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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION**

KARL SHAWN NICHOLAS,

Plaintiff,

v.

ZACHARY C. FRATTO, in his individual capacity; and **CLEARFIELD CITY**, a municipal corporation.

Defendants.

COMPLAINT

AND JURY DEMAND

Case No. 1:25-cv-00078

Judge:

Plaintiff Karl Shawn Nicholas (“Plaintiff” or “Shawn”), by and through his undersigned counsel of record, hereby complains against the above-named Defendants as alleged below:

INTRODUCTION

Shawn loves karaoke. For more than twenty years, Shawn has been going to karaoke every week, multiple nights a week. Shawn has been heard singing his heart out in bars across Davis and Weber Counties. For the last six or seven years, Shawn has been a regular at Summit Lounge in Layton, where he is known for pounding Dr. Pepper, belting out tunes, and holding down the dance floor. Most nights, Shawn will hang out at Summit Lounge until closing at 2:00 a.m. After closing,

Shawn often lingers to continue visiting with friends. Shawn has intellectual disabilities that prevent him from driving, so if the weather was bad, he would catch a ride from a friend. But when the weather was warm, Shawn liked to walk home.

Shawn enjoyed his walks home in part because they helped to keep him in shape. Shawn's other passion, possibly even greater than his love of karaoke, is participating in the Special Olympics. Shawn has competed in speed walking, basketball, softball, bocce, and bowling. With so much competitive ambition, Shawn's approximately mile-and-a-half walk home was not a big deal for him. Unfortunately, Shawn no longer feels safe walking home from karaoke nights because of the actions of Defendant Zachary Fratto.



Image 1: Shawn (left) posing with a friend at the Special Olympics.

This action arises from Defendant Fratto's unlawful detention, arrest, search, and excessive use of force against Shawn when Shawn was walking home alone and unarmed from karaoke. Defendant Fratto followed Shawn and detained him based on either a falsified pretense or an

unconstitutional mistake of law. Fratto demanded an explanation why Shawn was walking through the parking lot of a strip mall, which Fratto characterized as “weird.” Shawn explained that he was just walking home. Fratto refused to listen to or accept Shawn’s explanation and unlawfully demanded Shawn produce his I.D. card. Shawn had experienced prior police harassment on his walks home. He was frustrated and fed up with the harassment. Shawn asked Fratto to leave him alone and (lawfully) refused to produce his I.D. Fratto responded with aggression. He arrested Shawn. Shawn was confused and shocked by the situation. Shawn put his hands up, instead of behind his back, when Fratto grabbed at him to put him in handcuffs. On the claimed grounds that Shawn “pulled his hands away”, Fratto used a takedown method so dangerous that it has been declared unlawful when used against a minimally resistant nonviolent misdemeanor. Fratto then fabricated a basis for a criminal charge against Shawn.

Shawn had committed no crime. He did nothing but correctly assert his constitutional rights. Charges were eventually dropped and Shawn was exonerated, but the violence of the experience has left a lasting impact. Shawn suffered physical injuries, from which he has largely healed. However, Shawn continues to feel afraid and frustrated because he knows he did nothing wrong, but to this day Shawn cannot understand why Fratto harassed, arrested, and hurt him. Shawn brings this action to vindicate his constitutional rights.

PARTIES AND OTHER INTERESTED PERSONS

1. Plaintiff Karl Shawn Nicholas is a citizen of the United States and, at all times relevant to this complaint, was a citizen of the State of Utah.

2. Defendant Zachary Cole Fratto (“Defendant” or “Fratto”) is an individual who is, and at all times relevant to this complaint was, a citizen of the State of Utah. At the time of the

events complained of, Fratto was a law enforcement officer employed by the City of Clearfield. Defendant is sued in his individual capacity.

3. Defendant City of Clearfield is a political subdivision of the State of Utah.

JURISDICTION AND VENUE

4. This complaint arises under the United States Constitution and 42 U.S.C. § 1983. Accordingly, this Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343.

5. The events alleged herein occurred in Davis County, Utah, thus Venue is proper in this Court under 28 U.S.C. § 1391(b).

GENERAL ALLEGATIONS

6. Plaintiff hereby incorporates by reference all other paragraphs of this Complaint, including the introduction, as if fully set forth herein.

