

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

DELBERT ELMER SGAGGIO JR; and

ZAIN AGUILERA VALDEZ

Plaintiffs

Vs

KEELEY DEBACK; IN PROFESSIONAL AND PERSONAL CAPACITY.

MICHAEL ALLEN; IN PROFESSIONAL AND PERSONAL CAPACITY.

BRIEN CECIL; IN PROFESSIONAL AND PERSONAL CAPACITY.

WAYNE LAMBERT; IN PROFESSIONAL AND PERSONAL CAPACITY.

KEITH WREDE; IN PROFESSIONAL AND PERSONAL CAPACITY.

ADRIAN VASQUEZ; IN PROFESSIONAL AND PERSONAL CAPACITY.

COMMANDER DOUGLAS TRAINER; IN PROFESSIONAL AND PERSONAL
CAPACITY.

TIMOTHY STANKEY; IN PROFESSIONAL AND PERSONAL CAPACITY.

COMPLAINT AND JURY DEMAND

1. Plaintiffs, Pro se Zain Aguilera – Valdez, and Delbert Sgaggio; respectfully bring this COMPLAINT AND JURY DEMAND,

INTRODUCTION

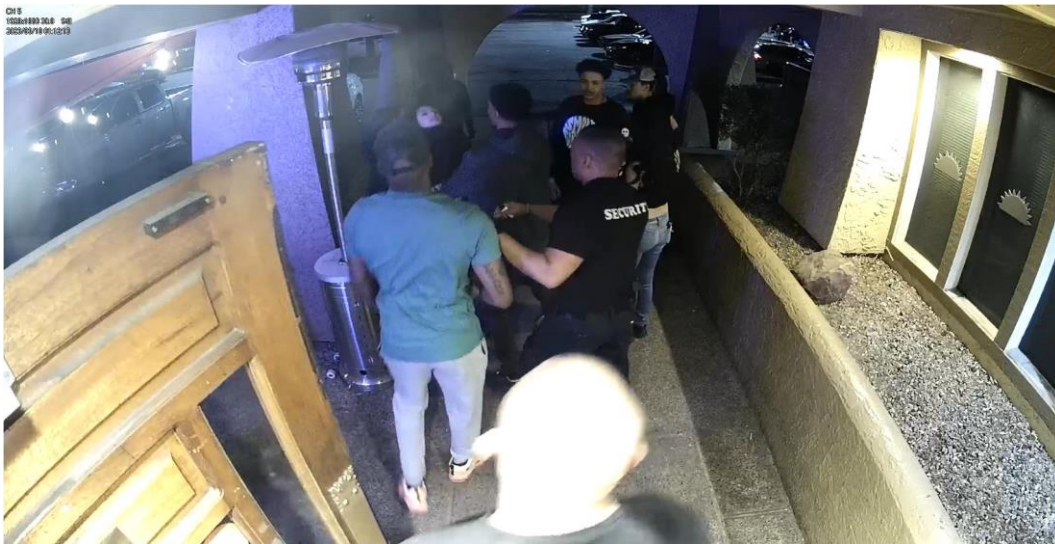
2. Imagine being a Father, and you find out an officer; is lying and trying to frame your son. The evidence; that you have against this officer, is it actual audio recording and it shows, without any doubt that this officer is not only deviating from the truth; but he's also leaving out material fact.
3. You then bring this up to the District Attorney who is prosecuting your son. You also file internal affairs complaints with CSPD.
4. The District Attorney does absolutely nothing; in fact Keeley Deback begins to suppress the witness, who was the actual victim of the crime. So you then contact her supervisor, who tells you on the phone; of course he would want to hear from all the witnesses. Yet he also suppresses the witness. So then you go to the head District Attorney; Michael Allen: Four times in writing; the witness has requested to speak with an investigator: all of these requests are suppressed by members of the District Attorney's office.

