

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Monteria Najuda Robinson, as the natural)
parent of Jamarion Rashad Robinson ,)
and the Representative of the Estate of)
Jamarion Rashad Robinson,)

Plaintiffs,)

vs.)

No. 1:18-CV-0131-TCB

William Sauls, Atlanta Police Officer,)
Steve Schreckengost, Atlanta Police)
Detective; **Steve O’Hare**, Atlanta Police)
Detective; **Daniel Doyle**, Fulton County)
Detective; **Kristopher Hutchens**,)
Clayton County Police Officer;)
Joshua Mauney, Fayette County)
Sheriff’s Officer; **Eric Heinze**, United)
States Marshals Service (USMS) Inspector;)
Agent “**TEZ**”;)
City of Atlanta, Fulton County,)
Clayton County, Fayette County Sheriff)
Barry H. Babb, in his official capacity,)
City of East Point,)

JURY TRIAL DEMANDED

Defendants.)

SECOND AMENDED COMPLAINT

Plaintiff, Monteria Najuda Robinson, as the natural parent of Jamarion Rashad Robinson and the Executor of the Estate of Jamarion Rashad Robinson, by and through her attorneys, David J. Utter, The Claiborne Firm, P.C., Andrew M. Stroth and Carlton Odim, Action Injury Law Group LLC, files this Complaint against Defendants William Sauls, Steve Schreckengost, Steve O’Hare, Daniel Doyle, Kristopher Hutchens, Joshua Mauney, Eric Heinze, Agent “TEZ,”

(collectively “Defendant-Officers”) City of Atlanta, Fulton County, Clayton County, Fayette County Sheriff Barry H. Babb, and City of East Point (collectively “Defendant-Municipalities”), based on the following allegations:

INTRODUCTION

1.

This is a civil rights action. On August 5, 2016, at approximately 1:30 p.m. Jamarion Robinson, a 26-year-old African American male and a diagnosed schizophrenic, lost his life. One or more of the Defendant-Officers shot him without legal justification.

2.

At the time of the shooting, Jamarion Robinson presented no immediate threat to the Defendant-Officers or anyone else.

JURISDICTION AND VENUE

3.

The Jurisdiction of the court is invoked pursuant to the Civil Rights Act, 42 U.S.C. § 1983 et seq; the Judicial Code, §§ 1331 and 1343(a); and the Constitution of the United States. As to the state claims, Plaintiffs invokes 42 U.S.C. § 1367.

4.

Venue is proper in this District under 28 U.S.C. § 1391(b). The parties reside, or, at the time the events took place, resided in this judicial district, and the events giving rise to the plaintiff's claims also occurred in this judicial district.

PARTIES

Plaintiff

5.

Jamarion Robinson was a 26-year-old man and citizen of the United States residing in the state of Georgia.

6.

Plaintiff Monteria Najuda Robinson is Jamarion Robinson's mother and natural parent.

7.

The Estate of Jamarion Robinson is Mr. Robinson's valid legal estate. Plaintiff Monteria Robinson was appointed executor of the estate by the Probate Court of Gwinnett County, Georgia on December 28, 2017.

Defendants

8.

William Sauls was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by the City of Atlanta, acting within the scope of his employment with the City of Atlanta and under the color of state law.

Additionally, William Sauls was, at all times relevant to the allegations made in this complaint, assigned as a Task Force Officer with the United States Marshal's Service (USMS), Southeast Regional Fugitive Task Force (SERFTF), acting within the scope of his employment with the United States and under color federal law.

He is sued in his individual capacity.

9.

Steve Schreckengost was, at all times relevant to the allegations made in this complaint, a duly appointed police officer and detective employed by the City of Atlanta, acting within the scope of his employment with the City of Atlanta and under the color of state law.

Additionally, Steve Schreckengost was, at all times relevant to the allegations made in this complaint, assigned as a Task Force Officer with the United States Marshal's Service (USMS), Southeast Regional Fugitive Task Force (SERFTF), acting within the scope of his employment with the United States and under color federal law.

He is sued in his individual capacity.

10.

Steve O'Hare was, at all times relevant to the allegations made in this complaint, a duly appointed police officer and detective employed by the City of Atlanta, acting within the scope of his employment with the City of Atlanta and under the color of state law. He is sued in his individual capacity.

