### UNITED STATES DISTRICT COURT

Eastern Distri	ct of wisconsin
John Sloan	
Plaintiff	
v	Civil Action No. 24-ev-546
West Allis Police Department et al	
Defendant )	
WAIVER OF THE SE	RVICE OF SUMMONS
To: John Sloan	
(Name of the plaintiff's attorney or unrepresented plaintiff)	
I have received your request to waive service of a su two copies of this waiver form, and a prepaid means of retur	
I, or the entity I represent, agree to save the expense	of serving a summons and complaint in this case.
jurisdiction, and the venue of the action, but that I waive any I also understand that I, or the entity I represent, must	st file and serve an answer or a motion under Rule 12 within as request was sent (or 90 days if it was sent outside the
Date:	,
Dutc.	Signature of the attorney or unrepresented party
	,
PO Cooper	
Printed name of party waiving service of summons	Printed name
	Address
	E-mail address
	Telephone number
D. C. A. LIV.	

#### **Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

### United States District Court

	for the
Easter	rn District of Wisconsin
John Clean	
John Sloan  Plaintiff	
V.	) Civil Action No. 24-cv-546
West Allis Police Department et al	)
Defendant	<u> </u>
NOTICE OF A LAWSUIT AND R	EQUEST TO WAIVE SERVICE OF A SUMMONS
To: PO Cooper	tin in the company of the second seco
(Name of the defendant or - if the defendant is a corporatio	on, partnership, or association - an officer or agent authorized to receive service)
Why are you getting this?	
A lawsuit has been filed against you, or the ent of the complaint is attached.	tity you represent, in this court under the number shown above. A copy
service of a summons by signing and returning the encl waiver within 30 days (give at least 30 days, o from the date shown below, which is the date this notification).	from the court. It is a request that, to avoid expenses, you waive formal losed waiver. To avoid these expenses, you must return the signed or at least 60 days if the defendant is outside any judicial district of the United States) ice was sent. Two copies of the waiver form are enclosed, along with a ns for returning one copy. You may keep the other copy.
What happens next?	
the date the waiver is filed, but no summons will be so (see the date below) to answer the complaint (or 90 days)	with the court. The action will then proceed as if you had been served on erved on you and you will have 60 days from the date this notice is sent ays if this notice is sent to you outside any judicial district of the United
States).	1
If you do not return the signed waiver within served on you. And I will ask the court to require you,	n the time indicated, I will arrange to have the summons and complaint or the entity you represent, to pay the expenses of making service.
Please read the enclosed statement about the di	uty to avoid unnecessary expenses.
I certify that this request is being sent to you or	n the date below.
Date:	
	Signature of the attorney or unrepresented party
	John Sloan
	Printed name
	Address
	E-mail address

Telephone number

John Sloan			
Joint Bloan	Plaintiff(	s),	
	,	·	Case No. 24-cv-546
PO Cooper	Defenda	nt(s).	
CC	ONSENT TO PRO	CEED BEF	ORE A MAGISTRATE JUDGE
to have your cas	se decided by a magis	strate judge i	within 21 days of receipt. Although choosing s optional and refusal will not have adverse is completed form is mandatory.
case. Aside from	m cases subject to th	e Prison Liti le in civil cas	ring your case, a district judge will hear your igation Reform Act, magistrate judges in this ses pending before district judges and do not
	ges do not conduct fel g and processing of c		nd therefore felony trials do not interfere nagistrate judges.
Check one:			
Nancy Josep	h conduct all pro	ceedings in t	se litigant <b>consents</b> to have Magistrate Judge his case, including a bench or jury trial, and enter) and Federal Rule of Civil Procedure 73(b).
☐ The unders	•	ord or pro se	e litigant <b>refuses</b> to have a magistrate judge enter
Signed this	day of		
(date)	(month)	(year)	Signature of counsel of record or pro se litigant  ☐ Plaintiff / petitioner (attorney or pro se litigant)  ☐ Defendant / respondent (attorney or pro se litigant)  ☐ Other party

#### ASSIGNMENT OF CIVIL CASES EASTERN DISTRICT OF WISCONSIN

At the time a new civil action is filed, it is assigned by random selection to either a district judge or a magistrate judge in accordance with the local rules. Pursuant to the provisions of 28 U.S.C. §636(c) and Rule 73 of the Federal Rules of Civil Procedure, a United States Magistrate Judge may, with the consent of the parties, conduct all proceedings in this civil action, including a bench or jury trial and order the entry of judgment. The statute provides for direct appeal to the U.S. Court of Appeals for the Seventh Circuit.