5. The internal affairs complaint comes back unfounded; even though video and audio recordings; show that multiple CSPD detectives are committing perjury. Then the command staff; supervisors of CSPD; also suppresses the witness.
6. There can be no fair legal process; when top level supervisors in the El Paso District attorney's office, conspire; with the top-level supervisors of CSPD to suppress exculpatory evidence of Zain Aguilera's – Valdez's innocence.
7. Preslee Rodriguez is the person Mr. Valdez's was defending on the night in question. She is the mother of his child; and his girlfriend, at the time. She can be seen below being choke; by a security guard who was off duty, drinking, watching the basketball game.



8.

9. The next two pictures show Preslee Rodriguez; being place in a chokehold by Alexis Palmer, Mrs Rodriguez was then slammed, to the ground by Alexis Palmer. Detectives stated; Mrs. Rodriguez was the one attacking Palmer based on the video.



10.



11.

12. All defendants (Except Lambert city of Colorado Springs and El Paso county board of County Commissioners) conspired and would not allow Presley Rodriguez; to speak to District Attorney nor CSPD investigators. Mrs. Rodriguez did speak to an investigator with the US army. The result was the individual; who was choking her, in the first picture was discharged from the military under unhonorable conditions. Granillo and Lambert Commit perjury and falsified documents; video and audio recording prove this.

13. As a Father; I cannot tell you the nightmare; that my family has lived through.

None of these supervisors nor police officers should have a career in the justice system. All Defendant's actions we're so perverted; and repulsive that they shock the conscience of humanity. Every last one of them deserves to be on the Brady list.

14. Introduction is the views of Delbert Sgaggio.

JURISDICTION AND VENUE

15. This action arises under the Constitution of the United States, pursuant to 42 U.S.C. § 1983 and Colorado Law. This Court has jurisdiction under 28 U.S.C. § 1331. Venue is proper pursuant to 28 U.S.C. § 1391. All parties reside within the District of Colorado, and the events described in this Complaints occurred in the District of Colorado.

PARTIES

16. Plaintiffs, ZAIN AGUILERA – VALDEZ, AND DELBERT SGAGGIO are and were, at all times relevant here to, residents of the County of El Paso, State of Colorado, residing in Colorado Springs Colorado.

17. At all times relevant here to, Defendants(s): WAYNE LAMBERT, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY. are and were, at all times relevant here to, residents of the County of El Paso, State of Colorado, residing in Colorado Springs Colorado, and were acting UNDER COLOR OF LAW.

18. Defendant Keeley Deback, was the prosecutor, Michael Allen and Brien Cecil were acting a supervisors; conducting administrative duties. All are employees of

the 4th judicial District Attorney's office, and were working under the Color of law and working as investigators. The case never made it to trial. Mr. Valdez took a plea deal.

Factual Allegations

19. On 3/18/2023, at New Havana Grill and Bar near North Academy Boulevard Mr. Valdez and his then girlfriend and mother of his child celebrated Preslee Rodriguez's 19th birthday.

20. Preslee Rodriguez was physically removed from the bar. During the removal she was physically choked; a victim of unlawful sexual contact, by individuals who were not security staff. All of this was captured by video surveillance both inside and outside of the club.

21. During this time Mr. Valdez was trying to stop the assault on Mrs. Rodriguez. Mr. Valdez was assaulted, by multiple armed security; staff and others, for trying to help his girlfriend.

22. Mr. Valdez's girlfriend Preslee Rodriguez's was choked unconscious multiple times; slammed into the concrete, picked up by her neck and thrown onto the hood of a car. A very large man then jumped on top of Mr. Valdez's girlfriend, she screamed help me and I can't breathe. Mrs. Rodriguez then went limp.

23. As security staff began to draw their weapons, Mr. Valdez acted in self-defense. He shot two individuals who were assaulting him and others in his party. Mr. Valdez felt his Girlfriend would die if he did not use his firearm.

24. A criminal investigation took place.

Fabricated evidence

25. During that criminal investigation, CSPD officers; JOHN GRANILLO, and WAYNE LAMBERT falsified documents and lied under oath to a Judge.

26. On April 5, 2023 Mr. Sgaggio and Mrs. Rodriguez contacted defendant Lambert via phone during this call Mr. Sgaggio used an app to record the conversation.

27. Mr. Sgaggio was concerned that video; of the incident was being destroyed, and that was the reason for contacting the detective.

28. During the conversation Mrs. Rodriguez; spoke to how she was assaulted on the night in question.

29. After the conversation Defendant Lambert; falsified documents and wrote that Mr. Sgaggio stated in the phone call. "He stated his son shot in self defense". Defendant Lambert also left out all the details about the Assault that happened on Mrs. Rodriguez. This was document in a written Narrative.

30. The audio recording shows that Defendant Lambert not only deviated from the truth; but suppressed exculpatory evidence; that was Material to Mr. Valdez's innocence.

31. JOHN GRANILLO, applied for a search warrant and WAYNE LAMBERT applied for an arrest warrant in concerns with Mr. Valdez's criminal case. Both used the same statement when they swore in front of the judge:

- a. ‘While being escorted out Ms. Preslee Marie Rodriguez attempted to strike one of the security staff, Ms. Alexis Palmer. Ms. Rodriguez was subdued by a second member of the security staff a Mr. Kristopher Simmons. A third security staff member Mr. Jan Karlo Cruz Lopez also assisted. This physical subduing upset the other members of this six-person group. Mr. Arthur Maples an off-duty member of the security staff was standing outside in the entry way. Maples is observed assisting the other employees. Lisa Padilla, and Erwin Rin, joined in also assisting the above security staff move the six from the entryway of the Havana Grill. The security staff continue to struggle, escorting the six evicted persons and start to push and pull on each other and move to the left of the walkway.’”
32. Video evidence shows that the statement above was a deviation from the truth.
33. The search warrant affidavit is a falsified document fabricated by Defendant Granillo.
34. The Arrest warrant affidavit is a falsified document fabricated by Defendant Lambert.

35. False Narrative of the Phone call with Delbert Sgaggio is fabricated evidence by Defendant Lambert.

Internal affairs complaints and requests to speak with an investigator.

36. On or around November 17th 2023, Mr. Sgaggio; and Mrs. Rodriguez, filed an internal affairs complaint against Wayne Lambert; in concerns with Mr. Lambert falsifying documents. In that complaint Mrs. Rodriguez also asked to speak with an investigator.

37. KEITH WREDE conducted the investigation and determined that the complaint was unfounded. Mrs. Rodriguez's request to speak to an investigator was denied. KEITH WREDE made untruthful statements also knowingly omitted a material fact on an official criminal justice record, during an internal affairs investigation.

38. TIMOTHY STANKEY and Commander Douglas Trainer; are supervisor's that did review the complaint & signed off on it. Both allowed the suppression of

Exculpatory evidence. Both denied; Mrs. Rodriguez requests to give statement to investigators.

39. On or around November 28th 2023, Mr. Sgaggio; and Mrs. Rodriguez, filed an internal affairs complaint against John Granillo and other officers; in concerns with Mr. Granillo, falsifying documents and other officers violating the 1st Amendment rights of the Sgaggio Family. In that complaint Mrs. Rodriguez also asked to speak with an investigator.

40. KEITH WREDE; conducted the investigation; and determined that the complaint was unfounded. Mrs. Rodriguez's request to speak to an investigator was denied. Keith Wrede also concealed the officers who violated the First Amendment; out of his findings in concerns with the internal affairs complaint.

41. TIMOTHY STANKEY and Commander Douglas Trainer; are supervisor's that did review the complaint & signed off on it. Both allowed the suppression of Exculpatory evidence. Both denied; Mrs. Rodriguez requests to give statement to investigators.

42. Delbert Sgaggio spoke to Commander Douglas Trainer on the phone 2/28/2025.

Commander Douglas Trainer confirmed that he did review all internal affairs complaints filed by Delbert Sgaggio.

Colorado's 4th Judicial District Attorney's Office

43. When Preslee Rodriguez contacted, Keeley Deback Mrs, Rodriguez request that charges be brought against the individuals, who on the night in question did commit second degree assault against Preslee Rodriguez. This put Keeley Deback; and her supervisors back in an investigative capacity. Specifically in the preliminary investigative state; since charges had not yet been filed, against those who assaulted Mrs Rodriguez.

44. Mr. Sgaggio also called Brien Cecil, and emailed Brien Cecil complaints. The phone conversation was recorded by Mr. Sgaggio. During that conversation; Mr. Sgaggio explained how Mrs Rodriguez was the victim; and her access to make statements to a DA investigator is being suppressed by Keeley Deback. Mr. Sgaggio also brought up the fabrication of evidence; by officer Lambert and the perjury committed by officer Granillo. Mr. Sgaggio wanted charges brought against the officers who committed perjury; and charges to be brought against those who committed second degree, assault against Mrs. Rodriguez. The call was a complaint, and a request for an investigation and criminal charges to be brought

against multiple individuals. During this call Mr. Cecil was engaged in administrative and or investigative tasks, of crimes that were separate from the judicial process of prosecuting Mr. Valdez.

Request to speak to District Attorney investigator on 9/20/2023 made by Preslee Rodriguez to District Attorney Keeley Deback.

45. Mrs. Rodriguez; gave the District Attorney, a detailed account of what happened in the night in question, and made it clear that she was a victim, and wished to press charges. District Attorney Keeley Deback; suppressed Mrs. Rodriguez's access to make statements to an investigator. This request put Mrs. Deback in a preliminary investigative state; regarding the men that assaulted Mrs. Rodriguez. This contact put Mrs. Deback in a capacity; that is the same as a police investigator conducting, and investigation into the assault of Mrs. Rodriguez. It is not related to the Judicial process, of prosecuting Mr. Valdez. These were separate crimes that took place against Mrs. Rodriguez.

On 1/25/2024 a 4th written request to speak with D.A. investigators. This request was made directly to Michael Allen by Preslee Rodriguez.

46. Once again, the request was denied.

47. The following is from that request.

48. “This is the 4th written request. This request is directed to DA Michael Allen.

Preslee Rodriguez wishes to speak to a District Attorney investigator, in regards to multiple assaults that Mrs. Rodriguez, was a victim of at the hands of multiple army soldiers.”

49. The request /complaint put Michael Allen in an administrative capacity. It also puts Michael Allen in an investigative capacity since the request has to do with criminal charges against individuals who had not yet been charged. This complaint / request did not involve the judicial process against Mr. Valdez.

ADRIAN VASQUEZ

50. On or around February 28, 2024 the Sgaggio family: filed a complaint with internal affairs and the chief of police ADRIAN VASQUEZ, in concerns of

Officers Keith Wrede, Commander Douglas Trainer and Timothy Stankey. The complaint documented that Mrs. Rodriguez's request to speak to an investigator was denied.

51. ADRIAN VASQUEZ; taking no action in light of Mrs. Rodriguez's request to speak to an investigator, suppressed exculpatory evidence; that was Material to Mr. Valdez's innocence.

52. ADRIAN VASQUEZ took no action and never replied in regards to the complaints by the Sgaggio family.

Equal Protections of the laws.

53. Mr. Valdez is a class of one.

54. The criminal case where Jason Wall shot Daniel Ritchie Jr. No charges were ever brought by the District Attorney. Because there was not a conspiracy to suppress exculpatory evidence against Jason Wall.

55. Lucas Aragon did shoot Desmond Hayes. No charges were ever brought by the District Attorney. Because there was not a conspiracy to suppress exculpatory evidence against Jason Wall.

56. ADRIAN VASQUEZ was aware of the conspiracy to suppress exculpatory evidence against Mr. Valdez. ADRIAN VASQUEZ was part of the conspiracy; and became aware of it, from the Complaints Filed by the Sgaggio Family.

57. Mr. Valdez was singled out by; Michael Allen, Brien Cecil, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER,

and TIMOTHY STANKEY who Suppressed statements that Rodriguez would have given to an investigator. These statements would prove Mr. Valdez's innocent, and were suppressed without legitimate reason.

58. These actions were "irrational and wholly arbitrary"; and motivated by ill will by Michael Allen, Brien Cecil, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY.

Due process rights:

59. (Zain Aguilera Valdez)

60. Mr. Valdez has a due process right; to not have favorable evidence of his innocence suppressed. Mr. Valdez has a due process right against District attorneys conspiring with CSPD supervisors in the suppression of exculpatory evidence.

Conspiracy to violate due process.

61. (Zain Aguilera Valdez)

62. Top CSPD supervisors KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY, would not allow for Preslee Rodriguez to give statements to an investigator. Mr. Sgaggio and Mrs. Rodriguez also filed multiple complaints; with the District Attorney's office to include D.A. Michael Allen, Keeley Deback and Brien Cecil. Mrs. Rodriguez Asked four times in writing; to speak with the District Attorney investigator and was denied.

63. By suppressing Mrs. Rodriguez's from giving statements to an investigator, the District Attorney was able to leverage; overcharged Mr. Valdez into a plea bargain.

64. Had Mrs. Rodriguez's given statements to investigators from the District Attorney's office or CSPD. Charges would have been brought against the three individuals; who choked Mrs. Rodriguez unconscious. The video evidence; along with statements from Rodriguez clearly show three; second degree assaults against Mrs Rodriguez. Charges would have to be dropped against Mr. Valdez; because the use of deadly force is justified; If, The other person is committing or reasonably appears about to commit assault as defined in sections [18-3-202](#) and [18-3-203](#).

65. Mrs. Rodriguez statements to an investigator; would also implicate Lambert and JOHN GRANILLO in perjury Infront of a judge. The District Attorney's office, Michael Allen, Keeley Deback and Brien Cecil, and high level CSPD supervisors KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY, conspired together, and protected not only their officers; but to suppressed evidence, that would show Mr. Valdez was innocent.

66. John Granillo was the only officer; to testify at Mr. Valdez's sentencing. Had Mrs. Rodriguez been allowed to speak with an investigator; evidence of John Granillo's Perjury would have came out; and he would not have been allowed to speak at the sentencing.

67. Furthermore; the suppression of exculpatory evidence "Statements that would have been made to investigators by Rodriguez" negatively affected Mr. Valdez's sentencing. Expert witnesses' presentations could not have excluded Mr. Valdez's self-defense claims; if it was not for the suppression of Mrs. Rodriguez's statements to an investigator.

Exculpatory evidence that was suppressed, Preslee Rodriguez's Multiple request to tell her story.

68. Preslee Rodriguez wanted to press charges, she gave a detail account of what happened on the night in question. Mrs. Rodriguez's story is backed up by video.

- a. "This is my third attempt, To press charges against those individuals, who did commit second degree assault against me, did make unwanted sexual contact, did assault me and did falsely imprison and kidnap me. I wished you immediately do an interview with a District Attorney investigator, preferably a woman, since this incident has caused me to be extremely fearful of men, especially men wearing body armor, and possessing guns."
- b. (This was taken from the request to speak to District Attorney's investigators.)
- c. Mrs. Rodriguez's account of the night along with video evidence which show on three different occasions; she was violently choked until she lost consciousness. The video and Mrs. Rodriguez's account also shows she was not involved in a fight; and the violence used against her was unwarranted.

Retaliation for Free Speech

69. (Delbert Sgaggio)

70. The phone call to Wayne Lambert on April 5th 2023 this is protected speech under the 1st amendment.

71. Defendant Lambert retaliated against Mr. Sgaggio by fabricating a false narrative and leaving out material facts. These actions made it more likely that Mr. Sgaggio Step son would be convict of a crime.

72. KEITH WREDE, handled Mr. Sgaggio's internal affairs complaints made to CSPD. Mr. Sgaggio filed multiple complaints, as a result. KEITH WREDE, deviated from the truth; left out material facts on the internal affairs report. KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY. Suppressed "Mrs. Rodriguez" request to give statements to an interviewer. Rodriguez is a witness who had evidence of Mr. Sgaggio's stepson's "Mr. Valdez's innocence.

73. Mr. Sgaggio made Complaints to Brien Cecil on Dec 5, 2023.

74. Mr. Sgaggio made Complaints to Michael Allen 1/25/2024.

75. Brien Cecil, Michael Allen, and Keeley Deback retaliated by suppressing witness Mrs. Rodriguez from giving statements to a district attorney investigator.

