

UNITED STATES DISTRICT COURT
for the Central District of Illinois

FILED

JUL 22 2024

CLERK OF THE COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA, ILLINOIS

Marty Watkins

Plaintiff,

v.

City of Decatur

Defendant(s).

Julie Moore-Walker
Scot Wrighton
Matt Newell

Case No. 24-2170

PRO SE CIVIL RIGHTS COMPLAINT
(Non-Prisoner)

I. JURISDICTION

Subject matter jurisdiction is invoked under 28 U.S.C. § 1331, 28 U.S.C. § 1343(a)(3), and/or 42 U.S.C. § 1983. List any additional bases for federal subject matter jurisdiction here:

II. PARTIES

Plaintiff:

A. Plaintiff, a citizen of Illinois (state), who resides at 4830 E. Baker Woods Lane Decatur, IL 62521, alleges that his/her civil rights were violated by the individual(s) named below.

Defendant #1:

B. Defendant Scot Wrighton is employed as a

(a) (Name of First Defendant)

City of Decatur Manager

(b) (Position/Title)

with City of Decatur / Gary K. Anderson PLZ. Decatur, IL 62523

(c) (Employer's Name and Address)

Check one of the following:

☒ This defendant **personally participated** in causing my injury, and I want **money damages**. Briefly describe how this defendant participated:

Mr. Scot wrighton former city manager, gave the directive for my campaign signs to be removed. While other candidates campaign signs were allowed to remain in unauthorized areas according to ILCS 5/29-14.1 Sections 17-20

☒ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone to something). Briefly describe this policy or custom: The defendant is in violation of removing my Political campaign signs that were not in violation of

ILCS 5/29-14.1 Sections 17-20. This act was in violation of 42 USC 1983 First Admendment right "Freedom of Speech"

I am seeking relief from defendant entering/or directing my campaign signs to be removed from private property.
Defendant #2:

C. Defendant Matt Newell is employed as a

(a) (Name of Second Defendant)

Director of Public Works

(b) (Position/Title)

with City of Decatur / Gary K. Anderson PLZ. Decatur, IL 62523

(c) (Employer's Name and Address)

Check one of the following:

☒ This defendant **personally participated** in causing my injury, and I want **money damages**. Briefly describe how this defendant participated:

Mr. Newell gave the directive for my campaign signs to be removed, while ~~while~~ other candidates signs were allowed to remain in unauthorized areas according to ILCS 5/29-14.1 Sections 17-20

☒ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone to something). Briefly describe this policy or custom: The defendant is in violation of removing

my Political campaign signs, that were not in violation of ILCS 5/29-14.1 Sections 17-20. This act was in violation of 42 USC 1983 First Admendment right "Freedom of Speech". I seek relief to stop this defendant from entering/

give directing on to private property to remove my campaign signs

Defendant #3:

D. Defendant Julie Moore - Wolfe is employed as a
(a) (Name of Third Defendant)

Mayor

(b) (Position/Title)

with City of Decatur / Gary R. Anderson Plz. Decatur, IL 62523
(c) (Employer's Name and Address)

Check one of the following:

☒ This defendant **personally participated** in causing my injury, and I want **money damages**. Briefly describe how this defendant participated: Mayor Julie Moore-Wolfe was informed about my campaign signs being removed, while other candidates signs remained in unauthorized areas which were in violation of ILCS 5/29-14.1 Sections 17-20

☒ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone to do something). Briefly describe this policy or custom: The defendant is in violation of removing my political campaign signs, that were not in violation of ILCS 5/29-14.1 Sections 17-20. This act was in violation of 42 USC 1983 First Amendment right "Freedom of Speech." I seek relief to stop this defendant from entering on to private property to remove my campaign signs or giving directives to do so.

Additional Defendant(s) (if any):

E. Using the outline set forth above, identify any additional Defendant(s), using additional pages, if necessary.

III. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in federal court? Yes

☐

☒ No

B. If your answer to “A” is YES, describe the lawsuit in the space below. *If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline.*

1. Parties to previous lawsuits:

Plaintiff(s):

Defendant(s):

2. Date of Filing:

3. Case Number:

4. Jurisdiction/Court:

5. Name of Judge:

6. Issues Raised:

7. Disposition of Case (for example: Was the case dismissed? Was it appealed? Is it still pending?):

8. Date of Final Disposition:

IV. STATEMENT OF CLAIM

State here, as briefly as possible, when, where, how, and by whom you feel your constitutional rights were violated. Do not include legal arguments or citations. If you intend to allege several related claims, you must number and set forth each claim in a separate paragraph.

