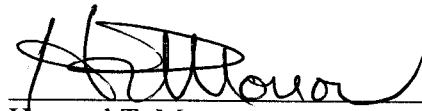


ATTORNEYS FOR DEFENDANTS
THE BOARD OF COUNTY
COMMISSIONERS FOR THE
COUNTY OF POTTAWATOMIE
COUNTY, *ex rel.* SHERIFF OF
POTTAWATOMIE COUNTY AND
DAVID DEWITT, in his individual
capacity

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2023, I submitted this pleading by U.S. Mail, postage prepaid, to:

Alan M. Taylor
PALMER LAW
1609 Arlington
Ada, OK 74820
taylor@callpalmer.com
ATTORNEY FOR PLAINTIFF



Howard T. Morrow

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

MATTHEW LIGON and)
APRIL LIGON,)

Plaintiffs,)

v.)

(1) THE BOARD OF COUNTY)
COMMISSIONERS FOR THE COUNTY OF)
POTTAWATOMIE COUNTY *ex rel.*)
SHERIFF OF POTTAWATOMIE COUNTY,)

(2) DAVID DEWITT, in his individual)
capacity,)

Defendants.)

Case No. CIV-23-90-HE

JURY TRIAL DEMANDED

NOTICE AND PETITION OF REMOVAL

Defendants Board of County Commissioners for the County of Pottawatomie County, *ex rel.* Sheriff of Pottawatomie County, and David DeWitt, in his individual capacity, hereby give notice of their removal of the action currently pending in the District Court of Pottawatomie County, State of Oklahoma, pursuant to 28 U.S.C. §1441 *et seq.*, Fed. R. Civ. P. 81(c), and Local Rules 81.1 and 81.2 of the United States District Court for the Western District of Oklahoma. In support of this Notice and Petition of Removal, Defendants provide to the Court as follows:

1. The captioned proceeding was filed in the District Court of Pottawatomie County, State of Oklahoma, on January 6, 2023, and is styled Matthew Ligon and April Ligon v. (1) The Board of County Commissioners for the County of Pottawatomie County,

ex rel. Sheriff of Pottawatomie County, (2) David DeWitt, in his individual capacity, Case No. CJ-2023-8.

2. The Defendants were served with process on or about January 12, 2023. An Answer or responsive pleading is due. No Answer or responsive pleading has been filed in the state court proceedings. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446.

3. The United States District Court for the Western District of Oklahoma has original subject matter jurisdiction of this case pursuant to 28 U.S.C. §1331. More specifically, Plaintiffs allege in their Petition that they were deprived of their rights in violation of the Fourth and Fifth Amendments to the Constitution of the United States. Additionally, the United States District Court for the Western District of Oklahoma has pendant jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1367.

4. Pursuant to 28 U.S.C. § 1446 and LCvR 81.2, the following exhibits are attached:

- Exhibit 1 – State Court Docket Sheet
- Exhibit 2 – Petition
- Exhibit 3 – Return of Service for Defendant Board
- Exhibit 4 – Return of Service for Defendant DeWitt

5. As stated above, a copy of the most-recently available docket sheet in the state court action, along with copies of all other documents filed in the state court action are attached hereto marked as Exhibits 1 – 4 and made a part hereof. At this time, Defendants have inquired of the Clerk of the District Court of Pottawatomie County, and there are presently no motions filed or pending in state court at the time of removal.

6. By removal, Defendants hereby reserve and do not waive any rights to assert, or the protection of, any available constitutional, statutory, common law, or other provision that does, might, or could limit the Court's jurisdiction of the allegations in the State Petition or any proposed amendment thereto, including allegations of entitlement to relief thereunder, including, but not limited to, the Tenth and Eleventh Amendment or any other sovereign immunity. *See Neiberger v. Hawkins*, 70 F.Supp.2d 1177 (D.Colo. 1999). This removal in no way waives the right to immunity from liability retained by Defendants with regard to all claims. *Trant v. Oklahoma*, 754 F.3d 1158 (10th Cir. 2014).

7. Pursuant to 28 U.S.C. § 1446(d), Defendants are providing notice of this Removal to the Plaintiff and filing a copy of the Notice of Removal with the Clerk of the District Court of Pottawatomie County.