Additionally, Steve O'Hare was, at all times relevant to the allegations made in this complaint, assigned as a Task Force Officer with the United States Marshal's Service (USMS), Southeast Regional Fugitive Task Force (SERFTF), acting within the scope of his employment with the United States and under color federal law.

He is sued in his individual capacity.

11.

Daniel Doyle was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by Fulton County, acting within the scope of his employment

with Fulton County, and under the color of state law. He is sued in his individual capacity.

Additionally, Daniel Doyle was, at all times relevant to the allegations made in this complaint, assigned as a Task Force Officer with the United States Marshals Service (USMS), Southeast Regional Fugitive Task Force (SERFTF), acting within the scope of his employment with the United States and under color federal law.

He is sued in his individual capacity.

12.

Officer Kristopher Hutchens was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by Clayton County, Georgia, acting within the scope of his employment with Clayton County, and under the color of state law. He is sued in his individual capacity.

Additionally, Kristopher Hutchens was, at all times relevant to the allegations made in this complaint, assigned as a Task Force Officer with the United States Marshal's Service (USMS), Southeast Regional Fugitive Task Force (SERFTF), acting within the scope of his employment with the United States and under color federal law.

He is sued in his individual capacity.

13.

Joshua Mauney was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by the Fayette County Sheriff, acting within the scope of his employment with the Fayette County Sheriff, and under the color of state law. He is sued in his individual capacity.

Additionally, Joshua Mauney was, at all times relevant to the allegations made in this

complaint, assigned as a Task Force Officer with the United States Marshal's Service (USMS), Southeast Regional Fugitive Task Force (SERFTF), acting within the scope of his employment with the United States and under color federal law.

He is sued in his individual capacity.

14.

Eric Heinze was, at all times relevant to the allegations made in this complaint, a law enforcement officer employed as an Inspector with the United States Marshals Service (a federal law enforcement agency within the United States Department of Justice), acting with the scope of his employment with the Marshals Service and under the color of federal law. He is sued in his individual capacity.

15.

Agent "Tez" was, at all times relevant to the allegations made in this complaint, a law enforcement officer employed with an unknown Georgia state, county, or municipal, acting with the scope of his employment with that law enforcement agency, and under color of state law.

Additionally, or alternatively, Agent "Tez" was, at all times relevant to the allegations made in this complaint, assigned as a Task Force Officer with the United States Marshal's Service (USMS), Southeast Regional Fugitive Task Force (SERFTF), acting within the scope of his employment with the United States and under color federal law.

He is sued in his individual capacity.

16.

Unidentified East Point Police Officers were, at all times relevant to the allegations made in this complaint, law enforcement officers employed with the East Point Police Department,

acting with the scope of their employment for the City of East Point, Georgia, and under color of state law. They are sued in their individual capacities.

17.

The Sheriff of Fayette County, Barry H. Babb, is the executive officer responsible for the Fayette County Sheriff's Office and its employees and agents, and employer of Joshua Mauney. Sheriff Babb was responsible for the supervision of the officers, employees and agents within the Sheriff's Office, and for the policies, practices and customs related to the maintenance and operation of its police force and/or sheriff's officers. Sheriff Babb is the final policymaker as to the operation of the Office, supervision and training of officers, employees and agents within the Office, his own conduct and the execution of his duties. Fayette County Sheriff Babb is sued in his official capacity.

18.

Defendant City of Atlanta, a municipality duly incorporated under the laws of the State of Georgia, is the employer and principal of Defendant Officers Sauls, Schreckengost, O'Hare and possibly Agent Tez. The City is responsible for the policies, practices and customs related to the maintenance and operation of its police force.

19.

Defendant Fulton County, a county duly established under the laws of the State of Georgia, is the employer and principal of Defendant Officer Doyle and possibly agent Tez. The County is responsible for the policies, practices and customs related to the maintenance and operation of its police force.

20.

Defendant Clayton County, a county duly established under the laws of the State of Georgia, is the employer and principal of Defendant Officers Hutchens and possibly agent Tez. The County is responsible for the policies, practices and customs related to the maintenance and operation of its police force.

21.

Defendant City of East Point, a municipality duly incorporated under the laws of the State of Georgia, is the employer and principal of the unknown East Point police officers described in this complaint and possibly agent Tez. The City is responsible for the policies, practices and customs related to the maintenance and operation of its police force.

FACTS

22.

Prior to August 5, 2016, and at all times relevant to the allegations contained in this complaint, the City of Atlanta and its police department participated in a joint venture [hereinafter referred to as the “Task Force”] with Fulton County, Georgia and its Police Department, with Clayton County, Georgia and its Police Department and Fire Department, with the Fayette County Sheriff’s Office of Georgia, with East Point, Georgia and its Police Department, and with the United States Marshall’s Service (USMS).

23.

According to the USMS, “The SERFTF currently has Memoranda of Understanding (MOUs) with more than 20 federal, state, or local law enforcement agencies and continues to recruit other agencies to participate in the task force. The SERFTF is becoming well recognized

at [sic] the ‘one-stop shop’ for fugitive investigations in the state of Georgia.”

24.

After the formation of the Task Force and in the weeks prior to August 5, 2016, defendant Steve O’Hare learned that Jamarion Robinson suffered from mental illness.

25.

On August 5, 2016, at approximately 12:30, seven or more members of the Task Force, including the Defendant-Officers, met at a church near Washington Road and Interstate 285 in Atlanta for the purpose of receiving information about serving an arrest warrant on decedent Jamarion Robinson at 3129 Candlewood Drive in Atlanta. Among other things, Steve O’Hare “relayed...ROBINSON’S mental health history” to the defendant officers in attendance.

26.

Approximately an hour after the meeting in the church the Defendant-Officers moved from the church near Washington Road and Interstate 285 to positions around and in front of 3129 Candlewood Drive.

27.

One or more of the Defendant-Officers pounded loudly on the front door of 3129 Candlewood Drive multiple times.

28.

Then one or more Defendant-Officers broke down the front door and, without cause or provocation by Jamarion Robinson, began “spraying” bullets around the interior of 3129 Candlewood Drive with one or more H&K 9 mm submachine guns, one or more H&K .40 mm submachine guns, and one or more Glock .40 pistols.

29.

When one or more of the Defendant-Officers began “spraying” bullets around the interior of 3129 Candlewood Drive, they did not know how many people were in the building.

30.

Fifty-nine bullets or more from the sub-machine guns and Glocks of the Defendant-Officers entered the body of Jamarion Robinson, killing him.

31.

After killing Jamarion Robinson, one or more of the defendants ascended a single flight of stairs to a second-floor landing, where the bullet-riddled corpse of Jamarion Robinson was lying.

32.

With the intention of covering-up their actions by manipulating the evidence on the scene and with the intention making it more difficult if not impossible to accurately reconstruct the shooting-event, the defendant officers:

- a. Set off a flash bang grenade after lethally shooting Jamarion Robinson;
- b. Stood over Jamarion Robinson corpse and mutilated it by firing into it two 9 millimeter bullets;
- c. Handcuffed the corpse knowing that it was lifeless and without the power of animation to react to them;
- d. Put an oxygen rebreathing mask over the corpse knowing that it was lifeless and without the power of respiration;
- e. Dragged the corpse from the second floor landing down a flight of stairs to the first floor, with the purpose of attempting to destroy the evidentiary connection:

- (i) between the bullet entry-and-exit wounds on the corpse and the surrounding walls, floor and ceiling;
 - (ii) between the corpse and the blood- and flesh-spatter patterns on the surrounding walls, floor and ceiling; and
 - (iii) between the corpse and its actual position when found by the defendant officers; and
- f. Otherwise tampered with the evidence on the scene with the intention of destroying the evidentiary value.

33.

The Defendant-Officers had various less lethal uses of force as well as various devices, equipment and technology designed to aid in the detection and apprehension of “fugitives” and arrestees, including, but not limited to, flash-bang grenades and a robot equipped with video camera and microphone.

34.

The Defendant-Officers failed to utilize any of these less lethal uses of force or devices, equipment or technology to locate and arrest Jamarion Robinson prior to using deadly force on Jamarion Robinson by shooting him with their firearms, including semi-automatic and fully automatic, high capacity firearms.

35.

Despite having ample time and information regarding Jamarion Robinson’s location in a multi-unit building, his history of mental illness, and the possibility that Jamarion would be armed, the Defendant-Officers did not develop a plan to locate and arrest Jamarion Robinson in the residence using less than lethal force.

37.

The Defendant-Officers did not develop a plan or utilize any strategies or techniques with the goal of preserving life while executing the arrest warrant for Jamarion Robinson.

38.

The Defendant-Officers exclusive plan and method to apprehend Jamarion Robinson was to use deadly force by shooting him.