Once the assigned district or magistrate judge has been selected, the local rules of this district require that each party to the action receive a copy of the "consent form." Each party shall complete the form and file it with the Clerk of Court within 21 days after its receipt.

If this case has been randomly assigned to a district judge and all parties consent to have the magistrate judge conduct all proceedings in the case, the district judge may enter an order transferring the case to the magistrate judge.

If this case has been randomly assigned to a magistrate judge and not all parties consent, then the case will be reassigned by random selection to a district judge. parties consent, the magistrate judge will conduct all proceedings in the action.

While the decision to consent or not to consent to the exercise of jurisdiction by the magistrate judge is entirely voluntary, the duty to respond to this order is mandatory. Your response shall be made to the Clerk of Court only on the form on the reverse side of this notice.

IT IS THEREFORE ORDERED, that you complete this form and file it with the Clerk of Court within twenty-one (21) days from receipt.

UNITED STATES DISTRICT COURT

Honorable Pamela Pepper,

Chief Judge

### UNITED STATES DISTRICT COURT

Eastern District of	Wisconsin
John Sloan	
v. )	Civil Action No. 24-cv-546
West Allis Police Department et al	- ,
Defendant )	
WAIVER OF THE SERVI	CE OF SUMMONS
To: John Sloan	
(Name of the plaintiff's attorney or unrepresented plaintiff)	
I have received your request to waive service of a summe two copies of this waiver form, and a prepaid means of returning	
I, or the entity I represent, agree to save the expense of se	erving a summons and complaint in this case.
I understand that I, or the entity I represent, will kee	p all defenses or objections to the lawsuit, the court's
jurisdiction, and the venue of the action, but that I waive any objection.	ections to the absence of a summons or of service.
I also understand that I, or the entity I represent, must file 60 days from, the date when this re United States). If I fail to do so, a default judgment will be enter	guest was sent (or 90 days if it was sent outside the
Date:	
	Signature of the attorney or unrepresented party
PO Cooper	
Printed name of party waiving service of summons	Printed name
	Address
	E-mail address
	Telephone number

#### Duty to Avoid Unnecessary Expenses of Serving a Summons

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### UNITED STATES DISTRICT COURT

for the	
Eastern District of W	isconsin
John Sloan	Civil Action No. 24-cv-546
NOTICE OF A LAWSUIT AND REQUEST TO	WAIVE SERVICE OF A SUMMONS
To: PO Cooper	
(Name of the defendant or - if the defendant is a corporation, partnership, or	association - an officer or agent authorized to receive service)
Why are you getting this?	
A lawsuit has been filed against you, or the entity you represent of the complaint is attached.	nt, in this court under the number shown above. A copy
from the date shown below, which is the date this notice was sent. stamped, self-addressed envelope or other prepaid means for returning	o avoid these expenses, you must return the signed if the defendant is outside any judicial district of the United States) Two copies of the waiver form are enclosed, along with a one copy. You may keep the other copy.
What happens next?	n i kannadi filik hili hili na laa ili aa
If you return the signed waiver, I will file it with the court. The date the waiver is filed, but no summons will be served on you at (see the date below) to answer the complaint (or 90 days if this notice States).	nd you will have 60 days from the date this notice is sent
If you do not return the signed waiver within the time indices served on you. And I will ask the court to require you, or the entity you	
Please read the enclosed statement about the duty to avoid unr	necessary expenses.
I certify that this request is being sent to you on the date below	<b>v.</b>
D. (	
Date:	Signature of the attorney or unrepresented party
_	John Sloan
	Printed name
-	
	Address
_	E-mail address

