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8 Attorney for Plaintiff

9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE DISTRICT OF ARIZONA**

11 Karen Weber, individually, as Personal
12 Representative of the Estate of Michael
13 Weber, deceased,

14 Plaintiff,

15 v.

16 Officer Jace Reif and Jane Doe Reif,
17 husband and wife,

18 Defendants.

No.

COMPLAINT AND DEMAND FOR JURY TRIAL

**(Violation of Fourth Amendment Rights;
Wrongful Death)**

19 For the Complaint against Defendants, Plaintiff alleges as follows:

20 **JURISDICTION AND PARTIES**

21 1. Plaintiff brings this action, pursuant to 42 *U.S.C.* § 1983, for violations of the
22 Fourth Amendment of the United States Constitution,

23 2. This Court has original jurisdiction over this matter pursuant to 28 *U.S.C.* § 1331
24 because this matter raises a federal question concerning alleged violations of Plaintiff’s federal
25 civil rights under 42 *U.S.C.* § 1983 and the *Fourth Amendment* to the *United States*
26 *Constitution*.

27 3. Plaintiff Karen Weber is the widow of decedent Michael Weber (“Mike”). At all
28 times material, she resided in Mohave County, State of Arizona.

4. Defendant Officer Jace Reif (“Defendant Officer”) was, at all times relevant to
this complaint, employed as an Officer with the Kingman Police Department.

5. Plaintiff survives Mike Weber, who was shot to death by Officer Reif on
February 10, 2018.

1 17. Officer Reif was shining his bright flashlight at Mike and standing at a location
2 where he could not be seen as the trailer door was opened.

3 18. After Mike Opened the door, Officer Reif failed to announce himself as a police
4 officer, so Mike would not have known that a police officer was present.

5 19. Mike was holding his handgun at his side and pointed downward the entire time
6 that he was standing outside his door.

7 20. Officer Reif ordered Mike to put his hands up, without announcing himself as a
8 police officer .

9 21. Officer Reif fired several shots into Mike, without any warning and without
10 declaring that he was a police officer.

11 22. Mike had never threatened anyone or pointed his gun at anyone when Officer
12 Reif shot him.

13 23. The shots fired by Officer Reif killed Mike Weber.

14 24. Officer Reif had previously shot and killed another man in 2014 when he was
15 called to the scene of a reported domestic disturbance, as a Mohave County Sheriff's Deputy.

16 25. In prior shooting incident, Officer Reif did not wait for backup to arrive before
17 contacting the person whom he ultimately shot.

18 26. In the prior shooting incident, Officer Reif also had pointed his gun at the person,
19 whom he ultimately shot, as his first means of contacting that person.

20 27. The City hired Officer Reif after he had fatally shot someone, as a Mohave
21 County Sheriff's deputy.

22 **COUNT ONE**

23 **(Officer Reif Violated Mike's Fourth Amendment Rights to Be Free from the**
24 **Unreasonable Use of Force and**
25 **Is Liable Pursuant to 42 U.S.C. § 1983)**

26 28. Plaintiff incorporates the allegations in the paragraphs above as if set forth fully
27 herein.

1 29. As a direct and proximate result of Officer Reif's wrongful conduct, by using
2 excessive and unreasonable force against Mike Weber, Officer Reif violated Mike's Fourth
3 Amendment rights and caused damages to the Estate of Mike Weber.

4 30. Officer Reif's wrongful conduct was in reckless disregard of Mike's
5 constitutional rights and punitive damages, in an amount to be determined by a jury, should be
6 awarded to deter and prevent Officer Reif and others from acting in a similar manner in the
7 future.

8 **PRAYER FOR RELIEF**

9
10 WHEREFORE, Plaintiff prays for damages for judgment against Defendants as follows:

- 11 a) General damages in an amount to be proven at trial, as to the causes of action,
12 claims, and theories of relief alleged herein;
- 13 b) Punitive damages against the Officer in an amount deemed just and reasonable as
14 to the causes of action, claims, and theories of relief alleged herein;
- 15 c) Costs and attorneys' fees against all Defendants, pursuant to 42 *U.S.C.* §1988;
- 16 d) Such other and further relief which may seem just and reasonable under the
17 circumstances.

18
19 RESPECTFULLY SUBMITTED this 20th day of January, 2020.

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21 **LAW OFFICES OF J. SCOTT
HALVERSON PC**

22 By: /s/ J. Scott Halverson
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25 Attorney for Plaintiff
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