39.

The Defendant-Officers' use of semi-automatic and/or fully automatic, high capacity firearms did not allow for anything other than lethal force resulting in certain death.

40.

Each and every Defendant-Officer failed to intervene in the planned use of deadly force by their fellow Defendant-Officers by failing to recommend any plan, strategy, technique, device or equipment involving less than lethal force and/or by failing to recommend any plan, strategy, technique, device or equipment to arrest Jamarion Robinson with the goal of preserving his life, and/or by failing to object to the plan and/or use of breaking into the residence armed with semi-automatic and/or fully automatic, high capacity firearms that solely involved the use of lethal force resulting in certain death.

41.

At all times material to the allegations contained in this complaint, the Defendant-Officers:

- a. Were not properly trained to execute arrest warrants with the goal of preserving life;
- b. Were not properly trained to execute arrest warrants using any plan,

strategy, technique, device or equipment involving less than lethal force;

- c. Were encouraged by their lack of training to use excessive and deadly force against Jamarion Robinson; and/or
- d. Disregarded any training as a result of their assignment to the USMS SERFTF and the lack of adequate oversight and supervision by the local law enforcement agency-employer.

42.

At all times material to the allegations contained in this complaint, the Defendant-Officers:

- a. Were not properly trained to execute arrest warrants on people with psychiatric conditions;
- b. Failed to investigate the mental health status of Jamarion Robinson before attempting to execute the arrest warrant, knowing that he was a diagnosed schizophrenic;
- c. Were encouraged by their lack of training and their failure to investigate the mental health status of Jamarion Robinson to use excessive and unreasonable force against Jamarion Robinson;
- d. Were not properly trained with regard to forcing their way into a structure where a civilian with a psychiatric condition is present, using flash bang grenades in a structure where a person with a psychiatric condition is present, and/or pointing and shooting firearms at a person with a psychiatric condition.

43.

The Defendant-Municipalities, by virtue of and as a result of assigning and/or allowing officer-employees, including the Defendant-Officers, to be recruited to the USMS SERFTF had certain policies, customs and/or practices and/or failed to maintain policies, customs and/or practices that resulted in the unreasonable seizure, excessive force and wrongful death of Jamarion Robinson. These policies, customs and/or practices (and/or failure to maintain same)

include, but are not limited to, the following:

- a. Failure to train, instruct, regulate, and supervise officers regarding execution of multi-jurisdictional law enforcement operations;
- b. Failure to train, instruct, regulate, and supervise officers assigned to the USMS SERFTF and/or specific task forces
- c. Failure to train, instruct, regulate, and supervise officers regarding best practices for executing arrest warrants on people with psychiatric conditions;
- d. Failure to properly hire, train, supervise, discipline, transfer, monitor, counsel and/or otherwise control police officers who commit acts of excessive force, including unjustified shootings;
- e. Failure to properly hire, train, supervise, monitor, and support police officers in the mental health awareness and crisis intervention;
- f. Failure to properly hire, train, supervise, monitor and support police officers in the de-escalation techniques and procedures;
- g. Failure to train, instruct, regulate, and supervise officers regarding best practices for use of force on people with psychiatric conditions;
- h. Failure to train, instruct, regulate, and supervise officers to execute arrest warrants with the goal of preserving life;
- i. Failure to train, instruct, regulate, and supervise officers to execute arrest warrants using a plan, strategy, technique, device or equipment involving less than lethal force;
- j. Failure to investigate and or discipline officers assigned to the USMS SERFTF and/or specific task forces who use excessive force or otherwise violate Defendant-Municipalities' orders or policies.
- k. Failure to ensure that officers assigned to the USMS SERFTF and/or specific task forces follow the Defendant-Municipalities' orders, policies, or best practices.

44.

Essentially, the Defendant-Municipalities fail to assume any responsibility for officer-employees, including the Defendant-Officers, when they are assigned to the USMS SERFTF or

other federal or multi-jurisdictional law enforcement task force. This results in the officer-employees, including the Defendant-Officers, having a sense of lawlessness and/or disregard of individual citizens' rights, safety and bodily integrity when performing law enforcement tasks and duties, including executing arrest warrants, while on the task force.

45.

At the same time, the USMS fails to assume responsibility for the individual officers, including the Defendant-Officers, from local law enforcement agencies, including the Defendant-Municipalities, assigned to the task force, including the USMS SERFTF, and fails to train, supervise, regulate or supervise them, further perpetuating the lack of accountability and sense of lawlessness cloaking these task forces.