Telephone number

John Sloan	Plaintiff(s),	
v.		Case No. 24-cv-546
PO Cooper	Defendant(s).	
CON	NSENT TO PROCEED BI	EFORE A MAGISTRATE JUDGE
to have your case	decided by a magistrate judg	urt within 21 days of receipt. Although choosing ge is optional and refusal will not have adverse f this completed form is mandatory.
case. Aside from district generally issue reports and	cases subject to the Prison play no further role in civil recommendations.	Litigation Reform Act, magistrate judges in this cases pending before district judges and do not , and therefore felony trials do not interfere
	and processing of cases befor	
Check one:		
Nancy Joseph	conduct all proceedings i	oro se litigant <b>consents</b> to have Magistrate Judge in this case, including a bench or jury trial, and enter 6(c) and Federal Rule of Civil Procedure 73(b).
☐ The undersig	· · · · · · · · · · · · · · · · · · ·	o se litigant <b>refuses</b> to have a magistrate judge enter
Signed this da	ay of,,	Signature of counsel of record or pro se litigant  ☐ Plaintiff / petitioner (attorney or pro se litigant)  ☐ Defendant / respondent (attorney or pro se litigant)  ☐ Other party

## ASSIGNMENT OF CIVIL CASES EASTERN DISTRICT OF WISCONSIN

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IT IS THEREFORE ORDERED, that you complete this form and file it with the Clerk of Court within twenty-one (21) days from receipt.

UNITED STATES DISTRICT COURT

Honorable Pamela Pepper,

Chief Judge

۰, · بر	A. A.	Plaintiff(s),	Case No	24-6-93	, <del>, , , , , , , , , , , , , , , , , , </del>
,	<b>v.</b>			(Supplied by Clerk)	
Wes	Allis Police De	pt. Sherit	**		5
Cap	+ 1+ Set PD	Cooper Lazaris,	etc.		· .
(Full Na	me of each Decendant)	are Lace			.;
a Na		Defendant(s).	est.		
PLAIN	T LINDER THE CIVIL	RIGHTS ACT, 42 U.S	C & 1083	2024	្រ
D.	- COLOTER TO STATE OF THE STATE	101110 A01, 42 0.0	1.0. <b>3</b> 1000		5,7
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13	54 N 50th St	Milwauker	W1. 5.321	س ہے	- 15
Α.		procedure in your priso			
- 1		a contract of the contract of			T.
<b>B.</b> *		vance concerning the f	acts relating to this	complaint?	
	YES M NO				
PART	ries .	×1 0	1. F		
Α.	Your name (Plaintiff)	John S	look pro 1	3e	
Λ.				,	
_	Prisoner I.D. Niimha		0.1	1	
в. С.	Prisoner I.D. Numbe	ber (Last Four Digits O	196		

	E.	DEFENDANT (name) WEST AITS TOTCE PEPGIMENT
		is employed as Palice For West Allice County
* .		Militarikan 11/1
		at ///wav/ice, W/
	F.	Additional DEFENDANTS (name, position, and place of employment):  Cot. Even960; Sqt. Baumquit; P
		P.O Cooper; P.O Lazaris;
		Lt etc.
	1	
11.	PREV	IOUS LAWSUITS
4049		
	Α.	Have you begun other lawsuits in state or federal court relating to the same facts involved in this action? ☐ YES
•••	<b>B.</b>	Have you begun other lawsuits in state or federal court relating to your imprisonment?ロ YES
	C.	If your answer is YES to either of the above questions, provide the following requested
	<b>.</b>	information.
		1. Parties to the previous lawsuit
		Plaintiff(s):
	4	
		Defendant(s):
16	c .	
		2. Date filed
		3. Court where case filed (if federal court, name district: if state court, name the county)
		4. Case number and citation
		5. Nature of claim
		· ITALE VI VIUIII