WHEREFORE, Defendants Board of County Commissioners for the County of Pottawatomie County, *ex rel.* Sheriff of Pottawatomie County, and David DeWitt, in his individual capacity, respectfully request that this action be removed from the District Court of Pottawatomie County, State of Oklahoma to the United States District Court for the Western District of Oklahoma, and for such other and further relief as this Court deems proper under the circumstances.

Respectfully submitted,

s/ Howard T. Morrow

Howard T. Morrow, OBA No. 32650
Jamison C. Whitson, OBA No. 18490
COLLINS, ZORN, & WAGNER, PLLC
429 N.E. 50th Street, Second Floor
Oklahoma City, OK 73105-1815
Telephone: (405) 524-2070
Facsimile: (405) 524-2078
E-mail: htm@czwlaw.com
jcw@czwlaw.com

ATTORNEYS FOR DEFENDANTS
THE BOARD OF COUNTY
COMMISSIONERS FOR THE
COUNTY OF POTTAWATOMIE
COUNTY, *ex rel.* SHERIFF OF
POTTAWATOMIE COUNTY AND
DAVID DEWITT, in his individual
capacity

CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2023, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Alan M. Taylor
PALMER LAW
1609 Arlington
Ada, OK 74820
taylor@callpalmer.com
ATTORNEY FOR PLAINTIFF

s/ Howard T. Morrow
Howard T. Morrow



OKLAHOMA
State Courts Network

The information on this page is NOT an official record. Do not rely on the correctness or completeness of this information. Verify all information with the official record keeper. The information contained in this report is provided in compliance with the Oklahoma Open Records Act, 51 O.S. 24A.1. Use of this information is governed by this act, as well as other applicable state and federal laws.

IN THE DISTRICT COURT IN AND FOR POTTAWATOMIE COUNTY, OKLAHOMA

MATTHEW LIGON, ET. AL. V. THE BOARD OF COUNTY COMMISSIONERS, ET. AL.

No. CJ-2023-00008
(Civil relief more than \$10,000: MONEY JUDGMENT (\$10,000.00 AND OVER))

Filed: 01/06/2023

Judge: CANAVAN, JOHN G. JR.

PARTIES

THE BOARD OF COUNTY COMMISSIONERS, Defendant
LIGON, MATTHEW, Plaintiff
DEWITT, DAVID, Defendant
LIGON, APRIL, Plaintiff

ATTORNEYS

Attorney

TAYLOR, ALAN M
PALMER LAW
1609 ARLINGTON
ADA , OK 74820

Represented Parties

EVENTS

None

ISSUES

1. MONEY JUDGMENT (\$10,000.00 AND OVER)

DOCKET

Date	Code	Description	Party	Count	Amount
01-06-2023	[TEXT]				\$ 163.00
		FILE PETITION (OVER \$10,000.)			
		Document Available (#CC23011000000372) <input type="checkbox"/> TIFF <input checked="" type="checkbox"/> PDF			
		(Entry with fee only)			\$ 6.00
		(Entry with fee only)			\$ 7.00
		OKLAHOMA COURT INFORMATION SYSTEM FEE - EFFECTIVE 07/01/04			\$ 25.00
		LENGTHY TRIAL FUND			\$ 10.00
		OK COURT APPOINTED SPECIAL ADVOCATES			\$ 5.00
		10% OF CASA TO COURT CLERK REVOLVING FUND			\$ 0.50
		OK COUNCIL ON JUDICIAL COMPLAINTS REVOLVING FUND			\$ 1.55
		10% OF COJC TO COURT CLERK REVOLVING FUND			\$ 0.16
		STATE JUDICIAL REV. FUND INTERPRETER & TRANSLATOR SERVICES			\$ 0.45
		COURTHOUSE SECURITY FEE			\$ 10.00
		10% OF CHSC TO COURT CLERK REVOLVING FUND			\$ 1.00
		15% TO DISTRICT COURT REVOLVING FUND			\$ 2.48
		COURT CLERK PRESERVATION FUND			\$ 10.00
01-06-2023	[TEXT]				\$ 20.00
		ISSUE SUMMONS			
01-23-2023	[TEXT]				
		FILE RETURN OF SERVICE- THE BOARD OF COUNTY			
		Document Available (#CC23012600000621) <input type="checkbox"/> TIFF <input checked="" type="checkbox"/> PDF			
		COMMISSIONERS, 1-12-23			
01-23-2023	[TEXT]				
		FILE RETURN OF SERVICE- DAVID, SERVED 1-12-23			
		Document Available (#CC23012600000622) <input type="checkbox"/> TIFF <input checked="" type="checkbox"/> PDF			