46.

The actions of the Defendants and their named and unnamed co-conspirators, as alleged in this complaint, were done jointly, in concert, and with shared intent and, therefore constitute a continuing civil conspiracy under 42 U.S.C. § 1983, 42 U.S.C. § 1985, the 4th Amendment of the United States Constitution and state law.

47.

Even though each had the opportunity to do so, none of the defendants intervened in the actions of the other individual defendants to stop the unconstitutional shooting of Jamarion Robinson.

Count 1
42 U.S.C. § 1983 Claim for Excessive Force

48.

Plaintiff repeats and realleges the preceding paragraphs of this complaint as if they were fully set out in this Count.

49.

The actions of the Defendant-Officers, as alleged in this complaint, in shooting Jamarion Robinson without just cause violated Jamarion Robinson's rights under the Fourth Amendment to the United States Constitution to be secure in his person against unreasonable seizure, and his right to due process under the Fourteenth Amendment to the United States Constitution.

50.

The actions of the Defendant-Officers were the direct and proximate cause of the constitutional violations set forth above and of the Plaintiffs injuries.

Count 2
42 U.S.C. § 1983 Claim for Failure to Intervene

51.

Plaintiffs repeat and reallege the preceding paragraphs of this complaint as if they were fully set out in this Count.

52.

The actions of the Defendant-Officers as alleged in this complaint in failing to intervene in the unconstitutional shooting of Jamarion Robinson violated Jamarion Robinson's rights under the Fourth Amendment to the United States Constitution to be secure in his person against unreasonable seizure, and his right to due process under the Fourteenth Amendment to the

United States Constitution.

53.

The actions of the Defendant-Officers were the direct and proximate cause of the constitutional violations set forth above and of the Plaintiffs injuries.

Count 3
42 U.S.C. §§ 1983 and 1985 Claim for Conspiracy

54.

Plaintiffs repeat and reallege the preceding paragraphs of this complaint as if they were fully set out in this Count.

55.

The Defendant-Officers reached an understanding, engaged and continued to engage in a course of conduct, and otherwise jointly acted and/or conspired among and between themselves to unreasonably stop, seize, shoot and injure Jamarion Robinson in violation of his constitutional rights, to destroy and fabricate evidence, to complete false, inaccurate, and misleading reports, and to make false statements to superior officers in order to conceal their wrongdoing.

56.

In furtherance of this conspiracy or conspiracies, the Defendant-Officers, committed the overt acts as alleged in this complaint.

57.

These conspiracies are continuing.

**Count 4
(Bivens Claim)**

58.

Plaintiffs repeat and reallege the preceding paragraphs of this complaint as if they were fully set out in this Count.

59.

The actions of the Defendant-Officers, as alleged in this complaint, in shooting and killing Jamarion Robinson, and failing to intervene in the shooting and killing of Jamarion Robinson, violated Jamarion Robinson's rights under the Fourth Amendment to the United States Constitution to be secure in his person against unreasonable seizure.

60.

The actions of the Defendant-Officers as alleged in this Count of the complaint were the direct and proximate cause of the constitutional violations set forth above and of the injuries to Jamarion Robinson and his Estate.

**Count 5
State Law Claim for Conspiracy**

61.

Plaintiffs repeat and reallege the preceding paragraphs of this complaint as if they were fully set out in this Count.

62.

The Defendant-Officers, as alleged in this complaint, reached an understanding, engaged and continued to engage in a course of conduct, and otherwise jointly acted and/or conspired among and between themselves to unreasonably stop, seize, shoot and injure Jamarion Robinson,

resulting in his death, to destroy and fabricate evidence, to complete false, inaccurate, and misleading reports, and to make false statements to superior officers in order to conceal their wrongdoing.

63.

In furtherance of this conspiracy or conspiracies, the Defendant-Officers, committed the overt acts as alleged in this complaint.

64.

These conspiracies are continuing.

Count 6
State Law Claim for Battery

65.

Plaintiffs repeat and reallege the preceding paragraphs of this complaint as if they were fully set out in this Count.

66.

The Defendant-Officers, as alleged in this complaint knowingly and without legal justification caused bodily harm to Jamarion Robinson when they shot and injured him, thereby constituting battery under Georgia law.

Count 7
Wrongful Death

67.