•		pending?)		o. Was the	, case distri	nsseur we	is it appeale	Ur is it sti
• •		:	2-	i i		. *		
	7.	If resolved	, date of disposit	ion				
	8.	If resolved	, state whether fo	or	150 - 1		and the second	
		(plaintiff or	defendant)	3 W		* * * * * * * * * * * * * * * * * * * *	<b>4,</b>	
, 1s	(For a	idditional cas	ses, provide the	above inform	mation in th	e same forn	nat on a sepa	arate page.
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Α.	involve the inj in Item parag	ed. Include t juries incurre n "B" below: raph. Use	possible the faction in a possible the faction of other and of other and oth	persons invegal argumented claims, as you ne	volved, date ents or cite number an ed to state	s, and place cases or stand ad set forth of the facts.	es. Describe atutes. You i each claim in Attach extr	specifically may do that a separate a pages, if
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## AFFIDAVIT OF FACT NOTICE OF VIOLATION OF HUMAN RIGHTS

For The Record, To Be Read Into The Record Notice To Agent is Notice To Principal Notice to Principal is Notice to Agent

April 5th, 2024

From: John Sloan % 5354 N. 50th St Milwaukee, WI [53218]

To: United States District Court Eastern District of Wisconsin 517 E Wisconsin Ave, Milwauko WI 53202

To Whom It May Concern,

I. John of the family Sloan of full life, hereby make the following NOTICE OF CONDITION PRECEDENT, that my Human and fourth, fifth, and eighth Constitutional Rights have been molested/violated, on or about 03-29-2024 Time 1:54 A.M Location: corner of S. 84th st. / W. Mitchell St. P.O. Cooper of the West Allis Police Department of Wisconsin pulled me over and immediately got out of his patrol vehicle and asked me to get out of the car. I asked him "if he had an Articulate Reasonable Suspicion of me committing a crime" - He stated "no, the owner of this vehicle's license is suspended". I then told him "that is not a crime, it is a traffic infraction and that I am not getting out of the car" at this point I asked P.O. Cooper to call his Supervisor. P.O. Cooper asked me to turn off the car, unknowingly, turning off the car's engine automatically unlocked the car doors. P.O. Copper proceeded to pull open the driver side door and demanded me out of the vehicle. I attempted to close the door when P.O. Cooper blocked the door with the left side of his body. P.O. Lazaris informed me to "get out of the car or we will tase you". I remained still with my hands on the steering wheel, P.O. Lazaris proceeded to tase me while P.O. Cooper pepper sprayed me. I then pulled the electric prongs out of me while P.O. Cooper continuously pepper sprayed me. Somehow, I am out of the car and body slammed on my back being handcuffed. While on the ground handcuffed P.O. Lazaris used direct contact with the taser on the left side of my stomach. He began hollering "stop resisting", the voltage was so much I began to see light.

After the pain started to subside enough I turned my head to tell the P.O. Lazaris "I'm down on the ground in handcuffs, stop electrocuting me". P.O. Lazaris proceed to take me three more times than he got up. I was then helped up and told to get in the patrol vehicle, to which I responded "I'm not getting in, I didn't commit a crime. Take these handcuffs off of me." P.O.

Lazaris said "vou getting in" while he grabbed my head and banged it on the patrol vehicle. I then said "okay, you busted my head, Am I bleeding"? An officer said "no". At this point I said "okay I'm going to get in the SUV", while in the patrol vehicle there was an unlawful seizure of my vehicle- which is a violation of my Fourth and Fifth Amendment rights.

The Supervisor of Officers Cooper and Lazaris instructed them to release me as I was free to go. Two officers who were not involved in the incident helped me to the ambulance stating "We didn't touch you, and we don't know what's going on . We were on perimeter duty and didn't see anything". The ambulance took me to the West Allis Hospital from where I was released.

I encountered a similar situation with some of the same officers from the West Allis Police Department a few months ago. I refused to get out of the vehicle and asked the officer to call his supervisor. I was roughed up and the vehicle I was in was unlawfully seized.

There being nothing further I hereby declare (verify, state, and confirm) under penalty of perjury under the laws of the United States of America that the foregoing are true and correct

Upon receival of this Affidavit, please send a confirmation notice to the above address.

