

IN THE UNITED STATES DISTRICT COURT  
FOR THE [DISTRICT]

|                                    |   |              |
|------------------------------------|---|--------------|
| [YOUR NAME],                       | ) |              |
|                                    | ) |              |
| Plaintiff,                         | ) |              |
|                                    | ) |              |
| v.                                 | ) | Civil Action |
| No. _____                          | ) |              |
|                                    | ) |              |
| OFFICER JANE MARTINEZ, in her      | ) |              |
| individual capacity; OFFICER DAVID | ) |              |
| LEWIS, in his individual capacity; | ) |              |
| CITY OF EXAMPLEVILLE,              | ) |              |
|                                    | ) |              |
| Defendants.                        | ) |              |

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

1. This action arises under 42 U.S.C. Section 1983 and the Fourth and Fourteenth Amendments to the United States Constitution.
2. On March 3, 2025, Plaintiff was standing on a public sidewalk outside 400 Main Street in Exampleville, recording police activity with a cell phone.
3. Plaintiff did not interfere with the officers, did not cross police lines, did not touch any officer, and complied with repeated instructions to remain on the sidewalk.
4. Defendant Officer Jane Martinez approached Plaintiff and ordered Plaintiff to stop recording. Plaintiff stated that Plaintiff was on a public sidewalk and had the right to record the police.
5. Officer Martinez then seized Plaintiff, twisted Plaintiff's arms behind Plaintiff's back, and announced that Plaintiff was under arrest for disorderly conduct.
6. Plaintiff asked what conduct was disorderly. Officer Martinez did not identify any threatening, violent, obstructive, or otherwise unlawful conduct.
7. Defendant Officer David Lewis assisted in handcuffing Plaintiff and transporting

Plaintiff to the Exampleville jail.

8. Plaintiff was detained for approximately six hours and released without charges.

9. At no time before the arrest did Defendants have probable cause to believe Plaintiff had committed disorderly conduct or any other offense.

10. Plaintiff's conduct consisted of standing in a public place, recording police activity, and verbally asserting constitutional rights.

11. The City of Exampleville, through its police department, maintained policies, customs, or practices of retaliating against members of the public who record police activity and of using disorderly conduct allegations as a pretext for arrest where no probable cause exists.

12. Before Plaintiff filed this action, public records and prior lawsuits revealed multiple incidents involving Exampleville officers arresting or threatening citizens for recording police activity in public.

13. The City was deliberately indifferent to the obvious risk that failure to train and supervise officers on the First Amendment right to record and the Fourth Amendment probable-cause requirement would result in constitutional violations.

COUNT I  
Fourth Amendment False Arrest  
(Against Officers Martinez and Lewis)

14. Plaintiff incorporates the preceding paragraphs.

15. Defendants seized and arrested Plaintiff without probable cause.

16. A reasonable officer in Defendants' position would not have believed there was probable cause to arrest Plaintiff for disorderly conduct or any other offense.

17. As a direct result, Plaintiff suffered loss of liberty, emotional distress, humiliation, and other damages.

COUNT II  
First Amendment Retaliation  
(Against Officers Martinez and Lewis)

18. Plaintiff incorporates the preceding paragraphs.

19. Plaintiff engaged in protected First Amendment activity by recording police conduct in a public place and verbally asserting the right to do so.

20. Defendants arrested Plaintiff because of that protected activity.

21. The arrest would chill a person of ordinary firmness from continuing to record police.

### COUNT III

Municipal Liability Under Monell  
(Against City of Exampleville)

22. Plaintiff incorporates the preceding paragraphs.

23. The constitutional violations described above were caused by one or more official policies, widespread customs, decisions of final policymakers, or failures to train and supervise amounting to deliberate indifference.

24. The City knew, from prior incidents, complaints, lawsuits, and public-records requests, that officers were arresting people engaged in lawful observation and recording of police.

25. Despite that notice, the City failed to correct the practice, discipline offending officers, or provide adequate training.

### PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests:

- A. compensatory damages;
- B. punitive damages against the individual officers;
- C. declaratory relief;
- D. reasonable costs and any attorney fees available by law;
- E. such other relief as the Court deems just and proper.