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**U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED**

**2014 FEB 18 P 12:41**

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**Amended Order on Motions  
Haze v. City of West Allis  
2:13-cv-01448-JPS**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

**Haze, Darrell K.  
Plaintiff,**

**v.**

**City of Milwaukee and Marchant, Tieranie, in her official capacity.  
Defendant(s)**

**Civil Action No.  
2:13-cv-01448-JPS**

**AMENDED ORDERS INTRODUCTION**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

U.S. DISTRICT COURT  
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FILED

Haze, Darrell K.  
Plaintiff,

2014 FEB 18 P 12:41

v.

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
CLERK

City of West Allis and Marchant, Tieranie, in her official capacity.  
Defendant(s)

Civil Action No.  
2:13-cv-01448-JPS

**AMENDED COMPLAINT INTRODUCTION**

This is a civil action commenced pursuant to 42 U.S.C. § 1983 to amend redress the deprivation of my rights secured by the Constitution or laws of the United States which occurred when the City of West Allis Municipal officials widespread practice, policy, custom or patterns were deliberately indifferent to known or obvious consequences action or to inaction that constitutes deliberate indifference to the constitutional rights of the United States in regard, false arrest, malicious prosecution, unlawful detention, excessive force, unlawful search, unlawful seizure, inadequate supervision, improper searches, harassment, intentional infliction of emotional distress, negligence and negligent hiring and/or retention of incompetent, unqualified, unfit and assaultive employees, and inadequate training caused by poor policy, practice and/or customs, by reason of the unlawful acts of defendants.

1. Darrell Haze bring this civil rights lawsuit pursuant to 42 U.S.C. § 1983 to amend to redress the deprivation, by the Defendant(s) under color of law, of rights secured under the Fourth Amendment to United States Constitution.
2. I am proud citizen of the United States who reside in Milwaukee, Wisconsin
3. I am good upstanding U. S. A. citizen, who vision too see United States, better place for all people.
4. At all times hereinafter mentioned, the Defendant were employees of the defendant and were acting within the scope and authority of their employment.
5. At all times relevant herein, Defendants, City of West Allis were municipal or public

entities.

6. At all times, the defendant ("City") owned and maintained and employed the individual defendant.

7. That at all times herein the defendant, City of West Allis, was negligent in the hiring, training, supervision, discipline, retention and promotion of the agents, servants and/or employee of the police department.

8. That at all time mentioned herein the defendant, City of West Allis knew or should have known of the discriminatory nature, bad judgment, and unlawful propensities of the officer involved in the violation of civil rights and intentional infliction of emotional distress, pain toward me.

9. The conduct of the Defendants was intentional, malicious, willful and wanton, and constituted violation of law, Statute and/or regulation, was an abuse of process, an abuse of authority and/or the exercise of excessive force..

10. Defendants, the City of West Allis and/or through its supervisory personnel, did so negligently and carelessly train, supervise and/or instruct its police officers so that said officer were ignorant as to proper regulations and procedure with respect to Laws of the United States of America citizens, and in particular as to the use of force, thereby causing the violation of law by turning a blind eye to the abuses.

11. As direct and proximate result of the negligence of the Defendants, the City of West Allis as foresaid, have strongly deprived and wrongfully mistreated me by the municipal deliberate policies, pattern, custom and practices indifferences with laws of the United States and society.

12. The actions and/or inaction of the Defendants, City of West Allis were engaged in under color of law, deprived me of my rights secured to me by the Constitution, including the Fourth and Fourteenth Amendment rights, in violation of 42 U.S.C. § 1983

13. Defendants actions and/or inactions needlessly and unreasonable subjected me to the use of excessive force without cause and interfered with my rights by wrongfully arresting me to conspired to deprive me of my Constitutionally protected rights and maintained and tolerated policies, custom, practices and procedures which deprived me of my rights

14. The inadequate policies, practice, custom or patterns in place have permitting unconstitutional practices, policies or customs to be in-effective, perhaps in-effective for way far to long, with its widspread pratices that, the municipal has demonstrating deliberate indifference to my federally protected rights and possible foreseeable many more others not noticed-regcognized.

