

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS**

CASE NO.: 22-2138

QUARTUS STITT,

Plaintiff,

vs.

CITY OF DECATUR.; DECATUR
POLICE DEPARTMENT; OFFICER
DOES 1 through 10, in their individual
and official capacity as police officers of
the Decatur Police Department,
inclusive; DOES 1 through 10, inclusive,

Defendant(s).

COMPLAINT

Plaintiff, QUARTUS STITT, files this Complaint against Defendants CITY OF DECATUR; DECATUR POLICE DEPARTMENT; OFFICER DOES 1 through 10, inclusive, in their individual and official capacity as police officers of the Decatur Police Department; and DOES 1 through 10, inclusive, their individual capacities and allege the following:

THE PARTIES, JURISDICTION, AND VENUE

At all times material to this action:

1. Plaintiff, Quartus Stitt, (“Mr. Stitt” or “Plaintiff”), was a citizen of the State of Illinois, and a resident of Macon County, Illinois.

2. Defendant, City of Decatur, (the “City”), is and was a municipality located within the territory of Macon County, Illinois.

3. Defendant, Decatur Police Department, (the “Police Dept.”), is and was a municipal corporation located within the territory of Macon County, Illinois. ‘

4. The full extent of the facts linking the fictitiously designated Defendants with the cause(s) of actions herein is unknown to Plaintiff. Further the true names and capacities, whether individual, corporate, associate, plural or partnership, or otherwise, of Defendants, OFFICER DOES 1 through 10, inclusive, in their individual and official capacity as police officers of the Decatur Police Department, and DOES 1 through 10, inclusive, are unknown to Plaintiff. Plaintiff therefore sues Defendants by such fictitious names. Plaintiff is informed and believes, and thereupon alleges, that each of the Defendants designated herein as an “OFFICER DOE” or “DOE” is negligently, wantonly, recklessly, tortuously, intentionally and/or unlawfully responsible in some manner for the events and happenings hereinafter referred to, and negligently, wantonly, recklessly, tortuously, intentionally and/or unlawfully, proximately caused injuries and damages to Plaintiff, as hereinafter alleged. Plaintiff will ask leave of this Court to amend this Complaint to show said Defendants’ names and capacities once the same have been ascertained.

5. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 and 42 U.S.C. § 1983. Venue is proper because the events giving rise to this claim all occurred within Macon County, Illinois.

THE FACTS GIVING RISE TO THE CLAIM

Background Information

6. Mr. Stitt is an African American/black man.
7. At all times material hereto, Mr. Stitt primarily earned his living by providing landscaping services to customers/clients in the greater Macon County, Illinois area.
8. The City is located in Macon County, Illinois.
9. The Police Dept. is located in Macon County, Illinois.

10. The City and/or the Police Dept. employed Officer Does 1 through 10, inclusive (“Officer Does”), as police officers.

11. At all times material hereto, Officer Does were law enforcement officers that were hired, employed, trained and/or supervised by the City and/or the Police Dept.

Facts of this Incident

12. On June 26, 2020, Mr. Stitt was working at a house where he been retained to provide landscaping services in Macon County, Illinois (the “Residence”).

13. Mr. Stitt brought his cousin (“Cousin”) to the Residence to assist him with the landscaping work that day.

14. On this day, June 26, 2020, Mr. Stitt drove his vehicle, a white Mitsubishi Lancer with Florida license plates and tag number: 0943TE (the “Mitsubishi”), to the Residence for work.

15. Around 4:50 pm, the Police Dept. received a call through, on information and belief, 911, from a female non-party (the “Caller”), who was the victim of a crime that took place at 1360 East Hickory Street, Decatur, Illinois 62526, by an armed individual named, on information and belief, “Vassan Johnson” (the “Perpetrator”).

16. The Caller specifically advised the Police Dept. that the Perpetrator was armed with a firearm and attempting to leave the area located at 1360 East Hickory Street in a “white” “Mazda 6” with a South Carolina license plate, and tag number, on information and belief, “SLD194.”

17. The Caller advised the Police Dept. to send officers as soon as possible due to the threat of the Perpetrator who was armed with a gun.

18. Shortly thereafter, Mr. Stitt and the Mitsubishi were surrounded by Officer Does, who drew their guns on Mr. Stitt and demanded that he exit the Mitsubishi.

19. Mr. Stitt was detained and handcuffed by Officer Does in front of the community and neighborhood he was working in while neighbors looked on, as Officer Does searched the Mitsubishi.