John Sloan % 5054 N 50th St. Milwaukee, WI [53218]

Signature: Date: 3 day of May 2024.

## STATEMENT OF CLAIM

11311

A. Briefly stating my legal theory or site appropriate authority

VIOLATION OF

FOURTH AMENDMENT

FIFTH AMENDMENT

EIGHTH AMENDMENT

"CITING CASES"

4TH AMENDMENT VIOLATION COLLINS VERSUS VIRGINA, 584 U.S.A (2018)

PRIMARY HOLDING

THE FOURTH AMENDMENT AUTOMOBILE EXCEPTION DOES NOT PERMIT THE WARRANTLESS ENTRY OF A HOME OR IT'S CARTILAGE TO SEARCH A VEHICLE THEREIN.

FIFTH AMENDMENT VIOLATION

BOYD V. UNITED STATES 116 U.S. 616 (1886) WAS A DECISION BY THE US SUPREME COURT IN WHICH THE COURT HELD THAT THE SEARCH WAS AN UNREASONABLE SEARCH AND SEIZURE WITHIN THE MEANING OF THE 4TH AMENDMENT.

FIFTH AMENDMENT VIOLATION

**DUE PROCESS OF LAW** 

EIGHTH AMENDMENT VIOLATION

IN HOPE V. PELZER, 536 U.S. 730 (2002). THE PRISONER WAS HANDCUFFED TO A HITCHING POST FOR SEVEN HOURS, TAUNTED AND DENIED BATHROOM BREAKS. THE COURT REASONED THAT THIS TREATMENT EXCEEDED WHAT WAS NECESSARY TO RESTORE ORDER.

 $(C \cap I)$ 

## **RELIEF YOU REQUEST**

FOR THE DEFENDANTS TO BE REPRIMANDED AND RETRAINED OR REMOVED FROM THE POLICE FORCE AND A PUBILC APOLOGY \$200 MILLION FOR PAIN AND SUFFERING AND THE VIOLATION OF MY CONSTITUTIONAL RIGHTS.

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i declare under Complaint signe			going is true and correct.
Complaint signe	ed this <u>&amp; T</u> day	y or TIPITI	2024.
The major was as the		alin remai	Signature of Plaintiff(s)
		· .	Signature of Frantings) /
			(If there are multiple plaintiffs, each must sign the complaint)
			Prisoner I.D. Number(s)
		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	

JOHN SLOAN, Plaintiff.

٧.

Case No. 24-cv-0546

WEST ALLIS POLICE DEPARTMENT, et al., Defendants.

#### <u>ORDER</u>

Plaintiff John Sloan has filed an action in this court and has filed a motion for leave to proceed without prepayment of the filing fee pursuant to <u>28 U.S.C. § 1915</u>. ECF No. 2. Upon review of plaintiff's motion, I find that requiring plaintiff to pay this fee would impose a significant financial hardship on him.

THEREFORE, IT IS ORDERED that the plaintiff's motion for leave to proceed without prepaying the filing fee (ECF No. 2) is **GRANTED**.

IT IS FURTHER ORDERED that pursuant to Fed. R. Civ. P. 4(c)(3), that the U.S. Marshals Service shall serve a copy of the complaint, a waiver of service form and/or the summons, and this order upon defendants. Plaintiff is advised that Congress requires the U.S. Marshals Service to charge for making or attempting such service. 28 U.S.C. § 1921(b). The current fee for waiver-of-service packages is \$8 per item. 28 C.F.R. § 0.114(a)(2). Although Congress requires the court to order service by the U.S. Marshals Service precisely because in forma pauperis plaintiffs are indigent, it has not made any provision for these fees to be waived either by the court or by the U.S. Marshals Service.

Plaintiff should provide defendant or its counsel with copies of all future motions or papers filed by plaintiff in this action.

Dated at Milwaukee, Wisconsin this 10th day of May, 2024.

/s/ Lynn Adelman LYNN ADELMAN District Judge