

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAVAR CALVIN,

Plaintiff,

-vs-

SHERIFF OF WILL COUNTY,

Defendant.

030 3086

No. 03 CV

JUDGE GETTLEMAN

(jury demand)

MAGISTRATE JUDGE MASON

COMPLAINT **DOCKETED**
MAY 12 2003

Plaintiff, by counsel, alleges as follows:

1. This is a civil action arising under 42 U.S.C. §1983. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §1343.
2. Plaintiff Javar Calvin is a resident of the Northern District of Illinois.
3. Defendant Sheriff of Will County is sued in his official capacity.
4. In October of 2002, plaintiff was enlarged on bond in a misdemeanor case pending in the state court in Joliet, Illinois.
5. On October 19, 2002, a police officer of the City of Bolingbrook, Illinois arrested plaintiff because records maintained by defendant mistakenly indicated that a warrant had been issued for plaintiff's arrest.
6. Plaintiff was brought to the Will County Jail on October 20, 2002 at about 4:00 a.m. While at the jail, plaintiff repeatedly insisted that he had been arrested by mistake and that he was not sought in any outstanding warrant. Plaintiff's protestations were ignored by jail personnel.

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7. Plaintiff was scheduled to appear before a judge in the morning of Monday, October 21, 2002. Plaintiff determined that he was not among the prisoners who were being taken to court and complained to jail officials. The jail officials responded to plaintiff's complaint by placing him in disciplinary segregation.
8. Shortly after 9:00 a.m. on October 21, 2002, a judge reviewed plaintiff's bail status, concluded that plaintiff was being held in error, and ordered plaintiff's release. Jail personnel ignored this order until 1:00 p.m., when they took plaintiff from disciplinary segregation and brought him before the judge. The judge reaffirmed his order that plaintiff should be released.
9. Jail personnel again ignored the judge's order and returned plaintiff to disciplinary segregation at the jail, where he remained until he was released at about 7:30 p.m. that night.
10. The above described detention caused plaintiff to be deprived of rights secured by the Fourth and Fourteenth Amendments to the Constitution of the United States and was the direct and proximate result of the official policies of the Sheriff of Will County.
11. As the direct and proximate result of the above described unlawful detention, plaintiff incurred personal injuries and lost wages.
12. Plaintiff hereby demands trial to a jury.

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WHEREFORE, plaintiff prays that judgment be entered in his favor and against defendant in an amount in excess of twenty five thousand dollars as compensatory damages and that the costs of this action, including reasonable attorneys' fees, be taxed against defendant.



KENNETH N. FLAXMAN
200 South Michigan Avenue
Suite 1240
Chicago, Illinois 60604-2340
(312) 427-3200
attorney for plaintiff

Carl

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Civil Cover Sheet 03C 3086

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

JUDGE GETTLEMAN

Plaintiff(s): Javar Calvin

Defendant(s): Sheriff of Will County

County of Residence: Cook

County of Residence:

Plaintiff's Atty: Kenneth N. Flaxman
Kenneth N. Flaxman P.C.
200 S Michigan Ave., Ste 1240
(312) 427-3200

Defendant's Atty: MAGISTRATE JUDGE M
SECRETED
MAY 12 2003

II. Basis of Jurisdiction: **3. Federal Question (U.S. not a party)**

III. Citizenship of Principal Parties (Diversity Cases Only)

Plaintiff:- N/A
Defendant:- N/A

IV. Origin : **1. Original Proceeding**

V. Nature of Suit: **440 Other Civil Rights**

VI. Cause of Action: **42 U.S.C. §1983: wrongful incarceration as the result of a policy of deliberate indifference by the Sheriff of Will County**

VII. Requested in Complaint

Class Action: No
Dollar Demand: **25,000**
Jury Demand: Yes

VIII. This case IS NOT a refiling of a previously dismissed case.

Signature: *[Handwritten Signature]*
Date: 5/8/03

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If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, print this form, sign and date it and submit it with your new civil action. **Note: You may need to adjust the font size in your browser display to make the form print properly.**

Revised: 06/28/00

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

Eastern Division

In the Matter of

Javar Calvin
-vs
Sheriff of Will County

DOCKETED
MAY 12 2003

Case Number:

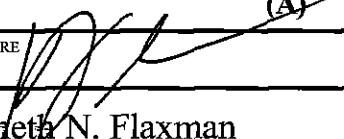
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APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

JUDGE SETTLEMAN

PLAINTIFF

MAGISTRATE JUDGE

(A)		(B)	
SIGNATURE 		SIGNATURE	
NAME Kenneth N. Flaxman		NAME	
FIRM Kenneth N. Flaxman P.C.		FIRM	
STREET ADDRESS 200 S Michigan Ave., Ste 1240		STREET ADDRESS	
CITY/STATE/ZIP Chicago, Illinois 60604		CITY/STATE/ZIP	
TELEPHONE NUMBER (312) 427-3200		TELEPHONE NUMBER	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 08830399		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	
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TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>	
		DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	
(C)		(D)	
SIGNATURE		SIGNATURE	
NAME		NAME	
FIRM		FIRM	
STREET ADDRESS		STREET ADDRESS	
CITY/STATE/ZIP		CITY/STATE/ZIP	
TELEPHONE NUMBER		TELEPHONE NUMBER	
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U.S. DISTRICT COURT

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