20. It should be noted that all of the Officer Does knew that the Perpetrator was in a white “Mazda 6” with a South Carolina license plate and tag number: SLD194 as this information had been relayed to them through the Police Dept.’s radio dispatch, not a Mitsubishi with a Florida license plate.

21. It should be further noted that all of the Officer Does who arrived on the scene and pointed guns at Mr. Stitt were white/Caucasian.

22. Officer Does at all times material hereto were acting within the course and scope of their employment with the City and the Police Dept,

23. In light of the events in our country after the death of George Floyd, a spotlight was placed on the community relations with many African Americans/Blacks in this county and police officers which were discovered to be strained, at best, and there was lots of mis-and distrust, and fear.

24. Mr. Stitt harbored these same sentiments of mis/distrust and fear of police officers and such sentiments became more pronounced in the wake of the George Floyd murder. Mr. Stitt was also extremely perplexed as to why the Officer Does approached him with their guns drawn, but also as to why he was even being detained at all as he had done nothing but his job!

25. Ultimately, Mr. Stitt asked one of the Officer Does why he had guns drawn on him and why he was in handcuffs and Mr. Stitt was simply told that it was because he and his vehicle “matched the description” notwithstanding the fact that he was in a completely different type of

vehicle, the Mitsubishi, with a different state license plate and completely different tag number than that, which belonged to the Perpetrator.

26. Most of the encounter that Mr. Stitt had with the Officer Does was captured via a video recording (the “Recording”), and it is currently in Mr. Stitt’s possession.

27. The Recording serves as irrefutable evidence to support Mr. Stitt’s claims in this action.

28. As a direct result of the actions of Officer Does, Mr. Stitt has sustained injuries of a pecuniary, emotional, and physical nature, which shall be established and proven at trial.

COUNT I

DEPRIVATION OF CIVIL RIGHTS FOURTH AMENDMENT VIOLATION UNLAWFUL TERRY STOP – OFFICER DOES

29. Mr. Stitt re-alleges the allegations contained in paragraphs 1-28 of this Complaint, as if repeated verbatim herein.

30. This action is brought by Mr. Stitt pursuant to Title 42, Section 1983, United States Code, for the deprivation of his Civil Rights caused by Officer Does 1 through 10, inclusive, in their individual and official capacity as officers of the Decatur Police Department.

31. Officer Does intentionally committed acts that violated Mr. Stitt’s Fourth Amendment right not to be subjected to an unreasonable or prolonged investigatory stop.

32. No reasonable police officers could have believed that Mr. Stitt was involved, or was about to become involved, in criminal activity, nor could they have found or believed that Mr. Stitt’s white Mitsubishi with a Florida license plate “matched the description” of a white Mazda with a South Carolina license plate, nor could they have believed that Mr. Stitt’s name was similar in sound or effect to the Perpetrator’s name, ‘Vassan Johnson’

33. Officer Does instigation and/or participation in these events caused or contributed to a prolonged stop and detention of Mr. Stitt, which was not reasonable in scope.

34. The law enforcement purpose served by the stop (or lack thereof), the diligence (or lack thereof) with which the Officer Does pursued their investigation, and the length of the stop was not reasonable based on the totality of circumstances.

35. No reasonable person would have felt free to leave in these circumstances and Mr. Stitt could not leave.

36. Officer Does conduct caused injury to Mr. Stitt, which was a reasonably foreseeable consequence of their conduct.

37. Officer Does were acting under color of state law as police officers when they committed such acts, even though their acts were outside the limits of lawful authority.

COUNT II

DEPRIVATION OF CIVIL RIGHTS FOURTH AMENDMENT VIOLATION

UNLAWFUL TERRY STOP – THE CITY AND THE POLICE DEPT.

38. Mr. Stitt re-alleges the allegations contained in paragraphs 1-28 and 29-37 of this Complaint, as if repeated verbatim herein.

39. This action is brought by Mr. Stitt pursuant to Title 42, Section 1983, United States Code, for the deprivation of his Civil Rights caused by the City and the Police Dept.

40. The City and the Police Dept. at all times material hereto employed Officer Does.

41. Officer Does intentionally committed acts that violated Mr. Stitt's Fourth Amendment right not to be subjected to an unreasonable or prolonged investigatory stop.

42. No reasonable police officer could have believed that Mr. Stitt was involved, or was about to become involved, in criminal activity, nor could they have found or believed that Mr.

Stitt's white Mitsubishi with a Florida license plate "matched the description" of a white Mazda with a South Carolina license plate, nor could they have believed that Mr. Stitt's name was similar in sound or effect to the Perpetrator's name, 'Vassan Johnson'.

43. Officer Does were acting under color of state law as police officers when they committed such acts, even though their acts were outside the limits of lawful authority.

44. As Officer Does employer(s), the City and the Police Dept. are responsible and liable for the acts and/or omissions committed by Officer Does that occurred within the course and scope of their employment as law enforcement officers employed by the City and/or the Police Dept.

45. Officer Does instigation and/or participation in the above events caused or contributed to the prolonged stop and detention of Mr. Stitt, which was not reasonable in scope.

46. The law enforcement purpose served by the stop (or lack thereof), the diligence (or lack thereof) with which the Officer Does pursued their investigation, and the length of the stop was not reasonable based on the totality of circumstances.

47. No reasonable person in Mr. Stitt's position would have felt free to leave in these circumstances and Mr. Stitt could not leave.

48. The actions and conduct of Officer Does caused injury to Mr. Stitt, which was a reasonably foreseeable consequence of their conduct, and given that the City and Police Dept. are responsible for the actions of the Officer Does, the City and the Police Dept. are liable to Mr. Stitt for his injuries and damages.

COUNT III

ASSAULT – OFFICER DOES

49. Mr. Stitt re-alleges the allegations contained in paragraphs 1-28, 29-37, and 38-48 of this Complaint, as if repeated verbatim herein.

50. Officer Does assaulted Mr. Stitt when they drew their guns on Mr. Stitt and placed him in reasonable apprehension of being shot or “battered.”

51. The actions of Officer Does were taken in direct disregard for Mr. Stitt’s rights and safety.

52. Furthermore, the actions of Officer Does were done in bad faith and/or with a malicious purpose and/or in a manner that exhibited wanton and willful disregard of human rights and safety.

53. It is well settled that pointing a firearm at an individual is inherently dangerous as the gun could go off even accidentally, therefore by pointing a gun at an individual there is always a foreseeable risk that injury will occur.

54. As a direct and proximate result of the aforementioned acts and/or omissions of Officer Does, Mr. Stitt suffered injuries and damages of a pecuniary, emotional, and physical nature, including but not limited to, lost wages, medical expenses, embarrassment, pain and suffering and emotional distress. These losses are either permanent or continuing.

COUNT IV

ASSAULT – THE CITY AND THE POLICE DEPT.

55. Mr. Stitt re-alleges the allegations contained in paragraphs 1-28, 29-37, 38-48, and 49-54 of this Complaint, as if repeated verbatim herein.

56. The City and the Police Dept. at all times material hereto employed Officer Does.

57. Officer Does were acting under color of state law as police officers when they committed such acts, even though their acts were outside the limits of lawful authority.

58. Officer Does assaulted Mr. Stitt when they drew their guns on Mr. Stitt and placed him in reasonable apprehension of being shot or “battered.”

59. The actions of Officer Does were taken in direct disregard for Mr. Stitt’s rights and safety.

60. Furthermore, the actions of Officer Does were done in bad faith and/or with a malicious purpose and/or in a manner that exhibited wanton and willful disregard of human rights and safety.

61. It is well settled that pointing a firearm at an individual is inherently dangerous as the gun could go off even accidentally, therefore by pointing a gun at an individual there is always a foreseeable risk that injury will occur.

62. Based upon the fact that the City and the Police Dept. are the employer(s) of Officer Does, the City and the Police Dept. are responsible and liable for the acts and/or omissions of Officer Does.

63. As a direct and proximate result of the aforementioned acts and/or omissions of Officer Does, Mr. Stitt suffered injuries and damages of a pecuniary, emotional, and physical nature, including but not limited to, lost wages, medical expenses, embarrassment, pain and suffering and emotional distress. These losses are either permanent or continuing.

COUNT V

NEGLIGENCE – OFFICER DOES

64. Mr. Stitt re-alleges the allegations contained in paragraphs 1-28 of this Complaint, as if repeated verbatim herein.

65. This count is being plead in addition and/or in the alternative, to the other plead counts in this action.

66. Officer Does owed Mr. Stitt a duty of care to ensure that they acted within reason when detaining Mr. Stitt and subjecting him to a Fourth Amendment “stop and seizure”.

67. Office Does knew, or reasonably should have known, that the Perpetrator was last seen in a white Mazda 6 with a **South Carolina** license plate and was named ‘Vassan Johnson.’

68. Officer Does breached their duty to Mr. Stitt by stopping him while he was in a white Mitsubishi with a **Florida** license plate.

69. No reasonable police officers could have believed that the Mitsubishi being driven by Mr. Stitt, nor Mr. Stitt was involved, or was about to become involved, in criminal activity.