15. The policies, pratice, or custom established by the City of Allis are outdated, inadequate and allowed the City of West Allis and officers to engage in illegal conduct.

16. Wherefore, City of West Allis, municipality have an unconstitutional policy or practice/custom-patterns that keeps allowing the casual connections to the policy, practice, patterns, or custom that's the moving force behind the constitutional violation.

17. The City of West Allis, policy or practice/custom amounted to deliberate indifference to my constitutional or federally protected right; and the policy or practice/custom caused the deprivation of my rights or protection.

18. The policy maker for the city knew about the deficient policy.

19. The failure to prove to society or to show how the policy was designed and implemented in.

20. Written law or express municipal policy that is so permanent and well settled as to a custom or usage with the force of law, that's so out of touch with the constituency and laws of the United States of America.

21. The failure to show repeated violations of constitutional rights by employees and the policy maker failed to take corrective actions, such that the City of West Allis itself encourages abuses.

22. The constitutional violation and the policy, custom or practice, the "City" of West Allis have demonstrated by the widespread practice actions of its employees are based on the custom, pattern or practice that it clearly shows upon denying me and society its secured rights obvious from the frequency of the illegal conducts to the extent to which the practice was routine for employees, extent to which the practice was accepted by supervisors, extent to which employees shared the beliefs underlying the action, number of employees involved in the violation, failure to discipline the employee, the failure to take steps to prevent the recurrence of the violation.

23. My opportunity noted below is to stress to address, therefore directly from me to show how to help correct the following wrongs with the "City" of West Allis, in its failure to train their employees about being upstanding, outstanding and heartfelt in the line of duty and/or as citizens to the laws of The United States of America - The Home of the Free and Brave.

24. Defendants along with among the other widespread deficiencies practice, that the City of West Allis failed to institute, A+ bona fide procedure or policies to be reviewed regularly to make sure they comport with the current constitutional laws of the United States, vigorously foremost training should have included, arrest search, detaining without cause, seizure topics, false arrest, unlawful detention, inadequate supervision, improper searches, and inadequate training, not just use of force issues, supervisors must understand the need for observation of officers and be prepared to intervene when necessary, supervisors, particularly first-line supervisors, should understand that they are the first line of defense in preventing an unconstitutional practice, pattern or custom from being established, reports should be scrutinized to make sure there is sufficient

information, to support the officer's actions, the officer articulate sufficient probable cause for the search or arrest, and teach/train each officer on how to be caring expert and heart warming to ALL PEOPLE in the public that they protect and serve and come in contact with, too create for do better police and public strong relationship for mankind-womankind.

25. Under color of law, City of West Allis, ultimate acted with malice or reckless indifference to my rights, the proximately cause constitutional injuries caused directly by the entity itself.

### FACTS

26. Due to the fact, poor policies, pattern, practice and/or custom, and widespread practise/practice by City Of West Allis, noted above will continue to be the lacking force of municipality's indifference to the rights of me and or other individuals, its municipal or officers come in contact with, with no regard to the civil rights of rights secured under the United States

27. On August 8, 2013, around or approximate time 6:00pm, the date of events at issue in this Complaint, while talking with an musican's father and watching the great young-teen in concert Grandstanding at State Fair Park, at the location of 7909 W. Greenfield Ave., West Allis, Wisconsin

28. I just arrived at State Fair Park.

29. While standing and talking with the parking lot owner-attendent.

30. The parking lot owners son, begain to play the violin fiddle in a Grandstanding way.

31. The attraction of the outstanding good music playing, caught my attention.

32. About few minutes later. Police officers, walked over to me and other people in the area and ask serveral questions.

33. The officer, proceeded to walk away from me, and talked with the young teen father.

34. The first officer was proceeding to leave the area and was walking away from the dad and me.

35. The name defendant, officer Tieranie Marchant ("Marchant"), then arrived on the scene and immediately began to search me, while the first officer, was still present.

