

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

DEWEY TURNBOW,)
LAWRENCE TURNBOW, and)
RONALD TURNBOW,)
)
 Plaintiffs,)
) No. 01 CV 6112
 -vs-)
) *(Judge Nordberg)*
)
 CITY OF CHICAGO and)
 CHICAGO POLICE OFFICERS)
 DALIAH GOREE, #15616,)
 TIMOTHY MADISON, #10674, and)
 KENNETH JORDAN, #16851,)
)
 Defendants.)

COMPLAINT

Plaintiffs, by counsel, allege 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 and 28 U.S.C. §1367.
2. Plaintiffs Dewey Turnbow, Lawrence Turnbow, and Ronald Turnbow are residents of the Northern District of Illinois.
3. Defendant City of Chicago is an Illinois municipal corporation joined in this action pursuant to 28 U.S.C. §1367: plaintiffs assert state law claims only against the City.
4. Defendants Cunningham and Jordan are Chicago police officers; each is sued in his individual capacity.
5. On July 30, 2001 at about 5:45 p.m., plaintiffs were installing floor tile in a residence in the 5800 block of South Wood Street in the City of

Chicago.

6. Defendants Cunningham, Jordan and other officers arrived at the location where plaintiffs were installing floor tile and, without a warrant and in the absence of any emergency, sought to enter the dwelling.
7. Plaintiffs refused to permit the officers to enter the dwelling.
8. Without lawful justification, defendants then placed plaintiffs under arrest.
9. Defendants used excessive and unreasonable force in placing plaintiffs under arrest.
10. The owner of the residence in which plaintiffs had been installing tile complained to the police district commander who ordered that plaintiffs be released without charging.
11. After his release, plaintiff Ronald Turnbow was transported by ambulance to a hospital where he received emergency medical care for internal injuries.
12. The above described actions of defendants caused plaintiff to be deprived of rights secured by the Fourth Amendment to the Constitution of the United States.
13. The above described actions of defendants constitute the Illinois tort of battery, for which defendant City of Chicago is responsible.
14. Plaintiff hereby demands trial by jury.
15. As the direct and proximate result of defendant's above described wrongful acts, plaintiffs were deprived of their liberty, incurred serious personal injuries, and suffered great pain, suffering, and discomfort.

WHEREFORE plaintiffs Dewey Turnbow and Lawrence Turnbow prays that judgment be entered against each defendant in an amount in excess of ten thousand dollars as compensatory damages and defendant Ronald Turnbow prays that judgment be entered against each defendant in an amount in excess of one hundred thousand dollars as compensatory damages and fifty thousand dollars as punitive damages.

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