7. At 3:00 a.m. on July 25, 2024, Shawn was walking home from karaoke at the Summit Lounge.

8. Shawn was walking alone and unarmed.

9. It was a warm summer night. Shawn was wearing tennis shoes, jeans, a white long-sleeved shirt with sleeves pushed up to the elbows, a watch, and a backwards baseball cap.

10. At the time of these events, Shawn was 44 years old.

11. No one had complained about Shawn or claimed to see Shawn committing an offense.

12. Shawn was cutting through the Legend Hills strip mall when he encountered a police vehicle driven by Fratto.

13. Fratto stated in his report that he was patrolling the parking lot and shopping centers at Legend Hills Drive.

14. Fratto began to follow Shawn through the parking lot, driving slowly.

15. At some point, Fratto activated the dash camera of his vehicle.

16. Thirty seconds later, Fratto activated his body worn camera.

17. After following Shawn through the parking lot for about fifty seconds, Fratto stopped his police vehicle and exited.

18. Fratto walked toward Shawn without saying anything.

19. Occasionally on his late-night walks home, Shawn would experience police harassment.

20. Shawn feared Fratto would harass him again, so Shawn quickened his pace to a run to get away from Fratto.

21. Without saying a word, Fratto turned around and climbed back into his vehicle.

22. Shawn continued to walk northward on the public sidewalk of Legend Hills Drive.

23. Fratto drove his vehicle to catch up to Shawn.

24. Fratto rolled down his passenger-side window and began questioning Shawn.

25. Shawn speaks with an obvious speech impediment.

26. Their conversation was as follows:

Fratto	Why you running?
Shawn	Cause you're following me.
Fratto	Yeah, kinda weird that you're in the parking lot this late at night.
Shawn	I'm not doing anything. Leave me alone.
Fratto	Ok. Why you running though?
Shawn	You're following me. And I'm fed up.

Fratto Dash Camera at 2:00.

27. Shawn continued to walk home on the public sidewalk, and Fratto continued to follow.

28. Fratto continued to question Shawn through the window of his police vehicle:

Fratto	You don't want to talk?
Shawn	No.
Fratto	How come?
Shawn	Quit following me. Go away.

Fratto Dash Camera at 3:15.

29. Walking on the public sidewalk on the east side of Legend Hills Drive, Shawn approached his apartment complex, Pepper Ridge Apartments, which is on the west side of Legend Hills Drive.¹

30. There was no marked crosswalk in the area where Shawn was walking.

31. Aside from Defendant Fratto, there were no other vehicles driving in the area of Legend Hills Drive and 1100 South at that time.

32. Walking perpendicular behind Fratto's police vehicle, Shawn crossed from the east side of Legend Hills Drive to the west side and entered onto the private property of his apartment complex.

¹ When approaching the Pepper Ridge Apartment Complex from the south, as Shawn was, there is no sidewalk on the west side of Legend Hills Drive. The west-side sidewalk starts at the north side of Pepper Ridge Drive.



Image 2: GoogleMaps aerial view of Legend Hills Drive (here labeled 1500 E St) The blue overlay shows the approximate the property boundaries of the Pepper Ridge Apartment Complex. The red dotted line shows Shawn’s approximate path of travel along Legend Hills Drive.

33. Fratto flipped his police vehicle around and pulled into the entrance of the apartment complex parking lot.

34. Fratto stopped and exited his police vehicle.

35. Fratto did not have reasonable suspicion to stop Shawn.

36. Fratto told Shawn, “Ok. You have stop now.”

37. Fratto told Shawn, “Can’t cross the road like that. What are you doing out here man?”

38. Fratto was either fabricating a basis for stopping Shawn or Fratto was making an unreasonable mistake regarding Utah law.

39. Shawn had not broken any law by crossing Legend Hills Drive without a crosswalk.²

40. Shawn told Fratto, “My apartment’s right here. That’s why I crossed.”

41. Fratto said, “There’s not a crosswalk right there.”

42. Shawn was confused by Fratto’s statement. There was no crosswalk in the nearby area that Shawn could have used to cross the street. The nearest crosswalk is approximately 1,000 feet farther north.

43. Shawn said, “ Other people do it.”



Image 3: Shawn talking with Fratto. Fratto Body Camera at 04:21

² Utah Code § 41-6a-1003 governs pedestrian crossing in an area without a marked crosswalk. This section reads in relevant part: “A pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles on the roadway.”