76. These complaints were protected speech.

CLAIM ONE:
42 U.S.C. § 1983
First Amendment – Violation Regarding Free Speech

Retaliation

77. Delbert Sgaggio brings claims against Defendants: Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY.

78. All statements of fact set forth previously, are hereby incorporated, as though set forth fully herein.

79. The phone call to Wayne Lambert made by Mr. Sgaggio; on April 5th 2023 was protected speech under the 1st. Amendment.

80. Wayne Lambert retaliated by fabricating a false narrative; and leaving out material facts.

81. On Nov, 17 2023, Nov, 28, 2023 and February 28, 2024 Mr. Sgaggio sent out complaints to internal affairs at CSPD and Adrian Vasquez.

82. These complaints were protected speech under the 1st amendment

83. Defendants: KEITH WREDE, deviated from the truth; and left out material facts on the internal affairs reports; from complaints On Nov, 17 2023, Nov, 28, 2023.

84. Actions related to complaints filed on On Nov, 17 2023, Nov, 28, 2023 and February 28, 2024; were, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY. Suppressed requests of “Mrs. Rodriguez” to give statements to an interviewer. Mrs. Rodriguez had evidence of Mr. Sgaggio’s stepson’s “Mr. Valdez’s innocence.

85. Defendant KEITH WREDE’s, decision to deviated from the truth; and leave out material facts on the internal affairs report, Was retaliatory and a result of Plaintiff’s Sgaggio’s constitutionally protected speech.

86. Defendant’s KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY; decision to suppression of the interview of witness Mrs. Rodriguez; who had evidence of Mr. Sgaggio’s stepson’s “Mr. Valdez’s innocence, Was retaliatory and a result of Plaintiff’s Sgaggio’s constitutionally protected speech.

87. Mr. Sgaggio made Complaints to Brien Cecil on Dec 5, 2023.

88. Mr. Sgaggio made Complaints to Michael Allen 1/25/2024.

89. These complaints were protected speech under the 1st amendment

90. Brien Cecil, Michael Allen, and Keeley Deback retaliated by suppressing witness Mrs. Rodriguez; from giving statements to a district attorney investigator. Mrs. Rodriguez had evidence of Mr. Sgaggio's stepson's; "Mr. Valdez's innocence,

91. Defendant's actions sought to punish Plaintiff Sgaggio for exercising his First Amendment rights; and to silence Plaintiff's future speech, and restrict Plaintiff's freedom of expression, and future speech.

92. Defendant's conduct violated clearly established rights belonging to Mr. Sgaggio of which reasonable persons in Defendants' position knew or should have known.

93. Defendants engaged in this conduct intentionally, knowingly, willfully, wantonly, maliciously, and in reckless disregard of Plaintiff's constitutional rights.

94. Defendants are working under the color of law.

Second Claim for Relief

42 U.S.C. § 1983

Fourteenth Amendment Due Process.

Suppression of Exculpatory evidence (Brady)

95. All statements of fact set forth previously, are hereby incorporated, as though set forth fully herein.

96. Zain Aguilera Valdez brings this claim against: Defendants; Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY.

97. Defendants; Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY. Suppressed the interview of a witness “Mrs. Rodriguez”

98. Mrs. Rodriguez’s statements to an interviewer are exculpatory towards Mr. Valdez’s innocence.

99. Mr. Valdez has been injured by this conduct; he is on 8 years of probation, has hundreds of thousands of dollars in restitution, and has a felony on his record.

100. Defendants are working under the color of law.

101. Defendant's conduct violated clearly established rights belonging to Mr. Valdez of which reasonable persons in Defendants' position knew or should have known.

102. Defendants engaged in this conduct intentionally, knowingly, willfully, wantonly, maliciously, and in reckless disregard of Plaintiff's constitutional rights.

Third Claim for Relief

42 U.S.C. § 1983

Fourteenth Amendment Due Process.

Conspiracy to Suppression of Exculpatory evidence (Brady)

103. All statements of fact set forth previously, are hereby incorporated, as though set forth fully herein.

104. Zain Aguilera Valdez brings this claim against: Defendants; Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY.

105. Defendants; Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY. agreed, by words or conduct, to Suppress Mrs. Rodriguez from giving statements to an investigator.