Plaintiffs repeat and reallege the preceding paragraphs of this complaint as if they were fully set out in this Count.

68.

As a direct and proximate result of the Defendants' criminal, intentional, and negligent acts, Jamarion Robinson died by homicide.

69.

Mr. Robinson's death was a wrongful death within the meaning of the Georgia Wrongful Death Act, O.C.G.A. §§ 51-4-1, *et. seq.*

70.

Section 51-4-4 provides a right of action for the wrongful death of a child killed by homicide.

71.

Under O.C.G.A. §§ 19-7-1(c)(2)(A), Plaintiff Monteria Robinson is the parent entitled to prosecute this right of action and entitled to the full value of the life of Jamarion Robinson.

Count 8
Respondeat Superior

72.

Plaintiffs repeat and reallege the preceding paragraphs of this complaint as if they were fully set out in this Count.

73.

The City of Atlanta, as the employer of the individual officers, Shreckengost, O'Hare, Sauls, and possibly Agent Tez, is liable for the acts of these Defendants and any other City of Atlanta employee or agent that has yet to be identified, which violated state law under the doctrine of *respondeat superior*.

74.

Fulton County, as the employer of individual officer Doyle and possibly Agent Tez, is liable for the acts of these Defendants and any other Fulton County employee or agent that has yet to be identified, which violated state law under the doctrine of *respondeat superior*.

75.

Clayton County, as the employer of the individual officers Hutchens and possibly Agent Tez, is liable for the acts of these Defendants and any other Clayton County employee or agent that has yet to be identified, which violated state law under the doctrine of *respondeat superior*.

76.

The Fayette County Sheriff, as the employer of individual officer Mauney, is liable for the acts of that Defendant and any other Fayette County Sheriff's Office employee or agent that has yet to be identified, which violated state law under the doctrine of *respondeat superior*.

77.

The City of East Point as the employer of the individual unknown East Point police officers, is liable for the acts of those officers, which violated state law under the doctrine of *respondeat superior*.

Count 9
Monell Claim

78.

Plaintiffs repeat and reallege the preceding paragraphs of this complaint as if they were fully set out in this Count.

The Defendant-Municipalities had certain policies, practices and/or customs (or failed to have policies) as alleged in the above paragraphs of this complaint, that separately and together,

were the proximate cause of the injury and death of Jamarion Robinson. and of the injury to his Estate.

79.

Furthermore, the Defendant-Municipalities' policies, practices and/or customs or lack thereof, as alleged in the above paragraphs of this complaint, separately and together, were the proximate cause of the injury and death of Jamarion Robinson. and of the injury to his Estate, because the individual police officers had good reason to believe that their misconduct would not be revealed or reported by fellow officers or their supervisors, that their false, incomplete, and misleading reports would go unchallenged by these supervisors and fellow officers, and that they were immune from disciplinary action, thereby protecting them from the consequences of their unconstitutional conduct.

80.

As a result of the lack of accountability for their actions while assigned to the USMS SERFTF (described in the above paragraphs) the individual police officers described in this Complaint engaged in the conduct that resulted in the shooting and death of Jamarion Robinson.

81.

The interrelated policies, practices and customs, or lack thereof, as alleged in this complaint, individually and together, were maintained and implemented with deliberate indifference, and encouraged the individual police officers to commit the acts alleged in this complaint against Jamarion Robinson; they, therefore, are the moving forces behind, and the direct and proximate causes of, the injuries to Jamarion Robinson and his Estate.

82.

Among other things, the policies, practices and customs, or lack thereof, alleged in this complaint encouraged the extrajudicial shooting of civilians, other police misconduct, the fabrication of evidence, the destruction and contamination of evidence, the intimidation of witnesses, and the making of false, incorrect and misleading statements and reports. These policies, practices and customs, therefore, are the moving forces behind, and the direct and proximate causes of, the unconstitutional acts committed by the individual Defendant Officers in this case and the injuries to Jamarion Robinson and his Estate.

PRAYER FOR RELIEF

WHEREFORE, plaintiffs request that this Court award the Plaintiff:

1. Substantial actual or compensatory damages for the violation of the constitutional rights and state law claims alleged in this complaint;
2. Punitive damages;
3. Attorney's fees and costs; and
4. All other monetary relief that the court deems appropriate, including pre- and post-judgment interest.

Respectfully submitted, this 3rd day of August, 2018.

/s/: David J. Utter
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