44. Fratto said, "Ok. Doesn't mean that you can."

45. Shawn replied, "They don't get in trouble, so."

46. Fratto said, "Well, I saw you crossing the street like that. You have your I.D. on you?"

47. Shawn said, "Yeah."

48. Fratto asked, "Can I see it?"

49. Shawn shifted his stance as he considered Fratto's request.

50. "No," Shawn responded, "'cause I'm not doing nothing."

51. Fratto said, "Well I just told you that you crossed the road like that, no cross walk. That's breaking a crime [*sic*]. So I have a legal right to identify you now. So let me see your I.D."

52. Fratto's statement of law was wrong. Shawn had not broken any law.

53. Fratto had no right to demand Shawn's I.D.

54. Shawn disagreed with Fratto and told him crossing the street is not a crime.

55. The conversation continued:

Fratto Ok. [pointing at Shawn] Don't go anywhere. Let me see your I.D.

Shawn Leave me alone. Leave me alone. I'll have you fired. Go away. [turning to walk away]

Fratto Ok. I told you, you're staying right here. You crossed the road when there's not a designated crosswalk. Ok. You're walking over from there in the middle of the night. You're doing something weird. Where's your I.D.?

Shawn I walked over here. You followed me. I didn't do anything.

Fratto You walked from *over there* in the middle of the night. Empty parking lot. None of those businesses are open. What are you doing?

Shawn Walking home.

Fratto From where?

Shawn From the bar.

Fratto From where?

Shawn From the bar. Summit Lounge.

Fratto Where'd the bus drop you at?

Fratto Body Camera at 4:40 (emphasis in Fratto's verbal original).

56. Fratto appears to have misunderstood Shawn.

57. Fratto's non sequitur caused Shawn to pause with confusion.

58. Shawn told Fratto the buses were not running.

59. Shawn said, "Seriously, I haven't done nothing. I was just walking home. That's all I'm doing."

60. Fratto repeated his demand that Shawn produce his I.D.

61. At this point in the conversation (if not earlier), a reasonable officer would have been able to recognize that Shawn has intellectual disabilities.

62. Upon information and belief, by this time, Fratto had deduced that Shawn has intellectual disabilities.

63. Fratto's tone became aggressive. His tone suggested that he had lost patience with attempting any kind of resolution through discussion.

64. The conversation continued:

Fratto So we can keep doing this, you can give me your I.D., or I can put you in handcuffs and then I can figure out your identification that way. So what is it gonna be?

Shawn I didn't do anything. I was just walking home. You are following me.

Fratto Yeah.

Shawn That's why I was walking fast.

Fratto Kay. So let me see your I.D.

Shawn I'm sick of cops doing this to me every time I walk home.

Fratto Are you going to give me your I.D. or not?

Fratto Body Camera at 6:30.

65. Fratto called on his radio for assistance.

66. At this time, four minutes had elapsed since Fratto exited his vehicle to detain Shawn.

67. Fratto gave Shawn an ultimatum:

Fratto You committed a crime. I have a legal right to identify you. So—so either you're going to give me your I.D. or I'm going to put you in handcuffs and then I'm going to find your identification anyway. So what is it gonna be?

Shawn Crime. I haven't done a crime.

Fratto No?

Shawn No.

Fratto Kay. Put your hands behind your back then.

Fratto Body Camera at 8:10.

68. Fratto moved toward Shawn.

69. Fratto gave Shawn the instruction to put his hands behind his back at the same time that Fratto moved toward Shawn.

70. Shawn had no time to process what was happening.

71. Shawn was shocked.

72. Shawn did not understand why Fratto was arresting him.

73. Shawn brought his hands up as Fratto lunged at him.



Image 4: Shawn bringing his hands up as Fratto lunged at him. Fratto Body Camera at

74. Fratto grabbed Shawn's right arm.

75. Fratto pulled Shawn's right arm down and behind Shawn's back.

76. Shawn pulled his arms away to try to prevent Fratto from grabbing his arm.

77. At this moment, according to Fratto's own statements, he struggled with Shawn for only a "few seconds".

78. At this moment, Fratto incorrectly believed or claimed to believe that Shawn had committed a nonviolent infraction (jaywalking) and nonviolent misdemeanor (failure to disclose identity).