106. Mrs. Rodriguez's statements would have been Exculpatory evidence to Mr. Valdez's innocence.

107. One or more unlawful acts were performed by Defendants; Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ,

COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY to
accomplish the goal.

108. Defendants engaged in this conduct intentionally, knowingly, willfully, wantonly, maliciously, and in reckless disregard of Plaintiff's constitutional rights.

109. Defendants are working under the Color of law.

110. Defendant's conduct violated clearly established rights belonging to Mr. Valdez of which reasonable persons in Defendants' position knew or should have known.

111. Mr. Valdez has been injured by this conduct; he is on 8 years of probation, has hundreds of thousands of dollars in restitution, and has a felony on his record.

Fourth Claim for Relief

42 U.S.C. § 1983

Fourteenth Amendment Equal protections of the law.

112. All statements of fact set forth previously, are hereby incorporated, as though set forth fully herein.

113. Zain Aguilera Valdez brings this claim against: Defendants: Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY.

114. Plaintiff is a class of one.

115. The Plaintiff was treated differently by ADRIAN VASQUEZ from others who are similarly situated.

116. ADRIAN VASQUEZ was aware Jason Wall and Lucas Aragon did not have to deal with a conspiracy to suppress exculpatory evidence in their self defense cases that were never brought and or dismissed.

117. ADRIAN VASQUEZ was aware of the conspiracy to suppress exculpatory evidence against Mr. Valdez, in his self defense case that was not dismissed. ADRIAN VASQUEZ was part of the conspiracy; and became aware of it, from the Complaints Filed by the Sgaggio Family.

118. Mr. Valdez was singled out; Defendants Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY Suppressed statements that Rodriguez would have given to an investigator. These statements would prove Mr. Valdez's was innocent, and were suppressed without legitimate reason.

119. These actions were "irrational and wholly arbitrary"; and motivated by ill will by Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY.

120. Mr. Valdez has been injured by this conduct; he is on 8 years of probation, has hundreds of thousands of dollars in restitution, and has a felony on his record.

121. Defendants engaged in this conduct intentionally, knowingly, willfully, wantonly, maliciously, and in reckless disregard of Plaintiff's constitutional rights.

122. Defendants are working under the color of law.

123. Defendant's conduct violated clearly established rights belonging to Mr. Valdez of which reasonable persons in Defendants' position knew or should have known.

124. Mr. Valdez has been injured by this conduct; he is on 8 years of probation, has hundreds of thousands of dollars in restitution, and has a felony on his record.

125. Defendants engaged in this conduct intentionally, knowingly, willfully, wantonly, maliciously, and in reckless disregard of Plaintiff's constitutional rights.

PRAYER FOR RELIEF

Wherefore, Plaintiffs are awarded compensatory and punitive damages from the individual Defendants, Brien Cecil, Michael Allen, Keeley Deback, WAYNE LAMBERT, KEITH WREDE, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY. and an award of reasonable costs.

Mr. Valdez asks for Declaratory relief, that Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, Wayne Lambert and John Granillo did knowingly violate his due process rights under brady.

Mr. Valdez asks for injunctive relief that Michael Allen place: Brien Cecil, Michael Allen, Keeley Deback, KEITH WREDE, Wayne Lambert, ADRIAN VASQUEZ, COMMANDER DOUGLAS TRAINER, and TIMOTHY STANKEY on the Brady list for life.

Mr. Valdez asks for Declaratory relief that his Due Process, and or Equal Protection, rights have been violated.

Mr. Valdez asks for injunctive relief; that his guilty plea in criminal case, 2023-00010315. Be reversed and or removed. That Mr. Valdez's criminal record be wiped clean of any actions the resulted from criminal case 2023-00010315. That any judgements in criminal case 2023-00010315 be vacated. That restitution in criminal case 2023-00010315 be vacated

JURY DEMAND

Plaintiffs request a trial by jury. Respectfully submitted this 3/18/2025

Delbert Sgaggio and Zain Aguilera – Valdez

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