1. On or about 3/22/2021 (month, day, year), at approximately 10:00
☒ a.m. ☐ p.m., plaintiff was present in the municipality (or unincorporated area of)
City of Decatur, in the County of
Macon, in the State of Illinois, at
~~4830~~ Building of Decatur Public Works 2850 N Jasper Decatur, IL,

where defendant(s) violated plaintiff's civil rights as follows (check each box that applies):

- ☐ arrested or seized plaintiff without probable cause to believe that plaintiff had committed, was committing or was about to commit a crime;
- ☐ searched plaintiff or his property without a warrant and without reasonable cause;
- ☐ used excessive force upon plaintiff;
- ☐ failed to intervene to protect plaintiff from violation of his/her civil rights by one or more other defendants;
- ☐ failed to provide plaintiff with necessary medical care;
- ☒ conspired together to violate one or more of plaintiff's civil rights;
- ☒ other (please explain): defendants had collected Plaintiffs
Campaign Signs to discard of them.

2. Plaintiff was charged with one or more crimes, specifically:

N/A

3. The criminal proceedings (check the box that applies): N/A

- ☐ are still pending.
- ☐ were terminated in favor of plaintiff in a manner indicating plaintiff was innocent.
- ☐ resulted in a finding of guilty on one or more of the charges.
- ☐ other: _____

4. Plaintiff further alleges as follows: *Describe what happened that you believe supports your claims. To the extent possible, be specific as to your own actions and the actions of each defendant.*

on January 24, 2021 Plaintiff received permission from owner to place a campaign sign. The campaign sign was removed. On March 21, 2021 thru March 29, 2021 Plaintiff noticed other campaign signs missing that belonged to him. While also noticing that other candidates signs remained in unauthorized areas. On March 22nd 2021 Plaintiff visited the City of Decatur Public works building unannounced to inquire about missing campaign signs. Plaintiff was taken to the back of the building where he discovered his missing campaign signs. On May 13, 2021 Plaintiff met with former City Manager to address his (Plaintiff's) concerns about the campaign signs being removed from private property. City Manager did not give explanation but assured me that my signs were not in violation but, he did give the directive to have signs removed. On June 14, 2021 Plaintiff met with city Mayor as it related to the removal of my campaign signs. Mayor could not give any explanation. When Plaintiff asked why his signs were being removed and others weren't her reply was "we can't take down all the signs."

5. Defendant(s) acted knowingly, intentionally, willfully, and maliciously.

6. As a result of Defendant's conduct, plaintiff was injured as follows:

By removing my campaign sign it took away my voice, it was in violation of my Freedom of Speech. While other candidates were allowed for their signs to remain up

7. Plaintiff asks that this case be tried by a jury. ☒ Yes ☐ No

V. PRAYER FOR RELIEF

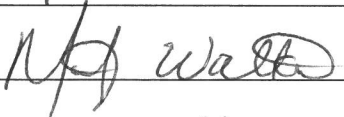
Plaintiff requests that the Court grant the following relief:

1. Compensatory Damages in the amount of \$ 400,000 to compensate for *(check all that apply)*:
 - ☐ bodily harm
 - ☒ emotional harm
 - ☒ pain and suffering
 - ☐ loss of income
 - ☒ loss of enjoyment of life
 - ☐ property damage
2. Punitive Damages: ☒ Yes ☐ No
3. Such injunctive, declaratory, or other relief as may be appropriate, including attorney's fees and reasonable expenses as authorized by 42 U.S.C. § 1988.

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions.

Date: 7/22/2024

Signature of Plaintiff: 

Plaintiff's Name *(print clearly or type)*: Marty Watkins

Mailing Address: 4830 E. Baker Woods Ln

City: Decatur State: GA Zip: 62521

Plaintiff's Telephone Number: (309) 643-0779

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Central District of Illinois

Marty Watkins

Plaintiff(s)

v.

Julie Moore-Wolfe
Scott Wrighton
Matt Newell
City of Decatur

Defendant(s)

Civil Action No. 24-cv-2170

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Julie Moore-Wolfe
Scott Wrighton
Matt Newell
City of Decatur
1 Gary R. Anderson PLZ.
Decatur, IL 62523

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF	COURT CASE NUMBER
DEFENDANT	TYPE OF PROCESS

**SERVE
AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Number of process to be
served with this Form 285

Number of parties to be
served in this case

Check for service
on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of:

☐ PLAINTIFF

☐ DEFENDANT

TELEPHONE NUMBER

DATE

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date _____ Time _____
☐ am
☐ pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*) \$0.00
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REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED