other - Civil Rights Violation	

(b) Give a general description of the injury, damage or loss incurred known as of this date:

Claimant, Jose A. LaFosse, sustained serious personal injuries, including but not limited to a multiple bruises and abrasions, contusions of the scalp, closed head injury, concussion, right hand and finger sprain and mental anguish which required care and treatment provided by the Kennedy Health System Emergency Department. The constitutional rights of Jose A. LaFosse were also violated.

5. The name or names of the public entity, employee or employees causing injury, damage or loss, if known, is:

Borough of Magnolia; Magnolia Borough Police Department; Sergeant James Parker; Patrolman Matthew Wolf; Lieutenant Abbott; Patrolman Manning and other members of the Magnolia Borough Police Department who as yet have not been identified, and any other local, county, state government agency, organization or other government employee responsible for the injuries sustained by Claimant, Jose A. LaFosse.

6. The amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage or loss, insofar as it may

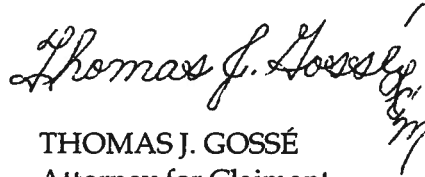
be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed.

Plaintiff is unable to formulate a demand amount for the injury until such time as a final prognosis and permanency evaluation are conducted.

Plaintiff reserves the right to amend this Tort Claim Notice as additional information becomes available.

As indicated above, please address all correspondence to my attention. Thank you for your attention and cooperation in this matter.

Very truly yours,


THOMAS J. GOSSE
Attorney for Claimant

TJG:lcm
Via Hand Delivery

cc: Borough of Magnolia - *Via Hand Delivery*
438 West Evesham Road
Magnolia, NJ 08049

cc: Sergeant James Parker - *Via Hand Delivery*
c/o Borough of Magnolia Police Department
438 West Evesham Road
Magnolia, NJ 08049

cc: Patrolman Matthew Wolf - *Via Hand Delivery*
c/o Borough of Magnolia Police Department
438 West Evesham Road
Magnolia, NJ 08049

cc: Clerk - *Via Hand Delivery*
Borough of Somerdale
105 Kennedy Boulevard
Somerdale, NJ 08083

cc: Patrolman Manning - *Via Hand Delivery*
c/o Borough of Somerdale Police Department
105 Kennedy Boulevard
Somerdale, NJ 08083

cc: Lieutenant Abbott - *Hand Delivery*
c/o Borough of Somerdale Police Department
105 Kennedy Boulevard
Somerdale, NJ 08083

cc: Clerk - *Via Hand Delivery*
County of Camden
520 Market Street
Room 102
Camden, NJ 08102