79. At this moment, Shawn did not pose a risk of serious harm to Fratto or any other officer.

80. At this moment, Shawn did not pose a risk of serious harm to any member of the public.

81. Fratto placed his leg next to Shawn's in order to trip him. Fratto then performed a leg sweep on Shawn.

82. Shawn slammed to the ground landing on his left elbow.

83. Nearly two years before these events, the Tenth Circuit had expressly held that "the use of the takedown maneuver to slam to the ground a nonviolent misdemeanant who poses no immediate threat to the officer or others based on minimal resistance to arrest is unreasonable and constitutes excessive force under the Fourth Amendment." *Surat v. Klamser*, 52 F.4th 1261 (10th Cir. 2022); *id.* at 1277 (holding that Fourth Amendment was violated when officers "us[ed] a takedown maneuver to throw Ms. Surat to the ground while she was resisting arrest for a nonviolent misdemeanor and not posing an immediate danger to Officer Klamser").

84. Fratto moved Shawn's body, so that Shawn was face down on the ground with his left arm pinned under his body.

85. Fratto pulled Shawn's right arm behind his back.

86. Fratto straddled Shawn.

87. Fratto pinned Shawn to the ground.

88. Fratto demanded Shawn's left hand while at the same time pinning Shawn's body to the ground which pinned down Shawn's left arm.

89. Shawn told Fratto, "I haven't done nothing! Let me get up!"

90. Fratto ignored Shawn's statements.

91. Fratto repeated, "Give me your hand. Give me your hand."

92. Clearfield police officer Ethan Michael Brooks presented to the scene.

93. Shawn's left arm was eventually removed from beneath his body and placed in handcuffs behind his back.

94. Shawn's left elbow was cut and bleeding.

[Maybe insert photos of cuts?]

95. Fratto left Shawn on the ground.

96. Fratto rolled Shawn onto his right side and searched Shawn's left pockets, removing Shawn's wallet from a pocket.

97. Fratto rolled Shawn onto his left side and searched Shawn's right pockets, removing a set of keys and a few twenty dollar bills from Shawn's pockets.

98. Fratto ran his fingers inside the band of Shawn's underwear.

99. Responding to Fratto's radio call for backup, two more Clearfield police officers Trevor Hamilton and an unidentified supervisor ("Supervisor") presented to the scene.

100. Fratto helped Shawn to stand up.

101. Fratto took Shawn to sit in the rear passenger-side seat of Fratto's police vehicle.

102. Fratto closed the door to the vehicle leaving Shawn alone in the vehicle.

103. Fratto recounted his encounter with Shawn to the Supervisor. Brooks and Hamilton stood listening.

104. As Fratto reached the end of his story, Fratto said "I figured that his mannerisms were pretty weird. But I did see that he was pretty sweaty, so. I don't know if he's necessarily like on drugs or I guess he's just handicapped."

105. The Supervisor finished Fratto's sentence, saying "handicapped" at about the same time as Fratto.

106. Upon information and belief, the Supervisor finished Fratto's sentence with him because the Supervisor had recognized that Shawn has an intellectual disability. The Supervisor was able to reach this conclusion after less than two minutes of observing Shawn.

107. Shawn was eventually taken out of the police vehicle to be examined and treated by emergency medical personnel.

108. Fratto continued to have discussions with the Supervisor .

109. At one point during these discussions, Fratto muted his body camera.

110. Upon information and belief, Fratto and the Supervisor discussed Fratto's stop of Shawn, identifying that Fratto had made multiple unreasonable mistakes of law, and figuring out a crime with which Fratto could charge Shawn that could justify Fratto's violent, unlawful actions.

111. At 3:52 a.m., Brooks removed the handcuffs from Shawn's wrists.

112. Fratto gave Shawn a citation for interfering with a police officer and released him.

113. Shawn had been in custody for forty-eight minutes before he was released.

114. Fratto later created several records in which he made deliberately false or materially misleading statements. These include a report titled Confidential/Protected Officer Report for Incident C24-10191 (“Report”).