36. The name defendant, officer Tieranie ("Marchant:"), rush out of of the vehicle and rush's over to me, quickly to action, to approach me, extremely quickly with humiliating attitude, to consipre, too deprive me of my rights

37. The name defendant, officer Tieranie Marchant, went directly into my pockets.
38. At no time was I told, that I was under arrest.
39. Officer Tieranie Marchant, checked my body, pulled out all my belongings out of my pocket and immediately proceeded to, handcuffed me very quickly.
40. Officer Tieranie Marchant, stated to me, "i'm taking you too jail", after confiscated my fair tickets.
41. Officer Tieranie Marchant, proceeded to walk me, to her patrol vehicle in handcuffs and placed me in the back seat handcuffed.
42. I was not inform of being arrested for commission of a crime.
43. Nor was I inform, what that crime was.
44. Officer Tieranie Marchant, was vehement, about handcuffing, taking me to jail, and eventually taken me to a police station to be booked, when I was not committing an crime, nor was I about to commit a crime.
45. Later, a third officer arrived, on his patrol bike, and immediately, confront officer Tieranie Marchant, and confortd with officer Tieranie, and they talked a few seconds.
46. I overheard the talks.
47. The third officer informing and treid to convince, officer Tieranie Marchant, that he saw me, ever since, I arrived, not to take me into the police station to be booked, and informed, officer Tieranie, all I was doing was enjoying the entertainment.
48. The third officer name is Sergeant Madden of West Allis police department.
49. Officer Tieranie Marchant, from my forthsight, looked like, she did'nt won't to follow orders or take to the liking of following orders from the superior.
50. Sergeant Madden, walked over to the patrol car, I was sitting in, huffcuffed in pain, too check on me, from being humiliated of my rights and loss of liberty, with the handcuffs, being extremely tight, applied by officer Tieranie.
51. Sergeant Madden, acted like he wanted to apologize to me, how the conduct was depriving me, from officer Tieranie Marchant persisted evil action being consipred forceful against my rights, with her forcefulness.
52. Sergeant Madden, handed me, his personal contact infomation and walked away.
53. Officer Tieranie, jump into the patrol vehicle and took off. Going east, for an number

of blocks, away from the police station, which, the police station is located, in an far west direction. Entire indident was witness by one of more people, names forthcoming.

54. During the time riding in the car, to the police station, officer Tieranie Marchant, was driving reckless by turning the corners, very sharply, causing the handcuffs, to tighting very sharply, against my wrist and adding to the pain in my wrist, arms and shoulders.

55. After arriving at police station, I was place in holding cell block and booked me for about 3/hrs or more, being humiliated and interrogated in stress.

56. Officer Tieranie Marchant, voice recorded, the conversation in holding cell block, with her interrogation questions from me.

57. Officer Tieranie Marchant, attempted too charge me with theft, of my own State Fair tickets, and gave me an citation ticket, for theft of my own tickets.

58. Officer Tieranie Marchant, also attempted too force me, to sign an document of approval of theif, of my own State Fair tickets, that i paid for.

59. Detective. Ron Donigain of Task Force, Milwaukee, Wisconsin, overheard the forfulness tatics, to create me as an criminal.

60. After, Detective. Ron Donigain, gave me his personal contact infomation.

61. Detective Donigain, stated to me, "if officer Tieranie Marchant, try that one", "here's his contact number too call him."

62. Three weeks later, I received an citation in the mail for selling tickets State Fair tickets over face value of ticket, for \$681.00, from City of West Allis on behalf of officer Tieranie Marchant.