70. As a direct and proximate result of the aforementioned acts and/or omissions of Officer Does, Mr. Stitt suffered injuries and was caused damages of a pecuniary, emotional, and physical nature, including but not limited to, lost wages, medical expenses, embarrassment, pain and suffering and emotional distress. These losses are either permanent or continuing.

71. Mr. Stitt’s injuries were a foreseeable consequence of the conduct of Officer Does, who were acting under color of state law as police officers when they committed such acts.

COUNT VI

NEGLIGIENCE – THE CITY AND THE POLICE DEPT.

72. Mr. Stitt re-alleges the allegations contained in paragraphs 1-28 and 64-71 of this Complaint, as if repeated verbatim herein.

73. This count is being plead in addition and/or in the alternative, to the other plead counts in this action.

74. The City and the Police Dept. at all times material hereto employed Officer Does.

75. Officer Does were acting under color of state law as police officers when they committed such acts, even though their acts were outside the limits of lawful authority.

76. Officer Does owed Mr. Stitt a duty of care to ensure that they acted within reason when detaining Mr. Stitt and subjecting him to a Fourth Amendment “stop and seizure”.

77. Office Does knew, or reasonably should have known, that the Perpetrator was last seen in a white Mazda 6 with a **South Carolina** license plate and was named ‘Vassan Johnson.’

78. Officer Does breached their duty to Mr. Stitt by stopping him while he was in a white Mitsubishi with a **Florida** license plate.

79. No reasonable police officers could have believed that the Mitsubishi being driven by Mr. Stitt, nor Mr. Stitt was involved, or was about to become involved, in criminal activity.

80. As a direct and proximate result of the aforementioned acts and/or omissions of Officer Does, Mr. Stitt suffered injuries and was caused damages of a pecuniary, emotional, and physical nature, including but not limited to, lost wages, medical expenses, embarrassment, pain and suffering and emotional distress. These losses are either permanent or continuing.

81. Based upon the fact that the City and the Police Dept. are the employer(s) of Officer Does, the City and the Police Dept. are responsible and liable for the acts and/or omissions of Officer Does.

82. Mr. Stitt’s injuries were a foreseeable consequence of the conduct of Officer Does who are employed by the City and the Police Dept.

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WHEREFORE, Plaintiff, Quartus Stitt, demands judgment for his economic and noneconomic damages, attorney’s fees, the costs of prosecuting this action, and any other relief this Court deems proper and just.

DATED this 27th day of June 2022.

THE WILLIAMS LAW GROUP

/s Andrew Williams, Esq.
BY: ANDREW WILLIAMS, ESQ.
Florida Bar No.: 0111817
20 Island Ave, Suite 801
Miami, Florida 33139
Telephone: (253) 970-1683
Attorney for Plaintiff Quartus Stitt
E-Service: Andrew@TheWilliamsLG.com
Secondary: WilliamsLawFlorida@gmail.com

DEMAND FOR JURY TRIAL

Plaintiff, QUARTUS STITT, hereby demand a trial by jury for all issues so triable.

DATED this 27th day of June 2022.

THE WILLIAMS LAW GROUP

/s Andrew Williams, Esq.

RESERVATION OF RIGHTS

Plaintiff, QUARTUS STITT, reserves the right to further amend this Complaint, upon completion of his investigation and discovery, to assert any additional claims for relief against the Defendants or any other parties as may be warranted under the circumstances and as allowed by law. Plaintiff, QUARTUS STITT, further reserves the right to seek and have punitive damages assessed against the Defendants.

DATED this 27th day of June 2022.

THE WILLIAMS LAW GROUP

/s Andrew Williams, Esq.

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings by other papers as required by the rules of procedure 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

QUARTUS STITT

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

(c) Attorneys (Firm Name, Address, and Telephone Number)

The Williams Law Group - 20 Island Ave, Suite 801
Miami, FL 33139; (253) 970-1683

DEFENDANTS

CITY OF DECATUR; DECATUR POLICE DEPARTMENT;
OFFICER DOES 1 through 10. et al.

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

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

Attorneys (If Known)

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 | ☒ 1 | ☒ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 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
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☒ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 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):
28 USC 1331 and 42 USC 1983

Brief description of cause:
Federal Question based upon Fourth Amendment Violations

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$**
\$150,000.00+ **CHECK YES only if demanded in complaint:**
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE

June 27, 2022

SIGNATURE OF ATTORNEY OF RECORD

/s/Andrew Williams, Esq.

FOR OFFICE USE ONLY

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

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.