115. In his Report, Fratto included deliberate falsehoods and omissions, including the following:

FALSEHOODS IN FRATTO’S REPORT	TRUTH AS ESTABLISHED BY BODY CAMERA FOOTAGE
As Karl was contacted in the parking lot of Pepper Ridge apartments, he refused to identify himself or explain his suspicious behavior.	This is false. At no point did Fratto ask Shawn to identify himself. Shawn also fully explained his behavior, telling Fratto that he was walking home from Summit Lounge and that he ran because Fratto was following him. Fratto Body Camera at 2:00, 4:40, 6:30.
As I relocated the male now walking north on 1500 E I pulled next to him in my patrol vehicle and observed that he was sweating profusely from his brown and his body language showed similar symptoms of someone under the influence of narcotics, demonstrated by his odd walk and aggravated attitude.	Fratto materially misrepresents the circumstances. First, the temperature was approximately 86 degrees Fahrenheit at that time. Sweating while walking in 86 degree temperatures is not a valid indication that a person is under the influence of narcotics. Fratto also misrepresents Shawn’s attitude. Shawn repeatedly told Fratto to leave him alone, but his demeanor was matter-of-fact not aggravated. It was Fratto who exhibited an aggravated attitude during the encounter.
I demanded the male identify himself under reasonable suspicion the male may have committed a crime or is [sic] the process of committing a crime.	This is false. Fratto never asked Shawn to identify himself. Fratto asked Shawn for his I.D. Furthermore, Fratto lacked any reasonable suspicion that Shawn was in the process of committing a crime at the time of the stop.
As the male stopped, I observed he was still sweating profusely and had a difficult time standing upright as he would stagger his stance and sway lightly side to side.	Fratto’s statements are false. Shawn had no issue standing upright. During their conversation, Shawn sometimes stepped or shifted his stance, in a manner normal for a person standing during a conversation. At other times, Shawn stood without shifting, demonstrating he had no difficulty standing upright. See Body Camera at 03:05:15–03:09:40. Even if Shawn did have difficulty standing upright, then Fratto’s use of force is all the more egregious because it was wholly unnecessary to use such force to subdue a person allegedly struggling to stand.
After the male was also given several warnings that if he did not provide his	Fratto’s statements are false. Shawn did not “blade” his body after several warnings. Shawn had been standing

<p>identification he would be placed into handcuffs until he could be identified, the male again refused as he bladed [<i>sic</i>] the right side of his body away from me and took several steps to walk away again.</p>	<p>with his body at an angle to Fratto for most of their conversation. Nor did Shawn take steps to walk away. Shawn took steps early in the conversation until Fratto told him not to leave. From that point onward, Shawn stood speaking with Fratto, including up until Fratto arrested him. See Fratto Body Camera at 4:00–8:40.</p>
<p>As I conducted a search of the male’s pockets nothing inherently illegal was located however a large amount of cash was located in his rear pants pockets. The male now identified as Karl Nicholas did not elaborate on where he obtained this money, however, he did state he is currently unemployed, raising further suspicion.</p>	<p>This is a misrepresentation. Fratto removed approximately \$30 from Shawn’s pockets. Fratto Body Camera at 12:20. Shawn did not “elaborate” on where he obtained this money because Fratto never asked Shawn about the cash. <i>See generally</i> Fratto Body Camera. Nor did Shawn ever tell Fratto that he was unemployed. Upon information and belief, Fratto fabricated these statements in an effort to substantiate his claim that Shawn was a suspicious character.</p>

116. The Clearfield Police Department later reviewed and ratified Fratto’s actions.

117. On or about November 18, 2025, following significant media coverage and public outcry, the Clearfield Police Department released a statement (“Statement”) regarding Fratto’s July 25, 2024 encounter with Shawn.

118. The Statement stated that the Clearfield Police Department had conducted a review of the incident which included an “examination of police reports, body-worn camera footage, and in-car camera footage.”

119. The Statement ratified Fratto’s use of force as “justified.”

120. The Statement contained deliberately false or materially misleading statements, including the following:

<p>FALSEHOODS IN THE STATEMENT</p>	<p>TRUTH AS ESTABLISHED BY BODY CAMERA FOOTAGE</p>
<p>The male individual in question failed to respond to Officer Fratto’s initial requests to stop and continued walking away from Officer Fratto</p>	<p>This is false. Fratto never asked Shawn to stop until after Shawn had crossed the street to his apartment complex. When Fratto ordered Shawn to stop, Shawn stopped.</p>

despite his making numerous clear and repeated requests to stop.	
The male refused to show his identification as required under Utah Code Annotated 77-7-15.	This statement misrepresents both the law and the facts of the encounter. Utah Code § 77-7-15 states that a peace officer has authority to demand that a person in a public place who is suspected of a crime provide their name, address, date of birth, and explanation of their actions.. Even assuming Fratto had reasonable suspicion to make this demand, he did not make it. Instead Fratto demanded Shawn’s I.D. which Shawn was under no obligation to provide.
The male actively resisted arrest by pulling his hands away from Office [sic] Fratto and defying his lawful commands.	This misrepresents Officer Fratto’s commands as lawful, when in fact Officer Fratto’s commands and arrest were unlawful.

