

KC FILED
JAN 27 2006
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

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

ROBERT JACKSON,)
)
Plaintiff,)
)
-vs-)
)
SHERIFF OF COOK COUNTY,)
and COOK COUNTY, ILLINOIS,)
)
Defendants.)

06C 0493
No. 06 CV _____
(jury demand)

JUDGE COAR
MAGISTRATE JUDGE LEVIN

COMPLAINT

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 conferred by 28 U.S.C. §1343.
2. Plaintiff Robert Jackson is a resident of the Northern District of Illinois.
3. Defendants are the Sheriff of Cook County and Cook County, Illinois. The Sheriff is sued in his official capacity, only. Plaintiff joins Cook County in this action in accordance with *Carver v. Sheriff of LaSalle County*, 324 F.3d 947 (7th Cir. 2003).
4. On or about February 4, 2004, plaintiff was admitted to the Cook County jail as a pre-trial detainee.
5. As part of his admission to the jail, plaintiff was subjected to the insertion of a swab into his penis.
6. The insertion of a swab into plaintiff's penis unreasonably invaded his privacy and caused him discomfort.

7. The insertion of a swab into plaintiff's penis was conducted in accordance with an explicit policy of the Sheriff of Cook County or, in the alternative, with a practice that was so permanent and well-settled at the Cook County Jail that it constitutes a custom or usage with the force of law.
8. As the direct and proximate result of the above referred policy of defendant Sheriff, plaintiff was deprived of rights secured by the Fourth Amendment.
9. Plaintiff hereby demands trial by jury.

Wherefore plaintiff requests that judgment be entered in his favor and against defendant in an amount in excess of one hundred thousand dollars.

/s/ Kenneth N. Flaxman

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