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY

FILED
IN THE DISTRICT COURT

STATE OF OKLAHOMA

JAN 06 2023

MATTHEW LIGON and)
APRIL LIGON,)
Plaintiffs,)

POTTAWATOMIE COUNTY, OK
VALERIE N. UELTZEN, COURT CLERK
BY *Alan M. Taylor*

vs.)

Case No. CJ-23-8

(1) THE BOARD OF COUNTY)
COMMISSIONERS FOR THE COUNTY OF)
POTTAWATOMIE COUNTY *ex rel*)
SHERIFF OF POTTAWATOMIE COUNTY,)
(2) DAVID DEWITT, in his individual capacity,)
Defendants.)

ATTORNEY'S LIEN CLAIMED
JURY TRIAL DEMANDED

PETITION

COMES NOW Matthew Ligon and April Ligon, Plaintiffs, by and through their attorney of record, Alan M. Taylor of Palmer Law PLC, and for his causes of action against Defendants, upon information and belief, allege as follows.

JURISDICTION

1. Plaintiffs are and were at all relevant times herein, a resident of Pottawatomie County, State of Oklahoma.
2. Defendant, Board of County Commissioner for the County of Pottawatomie County is a political subdivision of the State of Oklahoma which is located in Pottawatomie County.
3. Upon information and belief, Defendant David Dewitt ("Deputy Dewitt" or "Dewitt") is a resident of Pottawatomie County, and at all times described herein, Deputy Dewitt was employed by the Pottawatomie County Sheriff's Department and was acting within the scope of his employment and under color of law. Deputy Dewitt is sued in his individual capacity for his personal involvement and participation in the violation of Plaintiff's rights, while acting under color of State law, as set forth herein.

4. Actions and damages complained of herein occurred in Pottawatomie County, State of Oklahoma.

5. Plaintiffs complied with the statutory provisions of the Oklahoma Governmental Tort Claims Act, 51 O.S. § 151 *et seq.* (hereinafter GTCA) by filing a Notice of Claim on May 4, 2022. The Notice of Claim was deemed denied on August 2, 2022, and this action is brought within One-Hundred Eighty (180) days from the rejection of said claim pursuant to the GTCA.

PLAINTIFF'S CAUSES OF ACTION

6. Plaintiffs incorporate paragraphs 1-5 herein by reference.

7. On or about the afternoon of November 3, 2021, while acting in his official capacity, Officer David Dewitt (hereinafter "Dewitt") of the Pottawatomie County Sheriff's Department was attempting to serve a search warrant on a third-parties residence.

8. However, Dewitt wrongfully served Plaintiffs' residence.

9. Dewitt shot two dogs owned by Plaintiffs.

10. Dewitt's shooting of the two dogs resulted in death to the first dog, and serious injury to the second dog.

11. Dewitt's wrongful acts and/or omissions described herein above were reckless, intentional, and/or malicious.

12. Dewitt's wrongful acts and/or omissions described herein above were in violation of Plaintiff's Fourth Amendment right to be free from unreasonable searches and seizures.

13. Dewitt's wrongful acts and/or omissions described herein above were negligence, conversion, trespass to chattel, intentional and/or negligent infliction of emotional distress, and a taking under the Fifth Amendment of the United States Constitution.

14. Therefore, due to Dewitt's wrongful acts and/or omissions described herein above, Plaintiff demands \$175,000.00 (or the maximum amount currently allowable under 51 O.S. § 154,

whichever is greater) as satisfaction of his claims and causes of action for injuries; physical, mental, past, present and future as a result of this incident.

15. Moreover, Plaintiffs demand \$25,000.00 (or the maximum amount currently allowable under 51 O.S. § 154, whichever is greater) as satisfaction of his claims and causes of action for loss of property.

PUNITIVE DAMAGES

16. Plaintiffs incorporate paragraphs 1-15 herein by reference.

17. Pursuant to 23 O.S. § 9.1, Plaintiffs are also entitled, if warranted by the Court, to an additional sum of punitive damages designed to punish Defendants, serve as warning to others, and deter similar conduct, based upon the severity of the conduct and the wealth of Defendants.

WHEREFORE, the Plaintiffs, Matthew Ligon and April Ligon, pray that this Court enter judgement against the Defendants in the amount of \$200,000.00, (or the maximum amount currently allowable under 51 O.S. § 154, whichever is greater) together with costs, interest, and any other relief which this Court deems just and reasonable.

Respectfully Submitted,



Alan M. Taylor, #35351
PALMER LAW
1609 Arlington
Ada, OK 74820
(405)885-0890
taylor@callpalmer.com

ATTORNEY FOR PLAINTIFF

BRANDON BARTON P.I., PRIVATE PROCESS SERVER, THE VERITAS AGENCY
1515 E. Main Street, #307, Weatherford, OK 73096 #PSS-2020-4

RETURN OF SERVICE

**MATTHEW LIGON, and
APRIL LIGON**
Plaintiff(s)/Petitioner
(1) THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF POTTAWATOMIE COUNTY ex rel
vs. SHERIFF OF POTTAWATOMIE COUNTY,
(2) DAVID DEWITT, in his individual capacity,
Defendant(s)/Respondent

CASE NUMBER: CJ-23-8
COUNTY: POTTAWATOMIE

FILED
IN THE DISTRICT COURT

JAN 23 2023

POTTAWATOMIE COUNTY OK
VALERIE N. JETZEN, COURT CLERK
BY [Signature] COUNTY DEPUTY

AFFIDAVIT OF SERVICE OF PROCESS BY BRANDON BARTON

STATE OF OKLAHOMA)
) ss:
COUNTY OF POTTAWATOMIE)

I, Brandon Barton, of lawful age, being duly sworn upon oath, depose and state: That I am a licensed by make service of process in civil cases in Oklahoma. On 01/10/2023 I received the following documents:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Summons with Petition | <input type="checkbox"/> Citation for Contempt |
| <input type="checkbox"/> Summons & Notice of Automatic Temporary Injunction | <input type="checkbox"/> Application for Citation |
| <input type="checkbox"/> Petition for Dissolution of Marriage | <input type="checkbox"/> Motion for Contempt Citation |
| <input type="checkbox"/> Small Claims Affidavit and Order | <input type="checkbox"/> Indirect Contempt Citation |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Application for Temporary Order |
| <input type="checkbox"/> Subpoena Duces Tecum | <input type="checkbox"/> Motion to Modify Child Visitation and Child Support |
| <input type="checkbox"/> Petitioner's Application for Temporary Orders | <input type="checkbox"/> Notice of Hearing |
| <input type="checkbox"/> Order and Notice of Temporary Order Hearing | <input type="checkbox"/> Entry of Appearance |
| <input type="checkbox"/> Other: _____ | |

And that said process was served as follows:

PERSONAL SERVICE: By delivering a true and correct copy of said process to:

At: _____
On: _____

AT USUAL PLACE OF RESIDENCE: By leaving a true and correct copy of said process for _____ with _____, a resident fifteen years of age or older, at _____, which is his/her usual place of residence on _____.

CORPORATION OR PARTNERSHIP, ETC: By delivering a true and correct copy of said process to THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF POTTAWATOMIE CO. at 309 N. BROADWAY AVE, SHAWNEE, OK 74801 by serving ALTEA THOMAS, being a representative of the business or entity on 01/12/2023 at approx. 11:09.

NOT FOUND: I certify that on _____ I attempted to serve _____ at _____ with private process by personally delivering a copy of _____, but was unable to locate or find _____ at _____. I further state that I was unable to locate or find (if applicable) an officer or general agent of _____ at _____. Reason: _____

[Signature] 01/13/2023
Private Process Server Date

Subscribed and sworn to before me this 13 day of January, 2023.