121. The criminal citation against Shawn was filed on July 26, 2024.

122. Shawn’s intellectual disability prevents him from working, so he could not afford a criminal attorney. A public defender was appointed to assist Shawn.

123. Clearfield City filed a motion to dismiss the charge against Shawn.

124. The court granted the motion on October 9, 2024, and the criminal charge against Shawn was dismissed.

125. Shawn was injured as a result of his encounter with Fratto. Shawn’s left arm was scraped badly and his left shoulder continued to hurt for months afterward.

126. Shawn has continued to experience fear, anxiety, and frustration as a result of the unlawful detention, arrest, and excessive force he suffered at the hands of Fratto.

127. Shawn no longer feels safe walking home.

128. Shawn did not walk home for the rest of the summer.

129. Shawn has retained experienced civil rights counsel to pursue an action arising out of the July 25, 2024, events.

130. Defendants' unlawful actions caused Shawn to incur damages which shall be delineated in accordance with the Federal Rules of Civil Procedure and which Shawn is entitled to recover.

131. Shawn is further entitled to attorney fees and expenses pursuant to 42 U.S.C. § 1988, pre-judgment interest, and costs as allowable by federal law.

FIRST CAUSE OF ACTION

*Constitutional violations remediable under 42 U.S.C. § 1983
(Defendant Fratto)*

132. Plaintiff incorporates by reference all other paragraphs of this Complaint, as if fully set forth herein.

133. At all times relevant hereto and in performance of the acts set forth herein, Defendant Fratto acted under color of state law.

134. At all times relevant hereto, and in the performance of the acts set forth herein, Defendant Fratto actively, knowingly, and personally caused the violation of Shawn's of constitutional rights as described above.

135. Defendant Fratto's conduct, as alleged herein, subjected Shawn to the deprivation of his rights protected under the Fourth and Fourteenth Amendments to the United States Constitution, including unreasonably detaining and arresting Shawn, searching and seizing Shawn without probable cause; and using excessive use of force against Shawn.

136. As described above, Defendant Fratto made false statements and omitted material information for the purpose of attempting to justify his unlawful actions.

137. Defendant Fratto's actions as alleged herein are the proximate cause of Shawn's damages.

138. Defendant is liable for all these federal constitutional violations under 42 U.S.C. § 1983.

SECOND CLAIM FOR RELIEF

*Constitutional violations remediable under 42 U.S.C. § 1983
(Defendant Clearfield City)*

139. Plaintiff incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

140. At the time of the events alleged herein, Clearfield City knew, or should have known, that it was unconstitutional to use this type of leg sweep takedown of a minimally resisting nonviolent misdemeanor.

141. Clearfield City knew, or should have known, that the takedown method used is dangerous and has a substantial likelihood of causing serious injury to the subject.

142. Upon information and belief, after the Tenth Circuit’s ruling in 2022, Clearfield City did not revise its policies, supervision, or training to ensure that this dangerous takedown method was not used under these circumstances. Facts supporting this belief include the absence of any discipline despite admission of its use in Fratto’s reports; body camera footage; the Clearfield Police Department Statement regarding Fratto’s July 25, 2024 use of force, department review of the same, and concluding the force “justified”.

143. Clearfield City acted with deliberate indifference toward Shawns’s rights and that of others in like circumstances.

144. Clearfield City’s policies and practices as described herein were a cause of the violation of Shawn’s rights and his injuries.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues for which a jury is permitted.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- A. Economic and noneconomic damages as provided under applicable law and deemed appropriate by a jury;
- B. Attorney fees and litigation expenses pursuant to 42 U.S.C. § 1988 and as provided under applicable law;
- C. Costs as provided under applicable law;
- D. Pre-judgment and post-judgment interest as provided under applicable law.
- E. Other declaratory, injunctive, or equitable relief as deemed appropriate.

DATED this 5th day of June, 2025.

CHRISTENSEN & JENSEN, P.C.

/s/ John M. Mejía

Karra J. Porter

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Anna P. Christiansen

Attorneys for Plaintiffs

Plaintiff's address:

In care of CHRISTENSEN & JENSEN, P.C.