63. I was found not guilty on charges.

**FIRST CAUSE OF ACTION  
FOR VIOLATION OF CIVIL RIGHTS**

64. Violated my Fourth Amendment right to be free and with deprivation of my rights under color of law and the conduct deprived me of my rights.

65. Defendants subject me to these deprivation of my rights either maliciously or by acting with reckless disregard for whether my rights would be violated by his actions.

66. As a result of the aforesaid occurrence, I've suffered the damages and injuries aforesaid. All Defendants are liable for said damage and injuries.

**SECOND CAUSE OF ACTION  
FOR VIOLATION OF CIVIL RIGHTS**

67. Defendant "City" as municipal policymaker, in the hiring, training and supervision of Defendant officer, have pursued a policy, practice, pattern and custom of deliberate indifference to my rights and violating my rights to freedom from deprivation of liberty without probable cause of law in violation of the Fourth and Fourteenth Amendments to the Constitution of the United States 42 U.S.C. § 1983

68. As a direct and proximate result of the aforementioned policy, pattern and custom of deliberate indifference of Defendants City of West Allis committed the unlawful act referred to above. Thus Defendant "City" is liable for my suffering.

**THIRD CAUSE OF ACTION  
FOR VIOLATION OF CIVIL RIGHTS**

69. Defendant engaged in a conspiracy to violate my civil right in violation 42 U.S.C. § 1983, denying me equal protection of the law.

70. Defendants did so by unlawfully conspiring to cover up the use of excessive force-false arrest, etc against me.

71. As a direct and proximate result of the aforementioned policy, practice, pattern and custom of deliberate indifference of Defendants "City" committed the unlawful act referred to above, Thus, Defendant "City" City of West Allis is liable for my injuries.

**FOURTH CAUSE OF ACTION  
FOR VIOLATION OF CIVIL RIGHTS**

72. Defendants failed to intervene to prevent their fellow officer from violating the civil rights, both during arrest itself and in failing to make proper report to law enforcement authorities regarding the incident.

73. Defendants has reason to know the unlawful false arrest without probable cause and or excessive force was being used and that other constitutional violations were committed.

74. Other officers had realistic opportunity to intervene to prevent the harm from



occurring, and they failed to act.

75. Defendants agreed and conspired to give a false account of the facts in the arrest of me.

76. Defendants maliciously and intentionally made false citations regarding the arrest of my reports to the prosecutor, and in court documents.

77. Defendants are liable for, Fourth and Fourteenth Amendment to the Constitution of the United States 42 U.S.C. § 1983

78. Result of the violation of the civil right described above I has suffered and will continue to suffer for an as of yet undetermined length of time the following:

- a. Mental Anguish, Pain and suffering
- b. Emotional distress; and
- c. Loss of enjoyment of life
- d. Inconvenience

#### IV. RELIEF YOU REQUEST

State exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. DO NOT USE THIS SPACE TO STATE THE FACTS OF YOUR CLAIM. USE IT ONLY TO REQUEST REMEDIES FOR THE INJURIES YOU COMPLAIN ABOUT. Use only the space provided. The court strongly disapproves of requesting remedies outside the space provided.

Prayer For Relief: I respectfully request court; 1) Award compensatory damages in favor of my suffering, etc, in amount to be determined by the finder of proof, plus interest at legal rate until paid; 2) Award punitive damages against Defendant's for his conduct in willful, wanton, with reckless disregard for my rights, in amount to be determined by the finder of accordance with proof, plus interest at the legal rate until paid; 3) Grant such other relief as may be deemed just and proper; and 4) Grant trial by jury; 5) Award appointed attorney's fees; 6) I respectfully request court, clean up, eradicate, the unacceptable professional horrific egregious misconduct and egregious practices, too prevent others in society from going through same, Low indecency, with willfully Predatory actors evil against decent good human law of nature. Thanks Gratefully!

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

Complaint signed this 18 day of Feb, 2014.

\_\_\_\_\_  
\_\_\_\_\_  
SH  
(Signature of Plaintiff(s))