[Signature]
Notary Public

TASHA DAWN PARKS
Notary Public, State of Oklahoma
Commission # 22006216
My Commission Expires 05-03-2028

5-3-26
My Commission Expires

65.00 Mileage: \$159.75 Total: \$224.75

BRANDON BARTON P.I., PRIVATE PROCESS SERVER, THE VERITAS AGENCY
1515 E. Main Street, #307, Weatherford, OK 73096 #PSS-2020-4

RETURN OF SERVICE

**MATTHEW LIGON, and
APRIL LIGON**

CASE NUMBER: CJ-23-8

Plaintiff(s)/Petitioner

(1) THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF POTTAWATOMIE COUNTY ex rel
vs. SHERIFF OF POTTAWATOMIE COUNTY,
(2) DAVID DEWITT, in his individual capacity.

COUNTY: POTTAWATOMIE

Defendant(s)/Respondent

AFFIDAVIT OF SERVICE OF PROCESS BY BRANDON BARTON

STATE OF OKLAHOMA)

) ss:

COUNTY OF POTTAWATOMIE)

FILED
IN THE DISTRICT COURT

JAN 23 2023

POTTAWATOMIE COUNTY, OK
VALERIE MULLEN, COURT CLERK
BY [Signature] DEPUTY

I, Brandon Barton, of lawful age, being duly sworn upon oath, depose and state: That I am a licensed by CUSTER County to make service of process in civil cases in Oklahoma. On 01/10/2023 I received the following documents:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Summons with Petition | <input type="checkbox"/> Citation for Contempt |
| <input type="checkbox"/> Summons & Notice of Automatic Temporary Injunction | <input type="checkbox"/> Application for Citation |
| <input type="checkbox"/> Petition for Dissolution of Marriage | <input type="checkbox"/> Motion for Contempt Citation |
| <input type="checkbox"/> Small Claims Affidavit and Order | <input type="checkbox"/> Indirect Contempt Citation |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Application for Temporary Order |
| <input type="checkbox"/> Subpoena Duces Tecum | <input type="checkbox"/> Motion to Modify Child Visitation and Child Support |
| <input type="checkbox"/> Petitioner's Application for Temporary Orders | <input type="checkbox"/> Notice of Hearing |
| <input type="checkbox"/> Order and Notice of Temporary Order Hearing | <input type="checkbox"/> Entry of Appearance |
| <input type="checkbox"/> Other: _____ | |

And that said process was served as follows:

PERSONAL SERVICE: By delivering a true and correct copy of said process to:

At: DAVID DEWITT
POE: ELITE PROTECTION SERVICES
222 E SHERIDAN AVE, STE 7, OKLAHOMA CITY, OK 73104
On: 01/12/2023 at approx 12:01.

AT USUAL PLACE OF RESIDENCE: By leaving a true and correct copy of said process for _____ with _____, a resident fifteen years of age or older, at _____, which is his/her usual place of residence on _____.

CORPORATION OR PARTNERSHIP, ETC: By delivering a true and correct copy of said process to _____ at _____ by serving _____, being a representative of the business or entity on _____.

NOT FOUND: I certify that on _____ I attempted to serve _____ at _____ with private process by personally delivering a copy of _____, but was unable to locate or find _____ at _____. I further state that I was unable to locate or find (if applicable) an officer or general agent of _____ at _____. Reason: _____

[Signature] 01/13/2023
Private Process Server Date

Subscribed and sworn to before me this 13 day of January, 2023.

Tasha Dawn Parks
Notary Public

3.26
My Commission Expires



Mileage: \$ _____ Total: \$ 65.00

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

MATTHEW LIGON AND APRIL LIGON

(b) County of Residence of First Listed Plaintiff Pottawatomie
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Alan M. Taylor, OBA No. 35351, PALMER LAW, 1609 Arlington, Ada, OK 74820, (405) 885-0890

DEFENDANTS

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF POTTAWATOMIE COUNTY, EX REL. SHERIFF OF POTTAWATOMIE COUNTY AND DAVID DEWITT

County of Residence of First Listed Defendant Pottawatomie
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
Howard T. Morrow, Collins, Zorn & Wagner, PLLC, 429 N.E. 50th Street, 2nd Floor, OKC, OK 73105, (405) 524-2070

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Violation of the Fourth & Fifth Amendments to the U.S. Constitution

Brief description of cause:
unreasonable search and seizure and unlawful taking

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE: 01/27/2023 SIGNATURE OF ATTORNEY OF RECORD: s/ Howard T. Morrow

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____